

The Genizaro Land Grant Settlements of New Mexico

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HISTORICAL CONTEXT OF GENIZARO SETTLEMENTS IN NEW MEXICO

As defined by Fray Angelico Chavez, *genizaro* was the designation given to North American Indians of mixed tribal derivation living among the Hispanic population in Spanish fashion: that is, having Spanish surnames from their masters, Christian names through baptism, speaking a simple form of Spanish, and living together or sprinkled among the Hispanic towns and ranchos.¹ Beginning in the 18th century, genizaro settlements were established by the Spanish to provide defensible communities on the frontier of New Spain. The strategic planning of these new towns was vital to the ability of the Spanish to sustain a presence in New Mexico during the early 1700s due to increased attacks by nomadic tribes such as the Navajo, Ute, Comanche, Apache, and Kiowa. Due to the immense pressure on the colony caused by these attacks, the settlement policy established by Governor Tomas Velez Gachupin, and continued by his successors, was to establish genizaro settlements at the fringe of the frontier to serve as a buffer zone between the nomadic tribes and the villas (principal settlements) of Santa Cruz, Santa Fe, and Albuquerque as well as many of the Pueblo communities.² The permanence of these communities would alter the cultural landscape of New Mexico as well as blur the lines of distinction between European Spanish and Amerindian settlements in New Mexico.

From the 1740s to the 1790s, towns such as Abiquiu, Las Trampas, San Miguel del Vado, Belen, Ojo Caliente, and San Miguel de Carnué were established as genizaro buffer settlements.³ During this period,

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genizaros were specifically targeted for recruitment to establish frontier communities, which Spanish officials planned as a network of high mountain communities located along mountain passes used by nomadic tribes as routes of attack. One might ask: Why would an individual in the mid-18th century volunteer to establish a settlement that was at risk of constant attack by nomadic tribes? One answer is that for genizaros, as well as mestizos, establishing buffer settlements was a way to become a landowner and gain social status, and escape the domination and servitude by the Spanish ruling caste.⁴ While many genizaros brought into servitude at birth or by purchase to work for Spanish families eventually earned freedom at adulthood, many others would remain working for the same families that they served for the duration of their lives because, under the Spanish colonial caste system, genizaros were unable to secure land. However, the only way in which a genizaro or mestizo could gain social and economic position in colonial society was through acquiring land. Therefore, the opportunity to acquire land by participating in the organization and construction of a buffer settlement, although dangerous, was worth the ability to become economically self-reliant. Colonial officials conceived a policy of settling genizaros on the frontier of the colony, granting them land in return for their building of fortified villages and serving in the frontier militia.⁵ In such a community, away from the direct domination of the church, genizaros could be semi-autonomous, live among a similar caste group, and practice their native customs. Even today, the genizaro dance known as the captive dance is still danced in the Pueblo of Abiquiu on the Catholic feast day of Santo Tomas, which attests to the survival of genizaro culture.⁶ The purpose of this paper is to examine the history of five genizaro land grant communities that were established in the 18th century and then explore the complexity of identity and indigenous land rights in contemporary New Mexico. Although there are other communities that were established during this period by, or including, genizaros, such as Ojo Caliente and Barrio de Analco, the five communities in this article were chosen because of their role in land rights policy today.

RESEARCH METHODOLOGY

The methodology for developing the ethnographic history of genizaro land grant communities in this article was developed by examining archival records of community land grants in New Mexico during the

18th century in which genizaros participated in the formulation of the settlement. The primary records used to support the evidence of genizaro participation were land records within the Spanish Archives of New Mexico, the birth and marriage records held by the Archdiocese of Santa Fe, and land grant records of the New Mexico Surveyor General held by the State Archives of New Mexico. Interpretation of genizaro history was also supported by secondary sources when they existed for a community, specifically through the work of Gilberto Benito Cordova (1979)⁷, Fray Angelico Chaves (1979)⁸, and Roxanne Dunbar-Ortiz (2007)⁹. There are other land grant communities that may have included significant genizaro populations, such as Ojo Caliente, San Antonio de Las Huertas, and Thruchas, but for the purpose of this study, I focused on settlements where archival records provided clear evidence of genizaro involvement in the building of a settlement. In addition, the communities discussed in this paper were chosen because they are still actively managing community land or organizing in reclaiming traditional land holdings.

GENIZARO COMMUNITIES OF NEW MEXICO

Nuestra Senora de Dolores de Belen

In 1733, 14 genizaro families, residing in the town of Alameda, requested a grant of land that was abandoned at Sandia Pueblo (figure 1).¹⁰ Although the petition for this land grant was denied by Governor Don Gervasio Cruzat y Gongora in 1746, a group of genizaros was relocated to the south of the Villa de Alburquerque to establish a permanent settlement as part of the Nuestra Senora de Dolores de Belen land grant¹¹ to create a zone of protection to the south of the Villa. By 1750, several such settlements existed within this land grant, also referred to as the Town of Belen land grant: for example, Plaza de los Genizaros can be identified as a distinct genizaro community with Native American heads of household. The land grant petition references petitioners Antonio Gurule and Antonio Padilla of the Pawnee tribe as well as Fransico Baca, who is described as Apache.¹² Antonio Padilla is also noted as a petitioner for the genizaro land grant at Sandia in 1733 that was denied.¹³ Nuestra Senora de Dolores de Belen remains an identifiable Native settlement until the early part of the 19th century and can be clearly defined by primary documentation as the earliest established

genizaro settlement. Today the settlement is known simply as Belen, and many of the descendants of the original settlers own farmland within the historic land grant boundary.

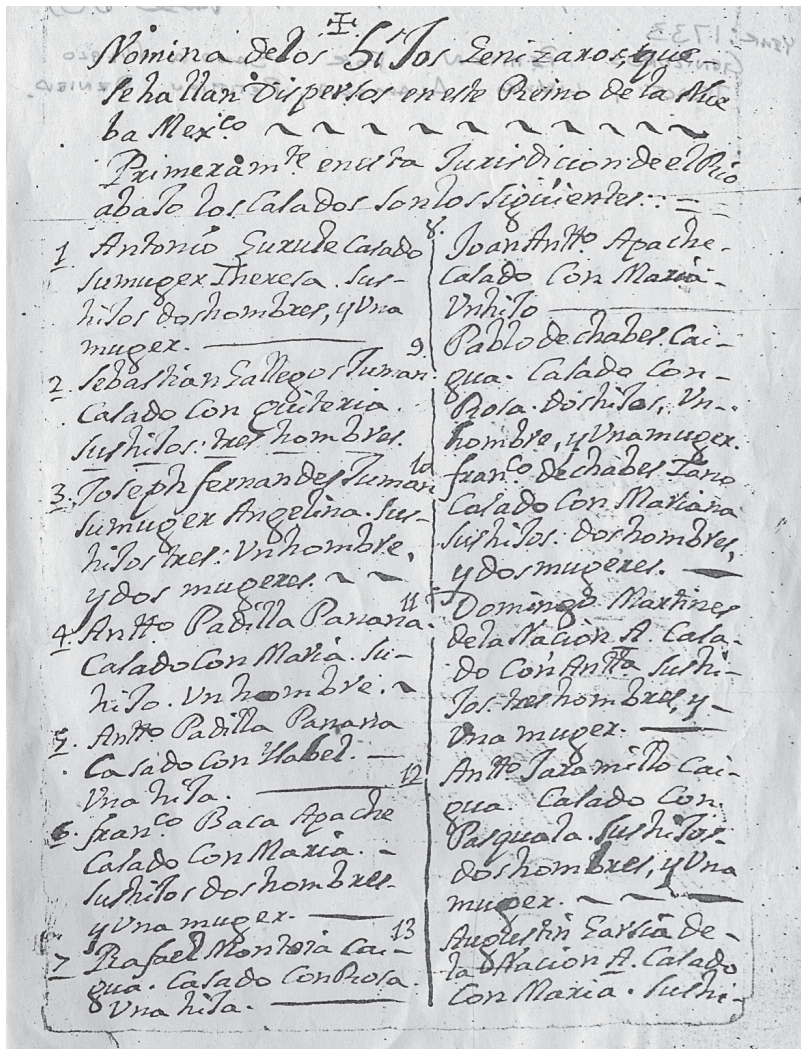


Figure 1 (part 1). Petition for the lands abandoned at Sandia Pueblo by a group of genizaro Indians residing in Alameda in 1733. Courtesy of Spanish Archives of New Mexico I, Reel 6. Frame 687.

14. Jos. Vn hombre, y vna muger. — — — — —
 15. Joan Antto Gutuleca
nana Casado con
Maria. Indio. Indio.
dos hombres, y vna
muger. — — — — —
 16. Joan de Vribaxxi Apa-
che Casado con Pro-
sa. Vn. Indio. — — — — —
 17. Xpobal Susan Pa-
nana Casado con
maria. Indio. Indio. — — — — —
 18. Xpobal Promero Apa-
che. Casado con Antto
Indio. Indio. — — — — —
Solteros
 1. Juan Sedillo Pana-
na. — — — — —
 2. Juan Co Bala Pana-
na. — — — — —
 3. Andres Martin Yula.
 4. Augustin Fernandez
Juman. Viudo. — — — — —
 5. Antto de Tague. — — — — —
Juman. — — — — —
 6. Juan Co Galtia. — — — — —
Juman. — — — — —

Figure 1 (part 2). Petition for the lands abandoned at Sandia Pueblo by a group of genizaro Indians residing in Alameda in 1733. Courtesy of Spanish Archives of New Mexico I, Reel 6. Frame 687.

Santo Tomas Apostol del Rio de Las Trampas

The next genizaro settlement to be established in the colonial Spanish period was the Santo Tomas de Las Trampas land grant in 1751 by Tomas Velez Gachupin.¹⁴ Like Belen, Las Trampas was established as a buffer settlement, in this case for the Villa de Santa Cruz de la Canada on the west slope of the Sangre de Cristo Mountains in the Rio Arriba region. Early attempts to settle this region had failed because of attacks by the Ute, Comanche, and Apache bands. The settlers at Las Trampas included Tlaxcala Indians recruited from the Analco District of Santa Fe.¹⁵ The Tlaxcala Indians had a long history of supporting Spanish campaigns since the overthrow of Tenochtitlan in 1521, including assisting in the conquest of the Aztecs, as well as in the reconquest of New Mexico.

Unlike any other governor of New Mexico in the colonial period, land grant settlements planned under Governor Gachupin were designed in strict compliance of the Laws of the Indies,¹⁶ which required a construction of a defensible compact plaza, and because of this, the mestizos and genizaros of Las Trampas were able to endure approximately 50 years of constant attack by nomadic tribes. The Laws of the Indies also required the development of an acequia irrigation and farmland network, as well as a town governing structure that included a *justicia de aguas* or mayordomo, an appointed official tasked with overseeing the distribution of water.¹⁷ In addition, a town council was appointed by the settlement that administered the rules and regulations of the village as well as the use of the common lands for grazing, hunting, and general use of natural resources. Today, the community of Las Trampas maintains a town land grant council under laws set forth by the state of New Mexico, and much of the common land that was once part of the Las Trampas land grant is under the control of the U.S. Forest Service and Bureau of Land Management.

Santo Tomas de Abiquiu

After the establishment of Las Trampas, Santo Tomas de Abiquiu became the third genizaro settlement in the New Mexico province (figure 2). This settlement, commonly known as Abiquiu, is recognized today as the principal example of a genizaro settlement. The Pueblo de Abiquiu is generally referred to as the settlement of “Santo Tomas de Abiquiu.” In fact, Abiquiu is often referred to as the “Pueblo de Abiquiu” for its

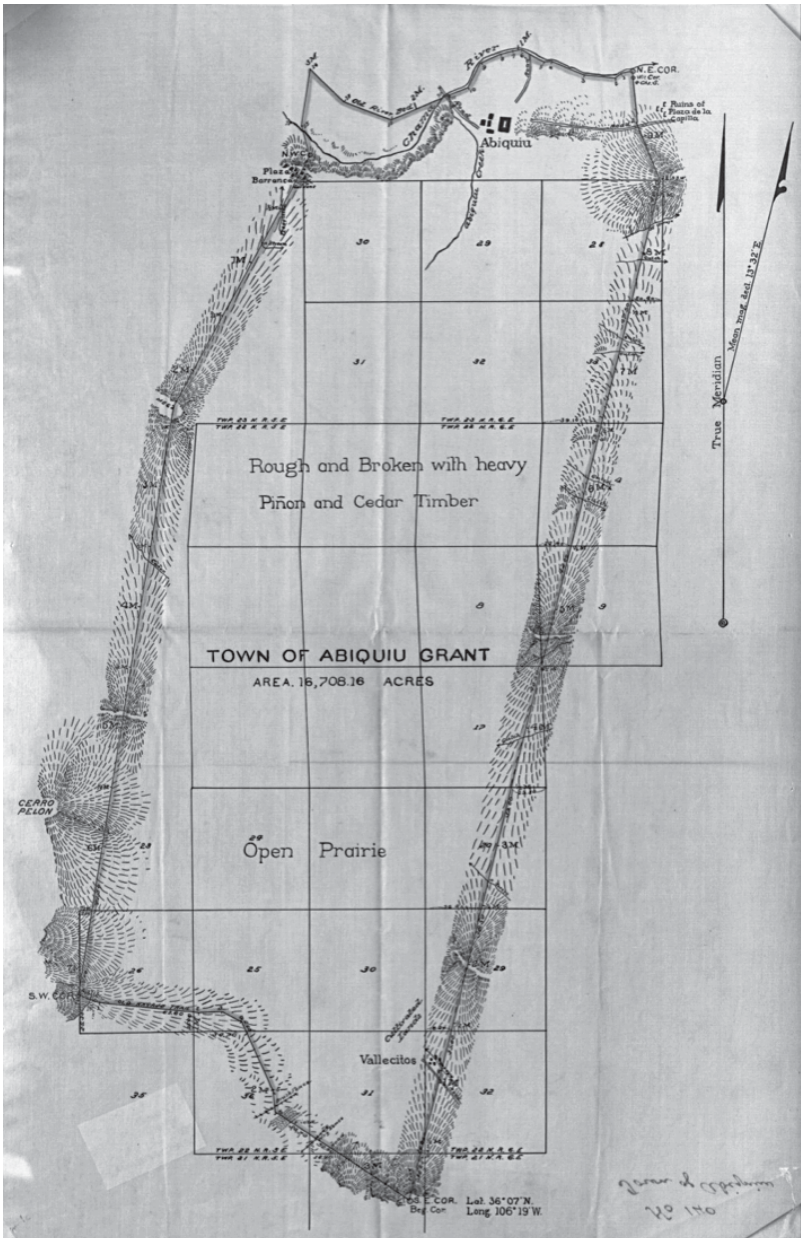


Figure 2. Historic Pueblo of Abiquiu land grant boundary patent. Courtesy of the U.S. Survey General.

historical connection to the Hopi genizaro Pueblo Indians of Tewa descent. The Abiquiu grant was established as a genizaro settlement in 1754, again by Tomas Velez Gachupin. The initial settlement was organized by a group of Pueblo Indians from the Hopi region, located in what is now northeastern Arizona. These Tanoan/Tewa-speaking affiliated tribal groups had been migrating from the Rio Chama and Northern Rio Grande regions of New Mexico to establish permanent settlements at Hopi well into the late 17th century. However, due to religious and political conflict during the mid-18th century, many Tiwa- and Tewa-affiliated ethnic groups expressed a desire to return to New Mexico. Initially in 1742, Fray Francisco Delgado moved about 24 Hopi Tewas to the mesa at Abiquiu, and by 1754, there were 34 genizaro families that were granted the lands at Abiquiu.¹⁸

The Spanish officials and priests in New Mexico supported the resettlement of the Hopi Tewa at the Pueblo de Abiquiu. Even today, the elders at San Juan Pueblo and Santa Clara Pueblo recognize a historical tribal relationship to Abiquiu. According to John Peabody Harrington, who conducted an ethnographical study of the Tewa Indians in the early 1900s, “The Tewa say that there is much Hopi blood and still more Tewa blood in the present Mexican population of Abiquiu. The Tewa state that Abiquiu was a pueblo, whose inhabitants had the same culture and customs



Figure 3. Abiquiu Pueblo circa 1920. Courtesy of the Museum of New Mexico Digital Archives.

as the people of the Tewa villages.”¹⁹ Even marriage records in official church documents describe the unions between genizaros, such as Joseph Padilla and Maria Guadalupe in the year 1763 within the settlement of Abiquiú. Both Padilla and Guadalupe are listed on their marriage record as Indians from the Pueblo of Abiquiú.²⁰

It should also be noted that according to the church baptismal and marriage records for Santo Tomas de Abiquiú, there was a significant presence of Ute, Comanche, Kiowa, Navajo, and Apache within the local population (citation of Gilberto Benito Cordova). Today, the settlement is commonly known as Abiquiú (figure 3), which can be directly translated to “the wild choke cherry place” in the Tewa language.²¹ Many residents today still refer to Abiquiú as the Pueblo of Santo Tomas de Abiquiú, referring to its designation as a genízaro Pueblo settlement.

San Miguel de Loredó de Carnué

A decade after Abiquiú, in 1763, the community of San Miguel de Loredó de Carnué was established at the mouth of Tijeras Canyon to serve as a protective settlement east of the Villa de Albuquerque.²² According to historian Marc Simmons, in describing the settlers at Carnué, “Ethnically, the settlers were a mixed lot, in addition to Spaniards, there were several coyotes, mixed bloods, and a handful of genizaros, the Hispanicized Indians who formed a kind of floating population in many New Mexico towns.”²³ However, in a detailed examination into the ethnographic breakdown of the settlement of Carnué, the genízaro and *coyote* (a racial mixture of Spanish and Pueblo Indian) heads of household accounted for approximately 47% of the population.²⁴ Similar to previously established genízaro settlements, the Carnué land grant was planned for settlement in a location that proved difficult to defend since the canyon is located at the entrance pass from the Plains into the middle Rio Grande valley, which was in the migration corridor of the Plains Apache, Kiowa, and Comanche tribes.

Immediately following the community’s establishment, the settlers at Carnué laid out farm plots, built the acequia system, and erected a defensible town plaza as was mandated by Governor Gachupin as set forth by the Laws of the Indies. Governor Gachupin stated as terms of settlement that “the land is to be apportioned among them if they assemble at the said settlement on the said terms[;] they should do this in union with its towns and buildings of adobe according to the

possibilities and style of the country for there is greater security, strength, and maintenance in view of the incursions which the barbarous hostile nations are in the habit of making.”²⁵ However, despite these precautions, Carnué would be hit by many raids and in April 1771 some of the settlers would request to abandon the settlement. The residents of Carnué, in the request to the *alcalde* (mayor) of Albuquerque, stated that Carnué was far too dangerous to maintain and that they were poorly armed to defend the constant attack of the village.²⁶

In a desperate attempt to see Carnué succeed as the Villa de Albuquerque’s primary defense settlement to the east, *Alcalde* Francisco Terbol Navarro gathered an additional group of *genizaros* that were landless and scattered throughout the surrounding area to resettle the town.²⁷ However, neither the original settlers of Carnué nor the newly recruited *genizaros* agreed to go back. The settlers of Carnué were split up and went to various settlements along the middle Rio Grande valley surrounding Albuquerque.

The resettlement of Carnué would not occur until 1819 when some of the descendants of the 1763 *genizaro* and *coyote* settlers petitioned to reestablish the settlement at Carnué along with additional landless mestizo residents of various villages in the Albuquerque area. The prospect of reestablishing Carnué became more feasible because of the elimination of the Comanche threat after the Comanche Peace Treaty forged by Governor Juan Bautista de Anza in the late 1790s.²⁸ Census and church records suggest that the 1819 Carnué land grant was primarily a product of the *genizaros* and *coyotes* of the 1763 grant.²⁹ Today, much of the resident population in the villages of Carnuel, Tijeras, and San Antonio, all located within the Carnué land grant, still acknowledge their *genizaro* history in dealing with land and water use rights.³⁰

San Miguel del Vado

One of the last clearly distinctive *genizaro* settlements of the late 18th century was the San Miguel del Vado land grant located in present-day San Miguel County. In 1794, Lorenzo Marquez and 51 others petitioned Governor Fernando Chacon for a tract of land directly east of Pecos Pueblo known as El Vado.³¹ A large portion of the initial settlement at San Miguel was of the *genizaro* extraction, and additional *genizaros* were moved to join the settlement in the early years of its organization.³² In

fact, enough settlers had moved to San Miguel that in 1812 Jose Cristobal Guerra, a San Miguel genizaro of Comanche background, claiming to represent 230 families, petitioned the bishop of Durango for a resident priest. His account demonstrated to the bishop that Comanches were residing in the settlements of San Miguel and nearby San Jose.³³ Also, according to Fray Angelico Chavez (1979) and Charles Kenner (1969), intermarriage between the settlers at El Vado and Pecos Pueblo accounted for many of the early recorded marriages at San Miguel. These two accounts demonstrate that the inhabitants of San Miguel were of a mixed Plains Indian and Pueblo Indian ethnic background.

During this period, San Miguel del Vado became the most easterly settlement of the Villa de Santa Fe. Since the resettlement of New Mexico by the Spanish in 1692 after the Pueblo Revolt, Pecos Pueblo served as the principal settlement east of Santa Fe. However, after approximately 100 years of continued attack and raids by nomadic tribes, the Pecos Pueblo struggled to sustain a permanent settlement and was abandoned in 1838 with many of its residents migrating to the Jemez Pueblo and others relocating to San Miguel del Vado. By the end of the 18th century, the Comanche threat had ended but the opportunity for raids on Pecos Pueblo by the Utes and Plains Apache continued. By the early 1800s, San Miguel del Vado began to experience an explosion in population whereas Pecos Pueblo began to decline in population, further weakening the ability of the community itself.

The residents at San Miguel del Vado began to trade with the Comanches and also hunt buffalo on the *llano estacado*, the staked plains, which brought economic opportunity and stability to the settlement. Well into the 19th century, the community of El Vado continued to grow in population, and the Mexican government created additional land grant settlements such as Tecolote, Las Vegas, and Anton Chico so that the population at El Vado would not exceed its capacity.³⁴ Today, San Miguel del Vado still functions as a community land grant and is recognized as a political subdivision of the state with a community council that manages the communal land for the benefit of its inhabitants.

Complexity of Genizaro Identity

The complex racial and ethnic amalgamation of Amerindian cultures into genizaro settlements has not been widely debated when examining

the usufructuary land rights of Indo-Hispano communities. Genizaro settlements provide an opportunity to understand the complex ethnographical origins of settlements in New Mexico and how indigenous peoples shaped the cultural landscape.

The infusion of Native American culture and ethnic integration into Hispanic settlements in Mexico and New Mexico did not start with genizaros, but had already been a process under way for centuries. For example, many believe the origin of the mestizo, a person of mixed Native American and European ancestry, began with the intimate relationship of La Malinche, a Tlaxcala Indian maiden, and Hernán Cortés, the Spanish conquistador who led the conquest of Mexico in the 16th century. This relationship is still celebrated in Carnué during the Catholic feast day of San Miguel, as well in many other communities in New Mexico, through a ceremonial dance known as “Los Matachines,” which celebrates La Malinche. Even cultural terms such as the word *Chicano*, which is used by many Mexican Americans to define a Mexican American person with Southwest ancestry, can be traced to its first recorded use in 1735 as a surname between Antonio Chicano, a genizaro Indian, and Antonia Checho, whose marriage ceremony took place on April 26, in the Santa Clara Pueblo Church.³⁵

The historical significance for studying genizaro settlements and culture goes beyond understanding the role of indigenous people as subjects and servants of the king of Spain during the colonial period of New Mexico. The study of genizaro settlements allows scholars to understand deeper complexities related to settlement patterns, cultural relations, and ethnic configuration of communities. Cultural definitions used today by anthropologists, historians, ecologists, and other academic disciplines have defined cultural land use in New Mexico as either Hispano or Pueblo Indian. However, the lack of a deeper understanding of localized human ecology in northern New Mexico has resulted in land management policies by the U.S. Forest Service that have failed to recognize the historic land use rights of many land grant communities.³⁶

Historic genizaro communities are understood to be Hispanic communities by federal agencies with a lack of broader historical context. Federal land management agency decisions on public land use do not include input from Indo-Hispano settlements to the same degree as decisions involving Native American tribes during an Environmental Impact Analysis (EIA) or National Environmental Policy Act (NEPA) process.³⁷ The cultural context in New Mexico is far too intricate to

define communities as simply Indian or Spanish; however, this is the common practice in land management policy planning, which impacts rural communities that depend on traditional land use rights. Today, descendants of genizaro settlements are identified not as mixed-Native or Hispano-Amerindian, but in terms such as Hispanic, Chicano, or Indo-Hispano, which do not recognize their indigenous past. The heirs of these settlements in New Mexico do not benefit from any form of land or water right protection policies as descendants of mixed-indigenous ancestry. Although there is no such legal structure for recognizing nontribal indigenous affiliations in the United States, new policies could be created at the state and federal levels to protect land rights of genizaro heirs in New Mexico.

Unlike the United States, Canada has begun to establish a category of rights for Canadian citizens of mixed Amerindian background. For example, Section 35 of the Constitution Act of Canada defines “aboriginal people” as the Indian, Inuit, and Metis peoples of Canada.³⁸ The term *Metis*, which is a word derived from a French Canadian dialect, refers to aboriginal peoples in Canada whose ancestry is mixed European and First Nations.³⁹

While Canada continues to define the identity and the rights of mixed indigenous communities within the framework of First Nations indigenous rights, further study and historical investigation of genizaro settlements are needed to recognize, legitimize, and validate the role of these communities in both New Mexican and Native American history, as well as to develop a defined identity to deal with a framework for indigenous land rights.

A more thorough analysis of sources related to genizaros in church and civil documents, oral history, linguistic research, and archeological investigation is important in developing a deeper understanding of genizaro history and culture. In a 2001 interview with Clara Stone, a member of the Santa Clara Pueblo, she reveals that, as a child, she remembers that her father, Vidal Gutierrez, made trips to assist in drumming and singing for social dances held at Abiquiu. She recounts a kinship between the people of Abiquiu and the Tewa of Santa Clara Pueblo.⁴⁰ Furthermore, archeological, linguistic, and genealogical research may reveal even more information about genizaro settlements. For example, when the archeological site believed to be the original town site of San Miguel de Carnué was excavated in the 1930s, pottery shards associated with the 1763 genizaro settlement were unearthed.⁴¹ But

materials collected by archeologists are not sufficient on their own to connect the ethnohistory of the settlers of 1763 to the Carnué land grant settlers of 1819. New genealogy research of primary church documents has helped connect many Carnué land grant heirs to genizaro families.⁴² Church marriage and baptism records are helping to confirm the oral history of Carnué's genizaro past. Ethnohistorian Frances L. Swadish, related to her research in Carnué, believed that when archeologists, ethnohistorians, and ethnographers compare their data, it will then be possible to gain a new and more precise perception of life in the regional network of genizaro communities, of which 18th-century Carnué was, for seven years, a vital outpost.⁴³ Today, such collaborative interdisciplinary research is proving to be effective in creating a resurgence of cultural identity among descendants of genizaros. On May 10, 2011, at the Pueblo of Abiquiu, a gathering entitled "The Genizaro Experience: A Living Legacy" was held, which included dances, lectures, and oral histories related to the legacy of genizaro Indians.⁴⁴

DISCUSSION

The recognition of descendants of genizaros will need to be part of a broader conversation on identity and policy. For many Hispanic and Native American communities in New Mexico, the topic of mixed-blood people who occupy a contested space of ethnicity is met with criticism and dismissal from those who benefit from protecting clear, distinct identities between cultural groups. However, younger generations are beginning to challenge the historical context of the terms *indigenous* and *Native identity*. In 2007, the New Mexico State Legislature passed Senate Memorial 59, sponsored by Senator Richard Martinez. This resolution, regarding genizaro identity, states, "Therefore be it further resolved, that the senate recognize the existence and importance of this indigenous group and the presence and importance of its descendants today."⁴⁵ Although the process by which descendants of genizaros seek to reclaim indigenous recognition may be criticized by Hispanics who try to claim New Mexican Hispanic ancestry as pure Spanish, as well as the Pueblo communities that may have issues with claims of aboriginal rights by genizaro or mestizo people, the discussion will still need to proceed. The conversation will be difficult, but it is important for heirs of genizaro settlements to engage in a political discourse about self-

determination of the land they have occupied, which was granted and recognized by the sovereign of Spain and later Mexico.

The historical context of Hispanicized Native populations is important in understanding human settlement patterns of 18th-century New Mexico and their relevance to the contemporary cultural landscape of New Mexico. Today, the genízaro descendent land grant communities of Carnué, Abiquiu, San Miguel del Vado, Belen, and Las Trampas are organized under community governing entities recognized as community subdivisions of the state. Each community, under the powers recognized by the state of New Mexico, is allowed to set regulations for the management and protection of common land and water resources held by the community⁴⁶ However, these communities are still in conflict with the United States government as well as the state of New Mexico over territorial boundaries and ownership of land that was once part of the common lands of the land grant but is now under the control of the U.S. Forest Service and Bureau of Land Management. In the case of San Miguel del Vado and Carnué, the Supreme Court ruled in the *United States v. Sandoval* case that the communal lands would be reduced to individual allotments, which is still a contention between these communities and federal agencies.⁴⁷ The establishment and recognition of aboriginal rights may be a strategy for historic genízaro settlements to reestablish common lands for hunting, grazing, and other usufructuary rights that have been lost over the past century due to federal policies restricting the rights of Indo-Hispano communities to traditional uses of lands.

In recent years, community organizing efforts of the Pueblo de Abiquiu land grant as well as the Carnué land grant have led to the return of traditional community land by the state of New Mexico. In 2008, the New Mexico Game Commission returned 32.5 acres to Abiquiu that the state recognized as a part of the historic land grant.⁴⁸ And on March 16, 2010, the Natural Protection Committee of the Energy, Minerals, and Natural Resources Department of the state of New Mexico approved the purchase of a conservation easement of 40 acres to the Carnué land grant for the protection of its important cultural and scenic values.⁴⁹ These milestones demonstrate that, despite the lack of recognition of indigenous rights, the legacy and perseverance of genízaro settlements in New Mexico have endured, and the cultural and human ecological resilience of these settlements has contributed to the stewardship of New Mexico's culturally diverse landscape. ❖

NOTES

- ¹ Fray Angelico Chavez, "Genizaros," 198.
- ² Ebright, *Land Grants & Lawsuits*, 145–147.
- ³ Dunbar-Ortiz, *Roots of Resistance* (1980), 45. "The legal device of the community land grants was the instrument by which landless, poor genizaros were given land on the frontier in the strategic entry places which would be used by surrounding Indian people."
- ⁴ Dunbar-Ortiz, *Roots of Resistance* (2007), 14.
- ⁵ *Ibid.*, 11.
- ⁶ *Twenty-Ninth Annual Report of the Bureau of American Ethnology*, 137. The "captive dance" was initially established by the Hopi-Tewa families, and is danced annually in November for the feast day of Saint Thomas. The captive dance is directly connected to the history of the captive Indians, usually Ute, Apache, and Navajo who were initiated and accepted into the Pueblo of Abiquiu.
- ⁷ Cordova, "Missionization and Hispanicization."
- ⁸ Fray Angelico Chavez, "Genizaros."
- ⁹ Dunbar-Ortiz, *Roots of Resistance* (2007).
- ¹⁰ Reel 6, No. 687, Spanish and Mexican Archives of New Mexico.
- ¹¹ Simmons, *Albuquerque*, 104.
- ¹² Olmsted, *Spanish and Mexican Censuses*, 97.
- ¹³ Reel 6, No. 687, Spanish and Mexican Archives of New Mexico.
- ¹⁴ Reel 16, No. 259, Spanish and Mexican Archives of New Mexico.
- ¹⁵ Ebright, *Land Grants & Lawsuits*, 146.
- ¹⁶ Simmons, *Spanish Government*, 201. A legal code established by the Spanish crown during the 17th century, "la replication de los reynos de las indias" (Law of the Indies) was a compilation of laws covering colonial governance, public life, as well as town planning.
- ¹⁷ *Ibid.*
- ¹⁸ Wroth, "Pueblo de Abiquiu."
- ¹⁹ Harrington, "Ethnography of the Tewa Indians," 137.
- ²⁰ Marriage Records of Santo Tomas de Abiquiu, December 27, 1763. Loose Document #52, Archives of the Archdiocese of Santa Fe.
- ²¹ Fray Angelico Chavez, "Genizaros," 199.
- ²² Security General Report 150, Reel 27, No. 841, Spanish and Mexican Archives of New Mexico. Conveyance document from Governor Tomas Velez Gachupin to settlers at Carnué.
- ²³ Simmons, *Albuquerque*, 108–109.
- ²⁴ Garcia-Luna, "San Miguel de Laredo-Carnué," 157. Of the original 19 grantees at Carnué, 5 were genizaros, 4 were *coyotes*, and 10 were Espanoles.
- ²⁵ SG Report 150, Reel 27, No. 483-844, Spanish and Mexican Archives of New Mexico.
- ²⁶ *Ibid.*, Frame 851.
- ²⁷ *Ibid.*

²⁸ Simmons, *Albuquerque*, 102.

²⁹ Garcia-Luna, "San Miguel de Laredo-Carnué," 160.

³⁰ New Mexico Genealogical Society, Heirs of Juan Cristobal Gurule, petitioner of the 1819 Carnué land grant, certificate, September 1, 2000. In a certificate issued by the New Mexico Genealogical Society, Juan Cristobal Gurule, a petitioner of the 1819 Carnué land grant, is listed as a mestizo, residing in Los Ranchos Plaza number seven. His wife, Maria Ignacia Martin, is also classified as a mestiza. Juan Cristobal was the son of a genízaro, Joseph Elias Mestizo (no surname), and Joseph Elias was the son of Bernadina India, who was the servant in the house of Antonio Gurule of the Elena Gallegos family. Joseph Elias is listed as 9 years old in the 1750 census of Albuquerque. Bernadina, Joseph Elias's mother, is listed as 40 years old, an Indian, and a servant in the Gurule house.

³¹ San Miguel del Vado Land Grant, Surveyor General Report 119, Spanish and Mexican Archives of New Mexico.

³² Kessel, *Kiva, Cross, and Crown*, 416–417.

³³ Kenner, *Comanchero Frontier*, 64.

³⁴ Bowden, "Private Land Claims," 689–697, 730–734, 783–793.

³⁵ New Mexico Genealogical Society, *New Mexico Marriages*, 58.

³⁶ Raich and McSweeney, *Land Grants of New Mexico*.

³⁷ Native American Graves Protection and Repatriation Act of 1990; Archaeological Resources Protection Act of 1979.

³⁸ Constitution Act of Canada, 1982.

³⁹ Teillet, "Metis Law Summary," 3.

⁴⁰ Clara Stone, interview with the author, September 7, 2001.

⁴¹ Swadesh, "Archeology," 39.

⁴² Garcia-Luna, "San Miguel de Laredo-Carnué," 151–171.

⁴³ Swadesh, "Archeology," 43.

⁴⁴ 257th Anniversary of the Genízaro Land Grant, May 10, 2011, organized by Cynthia Gomez.

⁴⁵ New Mexico Senate Memorial 59.

⁴⁶ New Mexico Compilation Commission. "All land grants-mercedes described in Section 49-1-2 NMSA 1978 shall be managed, controlled and governed by their bylaws, by the treaty of Guadalupe Hidalgo and as provided in Sections 49-1-1 through 49-1-18 as political subdivisions of the state."

⁴⁷ "Treaty of Guadalupe Hidalgo." Collectively, the Court of Private Land Claims and the U.S. Supreme Court restricted 7 of the 105 confirmed community land grants to their individual allotments. In these 7 cases, the Supreme Court recommended that Congress reconsider their legal land rights to consider "equitable rights" as a matter of public policy. As a result, the claimants for these 7 grants did not retain 1.1 million acres of land. The Carnué land grant and the San Miguel del Vado land grant, both discussed in this article, were impacted by this loss of common land.

⁴⁸ New Mexico House Joint Resolution 2 of 2008.

⁴⁹ "Canon de Carnué Land Grant," *El Canon* newsletter (April 18, 2010).

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