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**Letter from the Secretary of the Interior, accompanying three reports of the Surveyor-General of New Mexico, relative to certain private land-claims in that territory.**

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

ACCOMPANYING

*Three reports of the surveyor-general of New Mexico, relative to certain private land-claims in that Territory.*

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DECEMBER 8, 1874.—Ordered to lie on the table and be printed.

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DEPARTMENT OF THE INTERIOR,  
Washington, D. C., December 7, 1874.

SIR: Pursuant to the eighth section of the act of July 22, 1854, (10 Stat., 308,) I have the honor to transmit herewith, for the consideration of Congress, three reports of the surveyor-general of New Mexico; the first concerning land granted to Ignacio de Roival and Jacinto Pelaez, being private land-claim reported as No. 92, in Santa Fé County; the second, concerning land granted "for the Cañon del Rio Colorado tract," being private land-claim reported as No. 93—"land-grant to Antonio Elias Armenta *et al.*" in Taos County; and the third, concerning land granted to Salvador Vernal and Tomas Lopez, being private land-claim reported as No. 94, in Colfax County, all in said Territory.

Very respectfully, your obedient servant,

C. DELANO, *Secretary.*

Hon. HENRY WILSON,  
*Vice-President, and President of the Senate.*

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*Transcript.—Private land-claim reported as No. 92, in the name of Ignacio de Roival and Jacinto Pelaez, for the town of Jacona tract, in Santa Fé County, New Mexico. Date of grant October 2, 1702. Reported by the United States surveyor-general June 10, 1874.*

PETITION OF PRESENT CLAIMANTS.

To the Hon. JAMES K. PROUDFIT,  
*United States Surveyor-General for New Mexico:*

Your petitioners, the present claimants of a certain tract of land known as the Jacona grant, situated in the county of Sante Fé, in the Territory of New Mexico, respectfully represent:

That in or about the year A. D. 1702 one Ignacio de Roival petitioned the governor and captain-general of New Mexico, a province then belonging to the Crown of Spain, for the said tract of land, describing the same by boundaries; and that on the 2d day of October, 1702, the governor and captain-general made unto the said petitioner unconditionally a full, perfect, and complete grant for the land, with the boundaries described and asked for by him, saving and excepting, however, the quantity of two

fanegas of planting-land within said boundaries, which excepted quantity was in said grant recognized as belonging and declared to belong to the one certain heir of one Jacinto Pelaez, him then surviving, which quantity of land so saved and excepted but the title to which was recognized as above set forth, and of which quantity your petitioners are the present owners, your petitioners ask to be considered as a part and portion of said grant of October 2, 1702, to the end that the title thereto may be adjudicated and confirmed in conjunction with the title of the said Ignacio de Roival.

Your petitioners herewith file the original petition and grant for said tract of land, together with a translation of the same, and also a map showing the boundaries of the said tract with as much accuracy as is practicable without a survey of the same, which has never been made.

Your petitioners do not file in the case the act of possession, which is presumed to have been executed to said grantee, Roival, by the chief alcalde, Roque Madrid, as the same, if ever executed, is not now in the possession of your petitioners, and as they do not deem the same to be essential to the validity and sufficiency of their claim, which they hold under a grant absolute and unconditional.

Your petitioners further represent that the said tract of land of Jacona has been to this time continuously and without interruption occupied and cultivated by said original grantees, Roival and Pelaez, and those holding under them, for more than one hundred and seventy years, and that there is now a large population of citizens residing upon and in the possession and enjoyment of said land; all of which your petitioners are ready to prove by many witnesses.

Your petitioners ask that their claim to the whole of said tract of land be investigated and passed upon by your honor at your earliest convenience, and that the title to the same be confirmed to the said Ygnacio de Roival and Jacinto Pelaez, and their heirs and legal representatives.

SAMUEL ELLISON,

*Attorney for Claimants.*

SKETCH-MAP.

Grant of Jacona, situated in Santa Fé County, Territory of New Mexico, extending in a northerly and southerly direction about seven and one-half miles, extending in an easterly and westerly direction about two miles, containing about 9,600 acres.

[For sketch, see original.]

MUNIMENT OF TITLE.

*Sor. gobernador y Capan. Genl.:*

El Alférez Ygnacio de Roival, vecino de este reyno, en la mejor via y forma, que haya en derecho ante V. Sa. paresco, y digo, que soy casado en el, con Da. Francisca Gomez, en quien tengo hijos; y para poder alimentar mi familia, necesito de un rancho para ganados mayores, menores, caballarda y tierras de labor; y por haber hecho V. Sa. merced de dos fanegas de sembradura de mais, al capan. Jacinto Pelaez, en el pueblo de Jacona, y estar lo de mas sin pedir, á V. Sa. pido y suplico se sirva de adjudicarme lo restante de dicho rancho de Jacona, por hallarme con principios, bastantes para poder tenerlos en dicho rancho y para poder sembrarlo necesario para alimentar mi familia; y linda dicho rancho por el oriente con tierras de Juan de Mestas y con tierras de Oyu, que eran de Francisco de Anaya Almanzan, y por el norte con un camino q. viene de la villa nueva á Jacona y unos peñascos que estan arriba de dicho camino, y por el poniente con una cañada que boja junto á una casa que hizo Mathias Madrid y unos barrancos colorados que estan junto á la mesilla de San Yldefonso, y por el sur con el monte que va de esta villa á Jacona; y dicho rancho pido y suplico á V. Sa. se sirva de adjudicarme como llevo pedido en nombre de su Mgd. sin perjuicio de mi menor, que de ello recibiré merced de la poderosa mano de V. Sa. y juro en debida forma este mi pedimto. no es de malicia &a.

YGNACIO DE ROIBAL.

*Presna.*

En la villa de Santa Fé, en dos dias del mes de Octubre de mil setecientos y dos años, ante el señor castellano goberor. y capan. gral. Dn. Pedro Rodriguez Cubero, de este reyno de la Nueva Mexico, por su magd., se presento esta peticion por parte de el Alférez Ygnacio de Royval, contenido por sé y en nombre de su muger é hijos, y por su señoría vista.

*Auto y merd. del rancho y tierras.*

Dijo que en nombre de su magd. (que Dios gude.) le hacia é hizo merced del rancho y tierras, nombrado Jacona para el susodicho y Doña Francisca Gomez, su muger, y todos sus hijos, con todos los linderos, pastos y abrevaderos que espresa y para los efectos, que refiere inclusive en dicho rancho las dos fanegas de sembradura que en el tenia Dn. Jacinto Pelaez, difunto, y son pertenecientes dichos dos fanegas á su hijo menor, y toda la dicha merced del dicho rancho con todo lo que le pertenece se le concede y dá como

dicho es y sin perjuicio de otra persona que á ello tengo mejor derecho, sirbiendole al dicho Ygnacio de Roival este auto y decreto de título, y merced en forma, del cual rancho y tierras á el pertinecientes, le dará posesion de todo el alcalde mayor Roque Madrid, en la forma acostumbrada y ninguna persona le perjudi que en nada de la merced que consta en este auto, que así lo probei y firme.

PEDRO RODRIGUEZ CUBERO.

Ante mi:

PEDRO DE MORALES,  
Sr. de Gobnr. y Guea.

En 7 de Septiembre de 1713 años, se asento esta merced en el libro de cabildo y lo rubrique.

[Rubrica.]

[Translation.]

*His Excellency the Governor and Captain-General:*

I, Ensign Ygnacio de Roival, citizen of this kingdom, in due form of law appear before your excellency and state that I am therein married to Francisca Gomez, by whom I have children; and to enable me to support my family, I need a rancho for cattle, sheep, goats, and horses, and planting-land; and your excellency having made a grant to Captain Jacinto Pelaez of two fanegas of corn-growing land at the pueblo of Jacona, and the remainder thereof being unapplied for, I ask and request your excellency to be pleased to grant me the balance of said rancho of Jacona, as I have sufficient animals to stock said rancho and to plant sufficient to support my family. Said rancho is bounded on the east by lands of Juan de Mestas and lands of Oyu, formerly of Francisco de Anaya Almanzan; on the north by a road that leads from the new village to Jacona, and some bluffs above said road; on the west by a cañada, which comes down by a house built by Matias Madrid, and some red bluffs near the little mesa of San Yldefonso; and on the south by the forest between this village and Jacona; and I ask and request your excellency to be pleased to grant to me said rancho, as I have requested, in the name of His Majesty without prejudice to my minor, whereby I will receive favor from the strong hand of your excellency. And I declare in due form that this my petition is not in dissimulation, &c.

YGNACIO DE ROIBAL.

PRESENTATION.

At the village of Santa Fé, on the second day of the month of October, year one thousand seven hundred and two, before me, Castellan Pedro Rodriguez Cubero, governor and captain-general of this kingdom of New Mexico for His Majesty, this petition was presented by Ensign Ygnacio de Roival for himself and in the name of his wife and children.

GRANTING DECREE FOR RANCHO AND LANDS.

And the same being considered by his excellency, he declared that in the name of His Majesty (God preserve him) that he would make, and he did make, a grant for the rancho and land called Jacona to the above-named applicant, and Francisca Gomez, his wife, and all their children, with all the boundaries, pastures, and watering-places he sets forth and for the purposes he states; the said rancho embracing the two fanegas of planting-ground which Jacinto Pelaez, deceased, had therein, and which said two fanegas of planting-ground belongs to his minor son, and there is conceded and given unto him the said grant in full for the said rancho, with all its appurtenances, as aforesaid, and without prejudice to any other person having a better right thereto, this decree serving the said Ygnacio de Roival as title and grant in form, and of all which rancho and lands thereunto pertaining; possession will be given to him by chief alcalde, Roque Madrid, in the customary form, and no person shall disturb him in anywise in the concession made in this decree, for thus I provided and signed.

PEDRO RODREGUEZ CUBERO.

Before me,

PEDRO DE MORALES,  
Secretary of State and War.

On the 7th of September, year 1713, this grant was entered in the corporation-book, and I rubricated the same.

[Rubric.]

The foregoing, to the best of my knowledge and belief, is a correct translation of the original petition of Ygnacio de Roival, and of the original grant to him in the Spanish language.

SAMUEL ELLISON.

Subscribed and sworn to before me this June 5, 1874.

JAMES K. PROUDFIT,  
Surveyor-General.

SURVEYOR-GENERAL'S OFFICE, TRANSLATOR'S DEPARTMENT,  
*Santa Fé, New Mexico, June 5, 1874.*

The foregoing translation of the original document in Spanish, having been by me compared with said original and found correct, is hereby adopted and made the official translation.

DAV. J. MILLER, *Translator.*

TESTIMONY OF WITNESSES.

IGNACIO DE ROIVAL AND JACINTO PELAEZ.

JACONA TRACT.

JESUS MARIA ORTIZ, being duly sworn to declare in this private land-claim, on his oath declares:

Question by Mr. Ellison, as attorney for the present claimants. What is your name, age, occupation, and residence?

Answer. My name is Jesus Maria Ortiz y Bacca; my age is fifty-nine years; my occupation is farmer; and my residence is at Cuyammigue, in the county of Santa Fé, in this Territory.

Q. Are you acquainted with the tract of land in this county known as the Jacona grant? If so, please state what you know concerning the tract, and the claim of the inhabitants therefor.

A. I know the Jacona tract of land and nearly all the inhabitants residing thereon. It is about five leagues north of the city of Santa Fé, in the county of Santa Fé, and on north and south sides of the Nambe (called also Pajoaque) River. There is upon the tract a town called the town of Jacona, and called also Los Roibales, situated upon the south bank of said river, and containing more than fifty heads of families. The place has always been occupied, since I have known it, by the people now there residing and their ancestors. My own residence is within about one league of the said Jacona tract. I have always lived where I now reside, having been born upon the spot. I have never known or heard of any claim adverse to that of the inhabitants of the tract for the land they claim under the Jacona grant, which they hold under, and they have always been among the surrounding settlers and settlements recognized as the proprietors of said land of the Jacona. I have never heard of and do not know of any mines or minerals upon the said Jacona tract. The said town of Jacona, or Roibales, was in existence, as before and afterwards, when the United States troops took possession of New Mexico in the year 1846. I have no interest whatever in said Jacona tract.

JESUS MA. ORTIZ Y BACA.

Sworn to and subscribed before me this June 5, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

JESUS MARIA LUJAN, being in like manner sworn, on his oath declares:

Question by Mr. Ellison. What is your name, your age, your occupation, and your residence?

Answer. My name is Jesus Maria Lujan; my age is fifty-four years; my occupation is farmer; and my residence is at Santa Cruz de la Cañada, in Rio Arriba County.

Q. Do you own the tract of land known as the Jacona grant? If so, please state what you know concerning it.

A. I know the tract of land mentioned. It is situated upon the Nambe River, in the county of Santa Fé, in this Territory. Upon the south bank of the river stands the town of Jacona, containing somewhat more than twenty-five heads of families, but immediately adjoining the town, up and down the river, there are numerous other settlers, making the town and its suburbs contain at least fifty heads of families. The town is called also Los Roibales, though it is more generally called Jacona. I have been at the place Jacona very often, and am acquainted personally with nearly every resident of the place and vicinity. My residence at Santa Cruz is distant thence about two leagues. I was born and have always lived at said Santa Cruz. The said place Jacona was in existence as a town when the United States Government took possession of New Mexico in 1846, and during the whole time I have known it, it has been such town. I have never known or heard of any claim for the Jacona tract adverse to that

of the present occupants of the land, and it has, so far as I know, always been reputed to belong to them. The land is situated about five leagues north of the city of Santa Fé. I do not know of any mines or minerals upon said Jacona tract of land. I have no interest whatever in this claim therefor.

JESUS MARIA LUJAN.

Subscribed and sworn to before me this June 5, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

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SURVEYOR-GENERAL'S DECISION.

*Opinion.*

This claim for a grant of lands comes before me under the eighth article of the treaty of Guadalupe Hidalgo, and the eighth section of the act of Congress of July 22, 1854, establishing this office.

The original papers, which are no doubt genuine, show that, on the second day of October, 1702, Don Pedro Rodriguez Cubero, governor and captain-general of New Mexico, at that time a province of Spain, granted the lands claimed to one Ygnacio de Roival, in fee, and it appears that it has been occupied by him and his successors ever since.

I recommend that the grant be confirmed to the legal representatives of said Roival by Congress, according to the boundaries set forth in the petition of said Roival to Governor Cubero, and as granted by said governor.

I transmit copies of the record complete in triplicate.

JAMES K. PROUDFIT,  
*United States Surveyor-General for New Mexico.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, New Mexico, June 10, 1874.*

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AUTHENTICATION OF TRANSCRIPT.

SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, New Mexico, June 13, 1874.*

The foregoing is a correct transcript of the papers on file in this office in private land-claim reported as No. 92, in the names of Ignacio de Roival and Jacinto Pelaez for the tract of land known as the town of Jacona tract.

JAMES K. PROUDFIT,  
*Surveyor-General.*

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*Transcript.—Land-grant to Antonio Elias Armenta et al., being private land-claim reported as No. 93, for the Cañon del Rio Colorado tract, in Taos County, New Mexico. Date of grant June 23, 1836. Reported by the United States surveyor-general June 30, 1874.*

CLAIMANT'S PETITION.

ANTONIO ELIAS ARMENTA ET AL.

His Honor P. RUSH SPENCER,

*United States Surveyor-General, New Mexico:*

The undersigned, your petitioner, would respectfully represent to your honor, that he is the present holder of a certain tract of land, situate in the county of Taos, in the Territory of New Mexico, which land was originally granted to Antonio Elias Armenta, José Victor Sanches, and José Manuel Sanches, by the ayuntamiento of Taos, in the year 1836. It was regularly received in possession by them, and has since that time remained in their possession and enjoyment and in the possession and enjoyment of their legal representatives, without any objection or hinderance from any other claimants or parties.

Your petitioner herewith presents and asks to file in your office the original title-papers in his said claim, accompanying the same, with a translation duly made and sworn to as correct, the same being from the Spanish into the English language; and he also presents

to be filed with said original and translation a sketch-map of said land, showing the locality of the same so far as the same can be made known without a previous survey of the land, said map showing the boundaries of said land as designated in said grant, which boundaries are well-known landmarks, easily found and established as the true ones of and for said grant.

Your petitioner would further represent that said land has been in the possession and use of the grantees and their legal successors from the date of their said grant, and is now in the quiet and peaceable possession and enjoyment of the same.

Your petitioner would further represent that he is desirous of bringing before your honor for examination witnesses to prove the signatures of the officers making said grant, the constant possession of the land claimed thereunder, and such other matters and things as your honor may require evidence concerning said grant and claim.

Your petitioner would further represent that he asserts and claims a perfect title to said land under the grant aforesaid, made in good faith under the laws, usages, and customs of the republic of Mexico, and guaranteed under the treaty of Guadalupe Hidalgo; and that he now presents the same for recognition, approval, and confirmation by the Government of the United States, under the law of Congress of the 22d of July, A. D. 1854, for the investigation of land-grants in the Territory of New Mexico, and asks of your honor an early investigation of his title under said law of Congress.

JOSE ANTONIO LAFORET.

By SAMUEL ELLISON, his Attorney.

[Sketch-map.]

#### SKETCH.

Sketch showing approximately the boundaries of grant of Cañon del Rio Colorado

Upon its east boundary about ten miles from north to south.

Upon its west boundary about eight miles from north to south.

Extending from east to west about twenty miles.

Containing, as is supposed, 115,000 acres; situated about thirty miles north of Taos, and about three-fourth mile east of town of Colorado.

The public surveys not extended over this grant.

[For sketch see original.]

#### MUNIMENT OF TITLE.

*Sor. alcalde constitucional de 1r. voto Dn. Antonio José Ortiz:*

Y esta ilustre corporacion comparecemos presentes ante VS. con la mayor sumicion y respecto y á la nuestra conenga, yo el C. Antonio Elias Armenta y José Victor Sanches y José Manuel Sanches, solicitando un terreno por posesion para nuestros animales, que es el paraje de el cañon de el rio Colorado, que se tiene por pastos sin continuacion de el territorio, mas de uno ó otro animal que entra solo, si no haciendosenos á nosotros perjuicio de tercero, lo ponemos en escusion en VS. para que como acordados y padres de la vendota publica, nos concedan esta nuestra peticion si nos conviene comprometiendonos el no consentir alguna persona, que se considerán no ser legales en su entrada y dha. peticion es de la puerta de el cañon hasta la cabeza de el rio y hacia el norte lo que hace la cuchilla hasta el Rito del Cabresto, si mi respectable junta y presidente lo tienen por conveniente siendo nuestra peticion legal, y juramos no ser de malicie en lo necesario, &c.

12 de Junio de 1836.

Somos,

ANTONIO ELIAS ARMENTA. +  
 JOSÉ VICTOR SANCHES.  
 JOSÉ MANUEL SANCHES. +

En sesion del dia de hoy se recivio la anterior presentacion, y puesta á discusion en el R. ayuntamiento, salio de concepto que se les de la posesion que solicitan con la precisa condicion que se deben sujetar desde la puerta del cañon que citan á la laguna, y primeros vallecitos mas inmediatos á dha. laguna, por el norte como esponen en su solicitud así lo decreto, mando y firmo la ilustre corporacion hoy 23 de Junio de 1836.

ANTONIO J. ORTIZ.  
 SANTIAGO MARTINEZ.  
 JUAN ANTONIO LOBATO,

*Secretario.*

[Translation of muniment.]

His Honor ANTONIO JOSÉ ORTIZ,

*Constitutional Alcalde of First Vote:*

And this illustrious corporation, we, citizens Antonio Elias Armenta, José Victor Sanches, and José Manuel Sanches, with the greatest submission and respect, and in

due form, personally appear before your excellency, praying for a tract of land in grant for our live-stock; it being the place of the Cañon del Río Colorado, which is considered pasture-land, although very few animals enter the ground; but no injury as from a third party being occasioned us, which we state to you, so that you together, and as guardians of the public welfare, may grant this our petition, if proper, binding us not to admit any person not deemed proper as residents; and said application is from the mouth of the cañon to the source of the river, and on the north, what forms the ridge to the Rito del Cabresto, provided our junta and its president think expedient and our application being legal; and we declare this is not in dissimulation, and as necessary; and we are,

This 12th of June, 1836.

ANTONIO ELIAS ARMENTA.  
 JOSÉ VÍCTOR SANCHES.  
 JOSÉ MANUEL SANCHES.

In session of this day the foregoing petition was received, and being put to discussion before this respectable ayuntamiento, it was decided to make to the parties the grant applied for, with the indispensable condition that they must confine themselves to from the mouth of the cañon they mention to the lake, and the first little valleys to said lake on the east, as they state in their application. Thus the illustrious corporation decreed, commanded, and signed this day, June 23d, 1836.

ANTONIO JOSÉ ORTIZ.  
 SANTIAGO MARTINEZ.

JUAN ANTONIO LOBATO,  
*Secretary.*

The foregoing is a correct translation from the original in Spanish, to the best of my knowledge and belief.

SAMUEL ELLISON,  
*Translator.*

Sworn to and subscribed before me this February 13, 1872.

T. RUSH SPENCER,  
*Surveyor-General.*

SURVEYOR GENERAL'S OFFICE, SANTA FÉ, N. MEX.,  
*Translator's Department, February 23, 1872.*

The foregoing translation, having been by me compared with its original in Spanish and found correct, is hereby adopted as the official translation.

DAV. J. MILLER, *Translator.*

#### TESTIMONY OF WITNESSES.

#### ANTONIO ELIAS ARMENTA ET AL.

DONACIANO VIGIL, being by the surveyor-general duly sworn, on his oath declares:

Question by the surveyor-general. What is your name, age, and residence?

Answer. My name is Donaciano Vigil; my age seventy-two years; and I reside at Pecos, in the county of San Miguel, New Mexico.

Q. Did you know, in their life-time, Antonio José Ortiz, Santiago Martinez, and Juan Antonio Lobato? and if you knew them, state where they resided, and whether you know their handwriting.

A. I knew them all three; they resided in the county of Taos; and I know their handwriting.

Q. Please examine the original grant in this case, now handed you for the purpose, and examine the signatures borne by it, purporting to be the signatures of those individuals, and state whether, in your opinion, they are genuine.

A. To the best of my opinion and belief they are their genuine signatures.

Q. Do you know the place called the Cañon del Río Colorado? and if so, state where it is situated.

A. I know the place, and it is situated in the county of Taos, and lies to the east of the road leading from Don Fernando de Taos toward the Culebra Costilla and Fort Garland, the town of Río Colorado being at the mouth of the cañon at its west end.

Q. Was it or not the usage and custom in this country, from the year 1836 to 1838, for the alcaldes and ayuntamientos to make land-grants?

A. It was the custom and usage, and was such under and in accordance with the seven laws known as the siete leyes, and under that authority the governors, prefects, and alcaldes, in conjunction with the ayuntamientos, had authority to make grants of



lands. This law of the siete leyes was promulgated by one of the national governments of Mexico. The law was enacted in 1836, and remained in force till 1838, when, another government coming in, it was repealed.

Question by Samuel Ellison, attorney for claimant. You have stated you knew the settlement at the Rio Colorado. Please state what you know concerning the same.

A. In the year 1829 we, as a military command of about two hundred men, I being of them as a sergeant, on our way to have a council and make a treaty of peace with the northern Indians who had recommenced hostilities recently, passed by the place mentioned, the town of Rio Colorado. It was then abandoned, in consequence of the deprivations of the Indians, and was a square of houses of about fifty varas on each side, the walls of the houses being all standing. I was never at the place again. The place stands on the north bank of the Rio Colorado, about five or six leagues north of Don Fernando de Taos. I do not know of, nor have I ever heard of, any mines or minerals on the land about the Rio Colorado settlement. I have no interest whatever in this claim for land at the place mentioned.

DONACIANO VIGIL.

Sworn to and subscribed before me this May 22, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

CARLOS VIGIL, being by the surveyor-general duly sworn, on his oath declares:

Question by the surveyor-general. What is your name, age, residence, and occupation?

Answer. My name is Carlos Vigil; my age is sixty-five years; my residence is at the pueblo of Pesuque, in this county of Santa Fé; and my occupation is farmer.

Q. Do you know the town of Rio Colorado, in Taos County? and if so, please state what you know concerning it.

A. I was there in the year 1849, in search of a lost animal, which I found there and which was delivered to me. It was a town containing some hundred families. The place is about five leagues north of Fernando de Taos on the north bank of the Rio Colorado, and on the main wagon-road. I have never seen or heard that there was any mineral or any mine or mines upon the land embracing the settlement; and I have no interest whatever in this claim for land.

CARLOS VIGIL.

Sworn to and subscribed before me this May 22, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

ANTONIO ELIAS ARMENTA ET AL.

PABLO DOMINGUEZ, having first been sworn by the surveyor-general to depose in this case, on his oath declares:

Question by Samuel Ellison, as attorney for claimants. What is your name, age, occupation, and residence?

Answer. My name is Pablo Dominguez; my age was sixty-one years last January; my occupation is farmer; and my residence is here at Santa Fé.

Q. What offices, if any, did you hold in New Mexico under the Mexican government?

A. Since I was twenty-one years of age I was continually in the military service here, down to the year 1846, and was then a lieutenant in the Mexican military service here, and was such here until in the month of August, 1846, when the American military forces took possession of the country.

Q. Have you ever been at a place in this Territory called the Cañon del Rio Colorado? And, if so, please state where it is situated and what you know about it.

A. I have known such a place many years. It is a small town in the county of Taos, immediately on the further side or north side of the Red River. I was there in August or September, in the year 1845. The place is on the main road running northward from the town of Taos, and about eighteen or twenty miles from Taos. When I was at the place there were residing there about forty-five or sixty families. When I was there I was in command as lieutenant of a detachment of soldiers sent by the military commander Archuleta, in pursuit of some Panano (Cheyenne) Indians, who had been killing some shepherds in that section of country. According to my recollection, the town was built of adobe and lumber, principally of the latter. The most of the adobe buildings contained upon them loop-holed battlements, placed there for defense in fighting off the hostile Indians. There were fields there planted with corn and beans, and in the vicinity I saw pasturing, in charge of herders, considerable numbers of cattle. My orders were to scour the country throughout that section for Indians; and when we returned we came round by the Mora River and Las Vigas to Santa Fé, and thence to the

Rio Arriba. I have never been at said town of Cañon del Rio Colorado since that time named. I have no interest whatever in the claim for land at or near said town.

PABLO DOMINGUEZ.

Subscribed and sworn to before me this June 18, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

ANTONIO E. ARMENTA ET AL.

JUAN DE JESUS DURAN, being sworn, on his oath declares:

Question by Mr. Ellison. What is your name, age, occupation, and residence?

Answer. My name is Juan de Jesus Duran; my age is 38 years; my occupation is laborer; and at present United States mail-carrier on the Taos and Santa Fé route; and my residence is at the ranchos de Taos.

Q. Do you know the place called the Rio Colorado plaza or town? And, if so, please state what you know about the same as to its locality and existence.

A. I know the place, and have always known the place since I can recollect. It is in the county of Taos, on the north or further side of the Red River, immediately on the bank. The place has now at least one hundred heads of families residing there. There were there when I first knew it some forty heads of families, and it has never contained less than that number to my knowledge. The place, as a town, was in existence in all the year 1846. In 1847 I was at school in Taos, and well recollect the revolution of that year, when Governor Bent was killed at Taos, which is distant from said town of Rio Colorado some eighteen or nineteen miles, and during the previous years (1845 and 1846) I was at the town of Rio Colorado aforesaid. The place was never abandoned by the inhabitants since I have known it. The said Red River is a branch of the Rio Grande del Norte, running westwardly by said town to said Rio Grande, into which it empties. I know of no mines or minerals upon said tract. I have no interest whatever in any property at the town or in the claim for the tract. I was at the town the last time thirteen days ago, and found the town in a growing and flourishing condition.

JUAN DE JESUS DURAN.

Sworn to and subscribed before me this June 25, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

SURVEYOR-GENERAL'S OPINION.

*Opinion.*

This claim for land is presented under the eighth article of the treaty of Guadalupe Hidalgo and the eighth section of the act of Congress approved July 22, 1854, establishing this office.

It appears from the record that, upon the petition of Antonio Elias Armenta, José Victor Sanchez, and José Manuel Sanchez, made in due form, the ayuntamiento or council of Taos granted the land in question to the petitioners on June 23, 1836, and that it has been held by them and others holding under them ever since without dispute. It was a considerable settlement at the time of the American occupation in 1846, and now contains one hundred families at least.

I recommend that Congress confirm the title to the original grantees and their legal representatives, according to the boundaries set forth in the decree of the council making the grant, and dated June 23, 1836.

I transmit copies of the complete record in triplicate.

JAMES K. PROUDFIT,  
*United States Surveyor-General.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, New Mexico, June 30, 1874.*

AUTHENTICATION OF TRANSCRIPT.

SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, New Mexico, July 28, 1874.*

The foregoing is a correct transcript of the papers on file in this office in private land-claim reported as No. 93, in the name of Antonio Elias Armenta et al.

JAMES K. PROUDFIT,  
*United States Surveyor-General.*

*Transcript.—Land-grant to Salvador Vernal and Tomas Lopez, being private land-claim reported as No. 94, for the Uña de Gato tract, in Colfax County, New Mexico. Date of grant January 1, 1839. Reported by the United States surveyor-general July 13, 1874.*

## PRESENT CLAIMANT'S PETITION.

To the Hon. JAMES K. PROUDFIT,

*United States Surveyor-General for the Territory of New Mexico :*

Your petitioner, Manuel A. Otero, legal representative of Salvador Vernal and Tomas Lopez, and present claimant of a certain tract or parcel of land on the Rio Colorado, in this Territory, known as the Uña de Gato grant, respectfully represents : That on the first day of January, 1839, Manuel Armijo, then civil and military governor of New Mexico, in the republic of Mexico, did, upon the petition (now missing, as hereinafter mentioned) of said Salvador Vernal and Tomas Lopez to him for land, direct the proper constitutional alcalde, Manuel Garcia de la Mora, to place said grantees, Vernal and Lopez, in possession of the tract they had together applied for, the same being the said Uña de Gato tract; that the said constitutional alcalde did, in obedience and pursuance of said decree and order of the said civil and military governor, proceed to the place therein named, and did give unto and place in possession of said Vernal and Lopez the said tract of land, under the boundaries mentioned in said act of possession, to wit, on the north the Tinaja hill and the Cola del Aguila; on the south the Chico and the Malpaciosos hill; on the west the Rio Colorado hills, according to the banks of the river; and on the east a line with the Tinaja hills and the Malpaciosos hills of the large mountain; all of which boundaries are well-known landmarks in the locality of this grant; and that on the 4th day of July, 1839, the act of possession so executed was approved and confirmed in writing by said civil and military governor in favor of said Vernal and Lopez; all of which more fully appears from the original papers herewith filed in your office for your adjudication under the treaty of Guadalupe-Hidalgo and the act of Congress of the United States establishing the office of surveyor-general for New Mexico.

Your petitioner further represents, that the petition of said grantees, Vernal and Lopez, asking a grant for said Uña de Gato tract of land, is now lost or mislaid, so that the same cannot now be presented and filed with the other papers in the case, though diligent search and inquiry have been made therefor; and your petitioner, therefore, prays that the production of said petition be waived by the United States as a paper non-essential, after the fact of the grant in the premises, in the adjudication of his said claim.

Your petitioner herewith presents a deed of conveyance from said original grantees, Salvador Vernal and Tomas Lopez, to one Antonio Matias Gomez, dated August 27, 1841, duly executed in accordance with the laws in force in New Mexico at that time, and prays that the same be filed in the case as one of the mesne conveyances to your petitioner for the land held under said grant.

Your petitioner herewith files the above-mentioned papers, with the exception of the petition missing as aforesaid, together with a sworn translation of the same, and also a sketch-map of the tract of land claimed thereunder; which map represents the land so claimed as accurately as is practicable without a prior survey of the same, which has never been made.

Your petitioner represents that the said tract of land has been in the quiet and peaceable possession of said original grantees and their legal representatives since the date of said grant and act of possession, and is ready to make proof thereof; and prays that said grant be investigated, recognized, and confirmed to the said grantees, Salvador Vernal and Tomas Lopez, and their legal representatives.

MANUEL A. OTERO,  
By SAMUEL ELLISON, his Attorney.

## SKETCH-MAP:

*Sketch of the Uña de Gato grant, extending from east to west about forty-one miles, extending from north to south about about twenty-one miles, situated in Colfax County, Territory of New Mexico.*

[For sketch, see original.]

[MUNIMENTS OF TITLE.]

• Vale por el sello 3º, 1839.

Orden: Alcalde Manuel Garcia de la Mora 2do alcalde constitucional de la jurisdiccion de Abiquim, asistiendo como presidente de repartos de mercedes por orden del decreto. Vale por el sello tercero de 1839 y 1840.

[Rubrica.]

SANTA FEE, Enero 1ro de 1839.

En este dia primero, yo, Manuel Armijo, gobernador politico y militar de esta mi mando, decreto y ordeno á V. y mando en conformidad con la ley que nos rijen y mandan, en conformidad con la á la peticion de los ciudadanos Salvador Vernal y Tomas Lopez de esta del pueblo de Jemes, órdeno á V. que como, alcalde de la jurisdiccion de Abiquim, como presidente interino de repartos de mercedes, pase al lugar que comunemente llaman y mas particularmente conocido por la Uña de Gato, con los peticionarios y sus regidores y los pondra á los dichos agraciandoles sus terreno de merced y les señalara sus linderos de la dicha donacion, delante de Dios y de su mando y les dara sus documentos de merced para que despues de Dios, le den la parte que les toca y lo gozen sus hijos y demas susesores, y ellos como agraciados su terreno, y por lo tanto, mando y ordeno, y provi esta orden en este papel comun por no averlo de ningun sello, en este mi mando y ordeno para efectos correspondientes en este de mi cargo.

Santa Fee, Enero de mil ochocientos treinta y nueve.

SANTA FEE, Enero 1ro. 1839.

Aprobe este decreto para efectos correspondientes.

ARMIJO. [SELLO.]

Un quartillo. Sello quarto un quartillo, años de mil ochocientos diez y ochocientos [SELLO] once. Sello 1839 y 1839. [Rubrica.] Valga por los á de 1839 y 1840. [Rubrica.]

[SELLO.] En este puesto de Santa Cruz de la Cañada, á los 25 dias del mes de Enero del año del Dios de mil ochocientos treinta y nueve, comparecieron prentes los [SELLO] CCnos. Salvador Vernal y Tomas Lopez de Jemes, ambos bien conocidos de mi jurisdiccion de mi cargo, y me suplicaron como juez constitucional pusiera mi autoridad y judicial decreto, y á nombre de ambos dos, en que les hiciera una donacion de terreno, y yo como alcalde constitucional Manuel Garcia de la Mora, asiendo las veces de presidente de los repartos de merced segun la orden de su mandato pase al lugar que llamamos el nombre de la Uña de Gato, y señalándole sus linderos por el norte el serro de la Tinaja y Cola del Aguila, y por el el Chico y serros Malpaciosos, y por el poniente las lomas del rio Colorado segun las riveras del rio, y por el oriente una linia del serro de la Tinaja y los serros Malpacios de la sierra grande, reconocida y biendolos pasar se por el terreno arrancaudo zacate y tiran de piedras y gritando con gusto viva el Dios Nuestro Señor, que nos ampara y nos protegue y que dando el terreno á favor de sus pretendientes y para sus hijos, y asignados para siempre todo título y interes sobre la dicha donacion y mirando que los donados lo hicieren con el fin de proteger á sus familias y dar sus pasos para su bien estar entonces, yo como juez constitucional dije que interponia y la interpose cuanto por derecho me es conferido por la ley de sus decretos, y como presidente ahora interino en esta jurisdiccion de mi cargo, por lo tanto done en N. D. D., y la nacion y su merced y para que nadie les ponga ningun pleito ni embarazo en su posesion puse mi firma judicial, con mis regidores, Miguel Martines y José Santiago Trujillo y mi secretario en lo cual di fé y conosco ser esta donacion de merced &c., verdad.

MANUEL GARCIA DE LA MORA,  
Asdo. Presidente y Juez Constitucional.

Regidores, MIGUEL MARTINEZ y  
SANTIAGO TRUJILLO.  
Secretario, VICENTE MARTINEZ.

Vale por sello tercero por los años de 1839 y 1840.  
[Rubric.]

SANTA FÉ, Julio 4to de 1849.

Habiendo visto la merced concedida á Salvador Vernal y Tomas Lopez, y estando yo satisfecho que hay habra perjuicio de tercero doy fee en que la dicha, merced esta por mi aprobada en este, lugar Santa Fé, Julio 4to, de 1839, y para su debido cumplimiento la firmo para efectos correspondientes de los dichos agraciados.

ARMIJO.

Filed for record April 3d, 1873, at 9 o'clock a. m., and recorded in Book A, page 342, Records Colfax County, New Mexico.

JOHN LEE,  
Clerk Probate Court and ex-officio Recorder Colfax County, New Mexico.

Papel comun, traspasado en el 1841.

En esta lugar de la Sangre de Cristo á los 27 dias del mes de Agosto del año de mil ochocientos cuarenta y uno, ante mi, uno de los jueces de paz, comparecieron presentes los ciudadanos Salvador Vernal y Tomas Lopez, ambos dos bien conocidos de esta tercera demarcacion de Auton Chico, y me suplicaron como vendedores que les hiciera el dicho documento de traspaso, que dicen que le vendieron al Cno. Antonio Matias Gomes un cierto terreno que se halla en el lugar de la Uña de Gato al lado del oriente del rio Colorado y son sus linderos como lo dice la merced á ellos concedida por el

governador Manuel Armijo año de 1839, los siguientes: por el norte el serro de la Tinaja y Cola del Aguila, y por el sur el Chico y serros Malpaciosos, y por poniente la lomas del rio Colorado segun las riveras del rio, y por el oriente una linea del serro de la Tinaja y los serros Malpaciosos de la sierra grande reconocida y la dicha tierra dicen los vendedores aver vendido por el precio y cantidad de trescientas cabras, un sarape nabajo, una mula tordilla, y una yunta de buelles y setenta y cinco peso fuertes con los cuales dicen los dichos vendedores haber vendidos y quedan contentos y dicen que si vale ó balar pueda la dicha tierra le hacen gracia y donacion mera y perfecta irrevocable, yo el juez dije que la interponia y la interpuso tanto y por cuanto me es conferido por la ley y en esto doy fee en el trato y en la entrega y de testigos de assta., &c., que atuaron en ffees.

JESUS SISNEROS,

*Juez de Pas 3a demarcacion de Anton Chico de mi cargo.*

Testigos:

JUAN PEREA.

JUAN JOSÉ GONZALES.

Otorgantes y sus esposas, separadamente con su voluntad de ambas dos en mi presencia como juez alcalde.

SISNEROS.

Otorgantes: Tomas Lopez +, Chepita Baca +, Salvador + Vernal +, Tomacita + Baca +, firmado +, y ortogado.

[TRANSLATION OF MUNIMENTS.]

*Valid for the third seal, 1839.*

Order: Justice of the peace Manuel Garcia de la Mora, second constitutional justice of the peace of the jurisdiction of Abiquin, attending as president of divisions of lands by authority of the decree. Valid for the third seal of 1839 and 1840.

[Rubric.]

SANTA FÉ, *January 1, 1839.*

Upon this first day, I, Manuel Armijo, civil and military governor of this my jurisdiction, do decree and direct that you, in conformity with the laws which govern us and are in force, and in conformity with the petition of citizens Salvador Vernal and Tomas Lopez, of the pueblo of Jemez, and do order that you, as an alcalde of the jurisdiction of Abiquin, as acting president of the division of lands, proceed to the place they commonly call and more particularly known as the Uña de Gato, with the petitioners and your aldermen, and that you establish the parties aforesaid, giving them the granted land; and you will point to them their boundaries of the said grant in the presence of God and of your authority, and will give them their documents of grant, so that they be given the portion corresponding, and, God willing, their children and other successors and themselves, as grantees may enjoy their land; and therefore I do command and order, and have so provided upon this common paper, there being none of any stamp in this jurisdiction of my charge, and do ordain for the corresponding effects in this district of my charge, Santa Fé, January, eighteen hundred and thirty-nine.

SANTA FÉ, *January 1, 1839.*

I approved this decree for the corresponding effects.

ARMILJO.

[Seal attached.]

One cuartillo. Seal fourth—one cuartillo—years one thousand eight hundred and ten [SEAL.] and eight hundred and eleven. Seal 1839 and 1839.

Valid for the years 1839, 1840.

[Rubric.]

At this place, Santa Cruz de la Cañada, upon the 25th day of the month of January of the year of our Lord one thousand eight hundred and thirty-nine, personally appeared citizens Salvador Vernal and Tomas Lopez of Jemez, both well known of this the jurisdiction under my charge, and asked of me that, as constitutional justice I interpose my authority and judicial power, and in names of both make them a grant of land, and I, Manuel Garcia de la Mora, as constitutional alcalde, acting as president of division of grants, in accordance with the order under the decree, proceeded to the place that we call by the name of Uña de Gato, pointing out to them their boundaries, on the north the Tinaja hill and the Cola del Aguila, and on the south the Chico and the Malpaisos hills, and on the west the hills of the Rio Colorado, according to the bank of the river, and on the east a line of the Tinaja hill and the Malpaisos hills of the well-known large mountain; and they seeing their boundaries, they walked over the land, pulling up grass and throwing stones and shouting with joy glory to God our Lord, who assists and protects us; the land remaining to the benefit of the applicants therefor, and for their children and assigns forever, with full title and interest in the said grant; and seeing that those

receiving do so with the object of supporting their families and of doing something for their welfare, I then, as constitutional justice, declared that I would interpose, and I did interpose as far as by law I am authorized to do under the law of the decrees and as president now temporary in this jurisdiction under my charge. Wherefore I have granted, in the name of God and the nation and its dignity; and in order that no one shall bring any suit or incumbrance against their possession, I signed my official signature, with my aldermen, Miguel Martinez and José Santiago Trujillo, and my secretary, to which I certified; and I know this to be a donation of grant, &c., to be true.

MANUEL GARCIA DE LA MORA,

Aldermen,

*President and Constitutional Justice.*

MIGUEL MARTINEZ,  
SANTIAGO TRUJILLO.

Secretary,

VICENTE MARTINEZ

Valid for seal third for the years 1839 and 1840.

[Rubric.]

SANTA FÉ, July 4, 1839.

Having seen the grant conceded to Salvador Vernal and Tomas Lopez, and being satisfied that there is prejudice to a third party [que hay habra perjuicie de tercero,] I do certify that the said grant is approved by me at this place, Santa Fé, July 4, 1839; and for its due fulfillment I sign the same for the corresponding effects for the said grantees.

ARMIJO.

Filed for record April 3, 1873, at 9 o'clock a. m., and recorded in deed-book A, page 342, records Colfax County, New Mexico.

[SEAL.]

JOHN LEE,

*Clerk Probate Court and Ex-Officio Recorder Colfax County, New Mexico.*

Common paper—conveyed year 1841.

At this place, Sangre de Cristo, on the 27th day of the month of August, in the year of one thousand eight hundred and forty-one, before me, one of the justices of the peace, appeared the citizens Salvador Vernal and Tomas Lopez, both well known of this third district of Anton Chico, and as vendors requested me that I would make for them the said deed of conveyance, as they declare that they sold to Antonio Matias Gomez a certain tract of land situated at the place Uña de Gato, on the east side of Red River, and its boundaries are the following, as the grant conceded to them by Governor Manuel Armijo, year of 1839, recites: On the north the Tinaja hill and Cola de Aguila, and on the south the Chico and Malpaciosos hills, and on the west the hills of Red River, conforming to the banks of the river, and on the east a line of the Tinaja hill and the Malpaciosos hills of the well-known large mountain; and the vendors declare they have sold the said land for the price and amount of three hundred goats, a Navajo blanket, a gray mule, and a yoke of oxen, and seventy-five silver dollars, specie, for which the said vendors declare they sold and are satisfied, and declare that if the said land is worth or might be worth [more] they make to them gift and donation full and irrevocable; and I, the justice, said that I would, and I did, officiate as far and as fully as the law permits; and to this I certify, in the transaction and in the delivery, with two attending witnesses, &c.

JESUS SISNEROS,

*Justice of the Peace Third Demarcation of Anton Chico in my charge.*

Witnesses:

JUAN PEREA,

JUAN JOSÉ GONZALES.

Principals and principals, their wives separately, with the will of both, in my presence and officiating alcalde.

SISNEROS.

Tomas Lopez, Chepita Baca, Salvador Vernal, Tomacita Baca, signed and executed. The foregoing is a correct translation of the original in Spanish, to the best of my knowlege and belief.

SAMUEL ELLISON.

Subscribed and sworn to before me this May 29, 1874.

JAMES K. PROUDFIT,

*Surveyor-General.*

SURVEYOR GENERAL'S OFFICE, TRANSLATOR'S DEPARTMENT,

SANTA FÉ, NEW MEXICO, May 29, 1874.

The foregoing translation having been by me compared with the papers from which it was made and found correct, is hereby adopted as the official translation.

DAV. J. MILLER,

*Translator.*

## TESTIMONY OF WITNESSES.

## SALVADOR VERNAL AND TOMAS LOPEZ.

## UÑA DE GATO TRACT.

JUAN PABLO MADRID, being by the surveyor-general duly sworn to depose in the private land-claim, on his oath declares:

Question by Mr. Ellison, attorney for present claimant. What is your name, age, occupation, and present residence?

Answer. My name is Juan Pablo Madrid; my age is sixty-four years; my occupation is farmer, and my residence is at Santa Cruz de la Cañada, in the county of Rio Arriba.

Question. Do you know a tract of land known as the Uña de Gato tract? And, if so, please state what you know about the same.

Answer. I know the tract. It is to the east of this place, on the further side of the Rio Colorado, and upon that stream. I have been at the place three times, in the years 1841, 1842, and 1843. Matias Gomez was then residing upon the tract. When I passed there en route to trade with the Comanche Indians and to hunt buffalo, Gomez had there some cabins built. The given name of said Gomez was either Juan Matias or Antonio Matias, I do not remember which. I knew him personally. I knew him at Santa Cruz, where he was clerk of the ayuntamiento, and also at his cabins on said tract of land. He died, I think, at Anton Chico, in this Territory. I do not know precisely the boundaries of the grant; to my own knowledge I do not know whether any persons or persons live upon the land at this time. I have no interest whatever in the land in question. I do not know whether there are any mines or minerals upon the land. When I was there there were some goats and burros there, and some growing crops. I do not know whether at the date of the treaty of Guadalupe Hidalgo of 1848 there was anybody living upon the tract. I remember that in the year 1845 I met Gomez when he told me that, owing to the war with the Ute Indians and the depredations of those savages, he would be compelled to abandon his place at the Uña de Gato, and that he intended to remove to Anton Chico, as he subsequently did.

JUAN PABLO MADRID.

Subscribed and sworn to before me this May 29, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

ANTONIO GOMEZ, being sworn by the surveyor-general, on his oath declares:

Question by Mr. Ellison. What is your name, age, occupation, and residence?

Answer. My name is Antonio Gomez; my age is 47 years; my occupation is farmer, and my residence is San Ildefonso, in the county of Santa Fé.

Question. Do you know the tract of land called the Uña de Gato? If so, state where it is situated, and what you know about it.

Answer. I know the tract of land mentioned. It lies upon the farther side of the Red River, and upon that stream in this Territory. When I was there my brother Antonio Matias Gomez, lived there. I was there between the years 1842 and 1846. I then had there some cabins built and some corn growing and had some live-stock such as goats, beeves, and cows. I remember I was there in the spring of the year as remained about a week, and when I came away I brought some six or seven goats which I had gone there to get. I do not know whether the land was occupied by the grantees or their successors at the time of the treaty of 1848 with Mexico, or whether it was occupied since. I do not know whether the land contains any mines or minerals. I do not know the boundaries or the extent of the tract. I have no interest whatever in the land. The land was abandoned by my brother, Antonio Matias Gomez, on account of the depredations of hostile Indians. He died at Anton Chico, in what year I do not recollect, but I think it was in the year 1858 or 1859, I first hearing of his death some ten or eleven months after it occurred.

ANTONIO GOMEZ.

Subscribed and sworn to before me this May 29, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

JUAN PABLO MADRID recalled and examined:

Question by Mr. Ellison. In continuation of your declaration of 29th May last, please state what you know in relation to the petition of the claimants, Vernal and Lopez, and the decree of the governor thereon, for the land here in question.

Answer. In the year 1839, I myself brought to Santa Fé and presented to Governor Armijo a petition of Salvador Vernal and Tomas Lopez for land known as the Uña de Gato tract. This petition, which I heard read on receiving it, was delivered me by

Vernal and Lopez at the town of Santa Cruz de la Cañada, for bringing to the governor at Santa Fé. Vernal and Lopez had an attorney, one Joaquin Valdez, employed to attend to the business of procuring the grant for them from the government, and Valdez paid me for bringing the petition therefor to the governor at Santa Fé. On my arrival here at Santa Fé I went to present the petition to the governor, accompanied by Domingo Fernandez, who was connected in some official capacity with the governor, who in my presence and at my request presented the petition to the governor, who upon receiving it directed me to call at the executive office the following day, when he would advise me of his determination in the matter of the petition. On the following day I returned, as directed, accompanied by Señor Fernandez, as before, when the governor read to us his decree, and then, inclosing the same in an envelope, handed the envelope and inclosure to Fernandez and he to me, whereupon I returned to Santa Cruz and there delivered the same to Valdez, and who immediately delivered the papers to Messrs. Vernal and Lopez, remarking to them that the business was complete and turned over to them. The decree was written upon a half sheet of paper, and the document now shown me, purporting to be the same, I verily believe is the identical paper I refer to as handed me by the governor at that time and which I delivered to Valdez as stated.

JUAN PABLO MADRID.

Sworn to and subscribed before me this July 6, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

BARTOLO MARTIN, being sworn by the surveyor-general, on his oath declares:

Question by Mr. Ellison. What is your name, age, occupation, and residence?

Answer. My name is Bartolo Martin; my age is about seventy-five years; my occupation is farmer; and my residence is now, and always has been, at San Ildefonso, in the county of Santa Fé.

Question. Do you know a tract of land called the Uña de Gato tract; and if so, please state where it is situated and what you know concerning the land, and the claim therefor now here pending.

Answer. I do know such a tract of land. It is upon the farther side of the Red River, north of the town, and I think in the county of Colfax, in this Territory. The boundaries of the tract I do not know. In or about the year 1839, Salvador Vernal and Tomas Lopez, who had been residing at the town of San Ildefonso, and who were then leaving there to go upon and occupy said Uña de Gato tract, of which they were said to be the owners, employed me to go with them to the spot and take charge of their sheep and goats there, which I did, remaining in their employment about three years as shepherd, and until the invasion of the Texans, in 1842, when I returned to San Ildefonso to live, but have several times been back to the place. Before I left the first time, Antonio Matias Gomez and his family moved upon the land and resided there, and I was some three months in his employ there as shepherd. Subsequently, and soon after the American military forces took possession of New Mexico, in 1846, I was again at the place, *en route* to the Comanche country, on a trading expedition, and Gomez was still residing there with his family, though his wife had died since my last former visit to the spot, and both Vernal and Lopez had disappeared. There were cabins on the ground, occupied by the parties I have mentioned as residences all the time I knew the place; and there were patches of corn, beans, &c., cultivated by them; and all the time they had live-stock there. I have never seen or heard of any mines or minerals on the Uña de Gato tract. It is all pastoral land, though there is some hilly country on the tract. I have no interest whatever in this claim.

his  
BARTOLO + MARTIN.  
mark.

Sworn to and subscribed before me this July 6, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

JESUS MARIA GOMEZ, being sworn as aforesaid, on his oath declares:

Question by Mr. Ellison. What is your name, age, occupation, and residence?

Answer. My name is Jesus Maria Gomez y Lopez; my age is thirty-one years; my occupation is farmer; and my residence is San Ildefonso, in this (Santa Fé) county.

Question. Do you know the tract of land known as the Uña de Gato tract; and if so, please state what you know concerning the same, and this claim therefor.

Answer. I know the tract mentioned. It is situated in the county of Colfax, in this



Territory, upon the farther or east side of the Red or Canadian River. I was when quite young there with my father and his family, my father being at that time owner of the land. His name was Antonio Matias Gomez. He died September 19, 1858, at Anton Chico, New Mexico, my mother having died at the same place August 29, 1852. When I was at the Uña de Gato place I remember seeing there houses, fields, and live stock. Some eight or nine months after my father's death I went to the place and brought away the live-stock under authority of the Hon. Francisco Lopez, judge of probate for the county of San Miguel. The property or live-stock just mentioned was ordered by said judge, who was my uncle, to be delivered and turned over to me as sole heir of my deceased father, said Antonio Matias Gomez. The land here in question, the Uña de Gato tract, I have no interest whatever in, having sold and alienated all my right, title, and interest therein. Three years ago I learned that there was a grant in existence from the Mexican government for said Uña de Gato tract of land, though I had been told the same also by my said deceased father, who told me also that he was the owner of the same. I made diligent search for the papers at Taos, at San Juan, and at Santa Cruz, and finally found them at Abiquiu; that is to say, I there found the decree of grant made by Governor Armijo for the land of the Uña de Gato, which decree is now on file with the surveyor-general in this case. I could never find the petition to the governor of the grantees, Vernal and Lopez, asking the land. The other papers—two in number—being the grant, and the act of possession, and the deed from Vernal and Lopez to Antonio Matias Gomez, all now on file in the case, were found among the effects of my father after his death.

JESUS MA. GOMEZ Y LOPEZ.

Sworn to and subscribed before me this July 6, 1874.

JAMES K. PROUDFIT,  
*Surveyor-General.*

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No. 94.

SURVEYOR-GENERAL'S OPINION.

*Opinion.*

This claim for a grant of land comes before me under the eighth article of the treaty of Guadalupe Hidalgo and the eighth section of the act of Congress approved July 22, 1854.

The grant was made, according to the record, by Manuel Armijo, civil and military governor of New Mexico, then a territory of the Mexican Republic, January 1st, 1839, and after possession had been given in usual form, he approved the proceedings July 4th, 1839. In this last paper is doubtless an omission of language, this seeming plain from the act of possession, which he approves. I have not deemed it important that the original petition of the grantees to Governor Armijo should be produced.

Believing that the original papers on file are genuine, and that the present claimant is acting in good faith, I recommend that Congress confirm the grant to the legal representatives of Salvador Vernal and Tomas Lopez, original grantees. I transmit the complete record in triplicate.

JAMES K. PROUDFIT,  
*United States Surveyor-General.*

UNITED STATES SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, New Mexico, July 13, 1874.*

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AUTHENTICATION OF TRANSCRIPT.

SURVEYOR-GENERAL'S OFFICE,  
*Santa Fé, New Mexico, July 28, 1874.*

The foregoing is a correct transcript of the papers on file in this office in private land-claim reported as number 94, in the name of Salvador Vernal and Tomas Lopez.

JAMES K. PROUDFIT,  
*United States Surveyor-General.*