

1 A MEMORIAL

2 REQUESTING THE GUADALUPE HIDALGO TREATY DIVISION OF THE  
3 DEPARTMENT OF JUSTICE AND THE LAND GRANT COUNCIL TO STUDY THE  
4 POTENTIAL CONSEQUENCES OF RESTRUCTURING THE LAS VEGAS LAND  
5 GRANT.

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7 WHEREAS, the Las Vegas land grant is uniquely situated  
8 as the only land grant in the state that is managed,  
9 controlled and administered by a district court; and

10 WHEREAS, ownership of the land comprising the Las Vegas  
11 land grant was disputed after the land was conveyed to  
12 several different grantees by the Mexican government between  
13 1821 and 1835, resulting in several competing claims for this  
14 land before United States occupation; and

15 WHEREAS, after occupation by the United States  
16 government in 1846, individuals outside of the land grant  
17 entered the land, recognized the ambiguity of its legal  
18 ownership and pursued various court actions that resulted in  
19 the Las Vegas land grant being managed by the district court  
20 of San Miguel county, as opposed to heirs or occupants of the  
21 land grant; and

22 WHEREAS, many argue that these conditions stripped land  
23 grant members, heirs and occupants of the Las Vegas land  
24 grant of the ability to self-govern and participate in the  
25 democratic process; and

1           WHEREAS, the provisions directing the district court of  
2 San Miguel county to manage and appoint the board of trustees  
3 for the Las Vegas land grant were enacted in 1903 and are  
4 currently codified in Chapter 49, Article 6 NMSA 1978; and

5           WHEREAS, these provisions vest jurisdiction with the  
6 district court of San Miguel county to manage, control and  
7 administer the Las Vegas land grant and direct the court to  
8 appoint the board of trustees, oversee the board and  
9 promulgate rules for the board to manage the land grant and  
10 conduct business; and

11           WHEREAS, despite these legal requirements, the fourth  
12 judicial district court, the court that currently occupies  
13 this role, has expressed confusion in this role due to its  
14 peculiar nature and lack of guidance as to how to perform  
15 these duties; and

16           WHEREAS, the fourth judicial district court and Las  
17 Vegas land grant members agree that this form of governance  
18 should be altered; however, given the historically fraught  
19 nature of this situation, further study is needed to evaluate  
20 and consider the potential consequences that could result  
21 from making these changes to New Mexico law;

22           NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
23 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the Guadalupe  
24 Hidalgo treaty division of the department of justice and the  
25 land grant council be requested to study the potential

1 consequences that could ensue from changes to Chapter 49,  
2 Article 6 NMSA 1978 divesting management and appointment  
3 authority from the fourth judicial district court and  
4 restructuring the governance of the Las Vegas land grant; and

5 BE IT FURTHER RESOLVED that the department of justice  
6 and the land grant council be requested to report findings  
7 and conclusions responsive to this request to the appropriate  
8 legislative committees that address issues impacting land  
9 grants and rural communities by December 1, 2026; and

10 BE IT FURTHER RESOLVED that copies of this memorial be  
11 transmitted to the director of the Guadalupe Hidalgo treaty  
12 division of the department of justice, the chair of the land  
13 grant council, the president of the board of trustees of the  
14 Las Vegas land grant and the chief judge of the fourth  
15 judicial district court. \_\_\_\_\_

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