

## History of La Merced de Santa Barbara

- 1739 Application for the first Santa Barbara Land Grant occurred in the early 1740's but was periodically abandoned, due to Apache and Comanche raids. It is possible, the "merced" failed to fulfill the occupancy requirements, settlers living at the settlement on a year round basis. It took 52 years, before the present Santa Barbara land grant, i.e. (merced) was officially taken possession of, on a permanent basis.
- 1743 Settlement of Santa Barbara established, first entry of a marriage between Spaniards is recorded in the Picuris Book of Marriages, both being from the community.
- 1743-86 1768, 15, Comanche attack, killing one Picuris, another attack the following year of 1769, Picuris church attacked and convent supplies destroyed. Five raids in 1772, another in 1774, which result in two Picuris deaths. 1773, two hundred Comanche attack Picuris, wounding three, (3) pueblo members, four Picuris die in 1777.
- 1751 Las Trampas land grant established by Governor Velez Cachupin to twelve residents of the Analco barrio in Santa Fe. 28,131 acres are designated as "common land". Under Spanish law, the "merced" would begin above the highest acequias as "common lands". Below the highest acequias, settlers were allotted 150 varas of "tillable land". A lottery system was used to determine who received what lands. These lands were considered "private lands" and could only be sold after occupying the land for 4 years. Common lands could not be "parted" or "sold" or in any way partitioned.
- 1776 Father's Dominquez and Escalante consecrate and dedicate the church of San Jose de Gracia in Las Trampas, while on their expedition to Utah, seeking a route to the California missions.
- 1796 The Santa Barbara land grant, (merced) was granted to Valentin Martin, Eusebio Martin, Jose Olguin, Clemente Mestas and sixty seven (67) other resident settlers of the place of San Jose de Las Trampas, by Lt. Colonel and Governor, Don Fernando Chacon, on the 11<sup>th</sup> of January. Common lands were to be used for grazing, collection of fire wood and medicinal plants, "vegas" and other building materials to build homes.
- 1796 Land Grantees are placed in possession of their grant, three months later by Don Manuel Garcia, chief Alcalde of the town of Santa Cruz de la Cañada on the 3<sup>rd</sup> of April, 1796.

- 1846 Mexican American War begins. General Kearny marches into Santa Fe, implements the Kearny code. The code is based on the Bill of Rights and laws of Missouri.
- The Mexican-American War begins in 1846 and formally ends with the signing of the Treaty of Guadalupe Hidalgo in 1848. Under the terms of the treaty, México cedes most of what is the American Southwest, including the present day states of New Mexico, Colorado, Utah, Arizona, Nevada and California, to the United States, for \$15 million. Treaty of Guadalupe Hidalgo is signed on February 2, 1848.
- 1848 The United States agrees under the Treaty of Guadalupe Hidalgo to recognize and protect Mexican's ownership of property within the ceded territory and to admit Mexican citizens living in the ceded territory as U.S. citizens, if they wished.
- While the Treaty of Guadalupe Hidalgo provided protection for property in the ceded area, Article X expressly addressed land grant protection. However, U.S. President James Polk objects to the provision, fearing a revival of land grant claims, he believes Article X has the potential to jeopardize the grants that have already been settled in Texas.
- 1848 Subsequently, the United States and México sign the Protocol of Querétaro, which explains certain aspects of the treaty. In Article 2 of the Protocol, the United States indicates in its interpretation that the exclusion of Article X, in no way meant that it planned to annul land grants. The Protocol specified the United States' position, that land grant titles would be protected under the treaty and that grantees could have their ownership of land acknowledged before American tribunals.
- 1858 Congress confirms the Picuris Pueblo grant, contains 17,460 acres
- 1894 The Santa Barbara land grant registered with Court of Private Land Claims, three years after the court is established.
- 1898 Theodore Roosevelt travels through the area, recruiting men to join "Rough Riders", before the Spanish American War.
- 1903 Civil partition case between two Santa Barbara land grant heirs goes to court, both sides of case represented by same attorney, Napoleon Bonapart Laughlin. Santa Barbara Grant partitioned and purchased by Laughlin. He is paid \$6,000, in merced land for his work.
- 1905 La Merced de Santa Barbara granted a patent, 30,638.28 acres.

- 1908 Laughlin sells Santa Barbara land grant to the Santa Barbara Tie & Pole Co., a subsidiary of Santa Fe Railroad. Grant is “clear cut” of readily accessible timber, over a period of 20 years. A substantial amount of lumber used for ties to build the Panama Canal.
- 1912 New Mexico becomes the 47<sup>th</sup> state of the Union. New Mexico’s constitution states; “New Mexico is an inseparable part of the federal union and the constitution of the United States is the supreme law of the land”. The New Mexico State Constitution, which State Legislative officials, have sworn an oath to uphold, states: in Article II, Section 5, (Rights under the Treaty of Guadalupe Hidalgo preserved) “The rights, privileges and immunities, civil, political and religious guaranteed to the people of New Mexico by the Treaty of Guadalupe Hidalgo shall be preserved and are inviolate”.
- The Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.
- 1926 The Santa Barbara Tie & Pole Co. sells the grant to the U.S. Forest Service, for one dollar. The Forest Service manages the land grant until the present day.
- 1926-83 Dedicated Land Grant heirs continue working with the Forest Service for 70 to 80 years, to obtain access to needed resources from their “common lands”. These heirs remind the Forest Service, these “common lands” are not public, federal, private or state lands but a patrimony to the people of Peñasco and surrounding villages.
- 1984 Elections for La Merced of Santa Barbara are held. Jose Trujillo is elected President, Richard Benevides, Vice President, Joseph Valdez, Secretary and Treasurer, Manuel Griego.
- 2012 Various wilderness organizations begin meeting with small groups of residents in the area, proposing expansion of wilderness into the Santa Barbara and Las Trampas land grants.
- 2015 Group of interested heirs come together to oppose proposed expansion of the Pecos Wilderness in the Las Trampas and Santa Barbara “common lands”. Wilderness Proponents submit a Resolution for the Expansion of the Pecos Wilderness to Taos County Commissioners. Opponents to expansion are present to dissuade adoption of Resolution.

2016

Bonifacio Vasquez is elected President, Vincent Abeyta, Vice President, Manuel Trujillo, Treasurer, Henry Trujillo, Secretary and Lorrie Garcia, Alternate Board of Trustee member.

Let me state for the record:

Officials of the Spanish crown established land grants to towns, communities, colonies, pueblos or individuals for the purpose of establishing settlements, provide a “buffer zone” against raids by hostile natives and as a reward for service to the Spanish crown. Community land grants were areas where the people could graze livestock, gather fuelwood, medicinal plants and herbs.

The principle difference between a community land grant and a grant given to an individual, were that the common lands of a community land grant, were to be held in perpetuity and could not be divided or sold. In a subsistence economy, where survival was a dubious undertaking, our ancestors understood the meaning of sharing and commitment to their community. In order to survive, everyone had to work together. That has not changed in many of the communities of Northern New Mexico.

College professor, Dr. Clark Knowlton, professor of sociology at the University of Utah, provided testimony in 1975 to a Congressional Committee, stating: “within a few years after the formation of the Santa Fe Ring, the majority of the Spanish/American land grants passed into its possession”.

He also stated; “since 1854, New Mexicans have lost “well over two million acres of private lands and 1.7 million acres of communal land and one million acres taken by the state and vast areas acquired by the Federal government.”

Equally important, Dr. Knowlton stated, “This land loss is still continuing on a massive scale and has already been responsible for the destruction of the traditional Spanish American rural and middle-class groupings.”

Esteemed Legislators, both the United States and the New Mexico State constitutions, unambiguously articulate the guarantee the protection of land grants. The Santa Barbara and Las Trampas land grants are “communal land grants”. As “common lands”, they are to be managed and utilized by their heirs!

These are not public lands, federal lands, state land or private lands. When our ancestors took possession of their grants, they knew they were prohibited to divide or to sell them. They were told it was a patrimony to future generations and it was to be held in perpetuity. It was never to be sold or divided!

Thank you!

