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A PRIMER OF SPANISH TOWNS IN SOUTHWESTERN UNITED STATES

James R. Norvell*

Introduction

More than a hundred years ago, Spanish-Mexican sovereignty over the continental portion of the United States came to an end. Problems of Spanish law, however, persist. Recently the Supreme Court of the United States in the marginal seas cases was concerned with the problem of a three-league as opposed to a three-mile seaward boundary of those states which were carved from territory held at one time by the Spanish crown. Problems concerning international rivers — the Colorado and the Rio Grande — are constantly arising. Within the past year, the Supreme Court of Texas has decided two important cases upon the basis of Spanish law — one relating to the claimed existence of implied grants of water rights for irrigation pertaining to Spanish grants along the Rio Grande; the other involving the nature and extent of water rights of missions established long ago near the ancient pueblo of San Antonio. In 1958 the same court decided the latest of a series of cases relating to the location of the shoreline of Spanish and Mexican grants.

The present purpose is not to present a treatise upon Spanish law or the legal status of Spanish pueblos. Upon both the subject and the subdivision thereof, volumes have been written, many of them highly informative and of a scholarly quality. A number of the learned opinions of the judges who have considered pueblo problems are much greater in length than what is here written. It is believed, however, and this is the basic theory of this article, that

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2 State v. Valmont Plantations, 346 S.W.2d 853 (Tex. Civ. App. 1961), opinion by Mr. Justice Pope adopted as the opinion of the Supreme Court, 355 SW 2d So2 (1962). This is a definitive and well-documented opinion of some 35 pages in length. It deals with the claim to implied water rights for irrigation as related to Spanish grants and contains much historical material.

3 San Antonio River Authority v. Lewis, — S.W.2d — (Tex. —).


5 By way of example, reference is made to the leading case of Hart v. Burnett, 15 Cal. 530 (1860), opinion by Mr. Justice Badwin, Chief Justice Field concurring, in which the pueblo of San Francisco was involved. The opinion is approximately 100 pages in length and discusses in detail the nature of and the legal rights incident to pueblo grants. By way of definition, it is stated that: "It appears from the history of Spanish jurisprudence that special attention was given in very early times to the establishment of cities (ciudades), towns (pueblos) and villages (villas) and that particular laws were enacted for their foundation and government." Id. at 537.
Spanish law cannot be understood apart from Spanish history. A mere reading of *Las Siete Partidas* and *The Recopilación de Leyes de las Indias* will not suffice. There must be an understanding of purposes and methods, coupled with an appreciation of ends sought to be attained by the establishment and maintenance of the towns.

The Spanish town has been selected as a subtopic, largely because of the contrast between the Spanish town and the Anglo-American municipal organization. Further, the nature of the town and various historical events relating thereto have been set forth in numerous reported cases. In fact many of the bases of the historical writings of the particular era and area are found in the information carefully mined, selected and collated by advocates bringing information to a court in an attempt to prevail in a particular piece of litigation.

The history of Spanish towns and their relation to the monarch in Madrid and the Pope at Rome presents a study of an early bureaucracy in operation, its successes and failures, the good intentions and high-minded purposes at the top, and the defeat of such purposes at times by neglect, greed and corruption upon the level of the viceroy, the provincial governor, or local administrator. It seems at times as if the history of Spanish New Mexico is one of a succession of highly competent and persevering governors liberally interspersed with scoundrels, incompetents and lazy men. The problems, perplexities and frustrations of the Franciscan president-general of seventeenth century New Mexico may not be entirely dissimilar to those encountered by the conscientious administrator of our own day.6

While at present, the question of water rights may be the most active field to which the Spanish law is pertinent, no attempt is made to treat of these rights except as incidental to the pueblos mentioned, which were invariably located on streams for an obvious reason. In many towns irrigation was attempted with varying degrees of success. Many of the cases cited arose as a result of litigation over water rights, and the opinions contain much valuable information relating thereto.7 This article, however, is intended as a primer only, and at the outset the distinction between the Anglo-American and Spanish town should be emphasized. This was done by the Supreme Court of California in the following language:

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*Certain town lands were designated as solares — house lots for dwellings, shops, etc., suertes — sowing lands for raising grains and similar foodstuffs, propios — municipal lands from which town revenues were obtained and ejidos — the town commons. Id. at 554.*

*The governing body of the San Francisco pueblo was the Ayuntamiento, composed of an Alcalde, two Rigidores or councilmen and a Síndico-Procurador. Id. at 540.*

*Presidios are defined as military foundations to be occupied by soldiers and existing for the establishment of order and for the protection of the mission and pueblo establishments. Missions were purely ecclesiastical foundations. City of San Diego v. Guyamaca Water Co., 209 Cal. 105, 287 Pac. 475 (1930).*

6 In *Horgan, The Great River, The Rio Grande in North American History* 245 (1954), the author recounts an attempt by the Governor of New Mexico to shoot the Franciscan Father President with a flintlock pistol. The good father, however, was no man to be trifled with; he captured the Governor while he was on his way to Mexico City and imprisoned him in chains in a convent cell.

Our plan (i.e., the Anglo-American plan) has been to encourage settlement of the country by selling land in small tracts at a minimum price. When so settled, villages, cities, and towns have grown up as required to supply the wants of the settlers. They have been called into existence by the settlements, but, in the beginning, have not contributed much to cause the country to be settled. The Spanish system was the opposite. They founded or encouraged the formation of villages, which, by affording protection as well as educational and religious privileges, would encourage settlement of the neighboring country.

These pueblos differed from our municipalities in many respects. They had no charters, and seem always to have been subject to the control and supervision of superior officers, and this control seems to have been complete and constant. They could suspend, restrict, or enlarge the powers of the officers of the pueblo; and yet the pueblos, to an extent and in a mode which is strange to us, constituted convenient instrumentalities for the government of the neighboring country. Their jurisdictions, subject always to the supervision of higher officers, often extended over large territories. Hart v. Burnett, 15 Cal. 531. No grants of land were ever made to them, but, as soon as organized, they became entitled to have certain lands set apart to them for the use of the pueblo and its inhabitants. . . .

Perhaps the most important respect in which the pueblos and the habits of the inhabitants differed from our municipalities and the habits of our people is found in the extent to which individual wants were supplied from public or common lands. In this respect the difference is almost startling. Our practice is to reduce everything to private ownership from which a profit can be made; and, of course, the more essential it is to the members of the community, the more profit can be made from it. The rule of the pueblo was almost the reverse of this. So far as communal ownership would answer the purposes of the community, it was preferred.”

General Historical Background

The ominous rumblings of “manifest destiny” became clearly audible upon the American acquisition of the Louisiana territories in 1803. The Americans were “Claimers” of no mean stature and asserted that they had purchased not only that area of the earth’s surface generally recognized as Louisiana but a substantial portion of the Spanish province of Texas as well. In fact, it was asserted that the Rio Grande and not the Sabine was the western boundary of Louisiana. President Polk, harking back to the Louisiana-Rio Grande boundary claim in his 1845 inaugural address, asserted that, “Texas was once a part of our own country (but) was unwisely ceded to a foreign power. . . .” The President was referring to the Florida treaty with Spain in 1819.9

On March 2, 1836, some 59 delegates in convention assembled had declared Texas — whatever territory that might embrace — to be a free and

8 Vernon Irrigation Co. v. City of Los Angeles, 106 Cal. 237, 39 Pac. 762, 764-65 (1895).
9 Amaya v. Stanolind Oil and Gas Co., 62 F. Supp. 181 (S.D. Tex. 1945), opinion by Chief Judge Hannay. This opinion, as well as Mr. Justice Harlan’s opinion in United States v. Louisiana, 363 U.S. 1 (1960), contains a wealth of historical materials relating to Texan, American and Mexican events which led to the Mexican War.
independent nation. Mexico had achieved independence from Spain in 1821, and in 1836 the former Spanish province of Texas was administered with the province of Coahuila. Together they constituted the Mexican State of Coahuila and Texas. Prior to 1805, the boundary between the Spanish provinces of Texas and Nuevo Santander was generally considered as being the San Antonio River. But in 1805 the Spanish Authority moved the Texas boundary southward to the Nueces River.10

On December 19, 1836, the Congress of the Republic of Texas defined the boundaries of the Republic in the following terms:

Beginning at the mouth of the Sabine River, and running west along the Gulf of Mexico three leagues from land, to the mouth of the Rio Grande, then up the principal stream of said river to its source, thence due north to the forty-second degree of north latitude, thence along the boundary line as defined in the treaty between the United States and Spain, to the beginning....11

By this declaration, the Republic set forth its claim not only to the Rio Grande as a southern boundary but also as a western boundary to the source of the stream in the present State of Colorado, and in addition claimed territory to the north as far as the present State of Wyoming. Substantial parts of the present-day states of New Mexico and Colorado were included, as well as small portions of the states of Wyoming, Kansas and Oklahoma.12 These asserted boundaries were accepted by the United States upon the annexation of Texas and the state was not reduced to its present size until the adoption of one of the compromise measures of the year 1850. The consideration paid to Texas by the central government was almost nominal under present-day standards. The federal government also assumed certain debts which had been incurred by the Texas Republic.13

It was the Texas claim to lands between the Nueces and the Rio Grande (adopted by the American government) that became the prime source of difficulty with the Mexican Republic. After his capture at San Jacinto, the Mexican dictator, Santa Anna, had agreed to the Rio Grande boundary. Later, however, Mexico took the position that Santa Anna's agreement was invalid as it had been obtained through duress.14 Both sides were adamant and the Mexican War ensued and was concluded with the treaty of Guadalupe Hidalgo. Under this treaty (concluded on February 2, 1848) and the subsequent Gadsden Purchase of 1853, the United States acquired lands which today comprise all or a portion of some nine states.

In the course of twelve short years, 1836-48, the United States, in which English thought and institutions were dominant, found itself face to face with a substantially different culture and way of life, represented by the newly ceded

10 Scott, Historical Heritage of the Lower Rio Grande Valley 118 (1937).
11 1 Gammel, Laws of Texas 1193.
12 The opinions in both United States v. Louisiana, 363 U.S. 1 (1960), and Amaya v. Stanolind Oil and Gas Co., 62 F. Supp. 181 (S.D. Tex. 1945), contain maps of the land claims of the Texas Republic. The northern extension of the Republic into territory which is now southern Wyoming would have been an impediment to American expansion to the Pacific, if Texas had not been incorporated into the American union.
territories as well as a portion of the recently annexed Republic of Texas. This situation gave rise to various problems of adjustment which resulted in extended litigation. Some of these problems have not yet been settled.\textsuperscript{15}

Spain had been in nominal control of all this vast territory for centuries. Actual control had been present in portions of New Mexico and Texas. The history of Spanish Santa Fe, for example, encompasses a greater number of years than does the history of American Santa Fe. On one hand the Anglo-American found himself confronted with strange and unfamiliar land tenures and incidents thereto, which by solemn treaty he was bound to uphold. On the other hand, the Spanish-American settler in the area was met with a new and unexpected sovereignty toward which he was both suspicious and resentful. The treaty of Guadalupe Hidalgo gave him a bewildering choice. He could become an American and live on his land or leave the territory and maintain his Mexican citizenship and conduct his farming or ranching operations on a nonresident basis. He could, of course, forget about his holdings in the ceded territory and pass on to other things. Many followed this course.

In \textit{State v. Sais} Chief Justice Roberts of the Texas Supreme Court described the condition of the area between the Nueces and Rio Grande in the following language:

That portion of Texas situated between the Rio Grande and Nueces rivers, south of a line drawn from the northern boundary of Webb County to the mouth of Moros creek, on the Nueces river, was originally a part of the State of Tamaulipas, in Mexico, whose capital was Victoria, some distance west of the Rio Grande. That section of the country was but sparsely settled, and was used principally for stock ranches that had long been subject to frequent depredations from savage Indians. On the 19th of December, 1836, an act of the Congress of Texas was passed, defining the boundaries of Texas, in which that territory was included. Notwithstanding that, however, the State of Texas exercised no permanent jurisdiction over it, except along and near the Nueces river, including Corpus Christi, on the gulf; and the State of Tamaulipas exercised jurisdiction on and near the Rio Grande, on the eastern side of it, until after the annexation of Texas to the United States, (on the 29th of December, 1845), shortly after which, armed occupation of the disputed territory was taken by the United States, on behalf of Texas, since which time Texas has exercised jurisdiction over it.\textsuperscript{16}

Much the same condition existed over large portions of the Mexican cession. The problem has been described not inappropriately as that of placing square common law pegs in round civil law holes. An honest desire to protect and preserve valid and honestly held property rights without giving license to fraudulent land claims which abounded throughout the territory acquired from Mexico posed a problem fraught with difficulty and perplexity.

\textsuperscript{15} State v. Valmont Plantations, 346 S.W.2d 853 (Tex. Civ. App. 1961), may be taken as an appropriate example of recent litigation involving the basic Spanish law as applicable to property rights in the United States. See also Luttes v. State, 159 Tex. 500, 324 S.W.2d 167 (1958).

\textsuperscript{16} 47 Tex. 307, 309-10 (1877).
The Nature and Purpose of the Spanish Town

The Spanish town was, among other things, a device to hold territory for the sovereign. It was contemplated that with its mission as the representative of the Church, it would receive converts, incorporate them into the Spanish realm and thus expand the influence of Church and State throughout the New World. It is said that the Spanish town had its origin in the ancient city-states and may be traced back to Roman municipal organization.17

In discussing the nature of the town and its ancient origin, Chief Justice Fly of the Texas Court of Civil Appeals (San Antonio) said in Alexander v. Garcia:

The creating of Spanish towns and the endowing of them with large grants of land came into being as the progeny of eight centuries of warfare with the Moors. The expulsion by degrees of the invaders was a long and tedious task, and the town grants were made and men encouraged to settle on them in order to form outposts and barriers against reacquisition of the territory by the enemy. When America was discovered, the same system was inaugurated by the Spaniards for the same purpose in all parts of this continent acquired by them, and so it is that in every grant to a town military service was exacted as well as the payment of taxes. Long lines of these Spanish towns extended across Texas and along its rivers, forming the vanguard of Spanish civilization in the conquest of the country from the Indians.18

The oldest of the pueblos in the southwestern section of the United States is Santa Fe which, in all probability, was originally settled by deserters from Coronado's military force about the year 1543. European authority over Santa Fe and the province of New Mexico was interrupted by a major Indian uprising in the year 1680, and Spanish control was not again rendered effective until thirteen years later in 1693 when the Spanish governor of New Mexico, Diego de Vargas, reconquered the country and re-established the Santa Fe pueblo. The Indian uprising and consequent destruction of records placed the legal status of Santa Fe in a state of confusion. Title questions arose which brought a case to the United States Supreme Court in 1896 involving the extent of Santa Fe's pueblo claims under Spanish authority. It was held that the evidence failed to show that the ancient pueblo of Santa Fe had ever received or was entitled to receive four square leagues of land, as was customary in the case of towns of a later date. The available evidence rather indicated that Santa Fe was originally a squatters' settlement.19

There is a discernable evolution of the Spanish town from the establishment of Santa Fe, which came into being somewhat by accident, to the definitely located towns established in accordance with a predetermined design, such as the town of Pictic in the province of Sonora and the Mexican pueblo of San Francisco. Town plans varied somewhat from time to time and from area to area. In point of time, the earliest settlements (in what is now the southwestern portion of the United States) were made in New Mexico, in the upper

17 Scott, op. cit. supra note 10, at 22.
19 United States v. Santa Fe, 165 U.S. 675 (1897).
Rio Grande valley and in portions of the original province of Texas. Next in point of time, roughly speaking, were the Nuevo Santander towns, followed by the California pueblos.

The Nuevo Santander Towns — José de Escandón

For a number of reasons, the Nuevo Santander river settlements are taken for illustrative purposes. They typically represent the Spanish purposes of holding and occupying territory. An attempt was made to convert the native population to Christianity and incorporate them into the Spanish state. These settlements also represent an approximate middle point in the period of Spanish colonization, and from the Spanish historical standpoint there is a wealth of documentation in the way of official reports and the like. Most of these towns have been the subject of litigation, and a number of histories treat of their foundation and development.

20 The plan of Piccic is repeatedly mentioned in court opinions. It was promulgated in 1789 and served as a model or plan for towns thereafter established. A discussion of the plan is contained in 1 Kinney’s Law of Irrigation § 581, at 994 (2d ed. 1912). Also compare the town plan contained in Decree No. 16 of the Congress of the Mexican State of Coahuila and Texas. 1 Gammel, Laws of Texas 125.

Some of the cases dealing with Spanish and Mexican pueblos, other than those of Nuevo Santander or Tamaulipas (considered in another note) are:

New Mexico: United States v. Santa Fe, 165 U.S. 675 (1897) (Santa Fe); Cartwright v. Public Service Co. of New Mexico, 66 N.M. 64, 343 P.2d 654 (1958) (Las Vegas); New Mexico Products Co. v. New Mexico Power Co., 42 N.M. 311, 77 P.2d 634 (1937) (Santa Fe); Merrifield v. Bruckner, 41 N.M. 442, 70 P.2d 896 (1937) (Chillīli).


Texas: Heard v. Town of Refugio, 129 Tex. 343, 103 S.W.2d 728 (1937); Anderson v. Polk, 117 Tex. 73, 297 S.W. 219 (1927) (San Antonio); Dittmar v. Dignowity, 78 Tex. 22, 14 S.W. 268 (1890) (San Antonio); Town of Refugio v. Byrne, 25 Tex. 193 (1860); San Antonio v. Lewis, 15 Tex. 388 (1855); Lewis v. San Antonio, 7 Tex. 288 (1851); Mitchell v. Town of Refugio, 265 S.W.2d 261 (Tex. Civ. App. 1954).

21 In State v. Valmont Plantations, 346 S.W.2d 853 (Tex. Civ. App. 1960), the record contains a number of volumes of reports of explorations, investigations and the like relating to the Nuevo Santander settlements. Many of these exhibits are printed copies of documents now in the National Archives of Mexico.

A list of the Nuevo Santander river grants (below the south line of present Zapata County) and the dates thereof are also set forth in the opinion. (346 S.W.2d at 853.) They are as follows:

<table>
<thead>
<tr>
<th>Jurisdiction of</th>
<th>Date of Grant</th>
<th>Grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mier</td>
<td>1767</td>
<td>Llano Grande</td>
</tr>
<tr>
<td>Camargo</td>
<td>1767</td>
<td>La Feria</td>
</tr>
<tr>
<td>Reynosa</td>
<td>1767</td>
<td>Concepcion de Carricitos</td>
</tr>
<tr>
<td>Los Ejidos</td>
<td>1836</td>
<td>San Pedro Carricitos</td>
</tr>
<tr>
<td>Torritos</td>
<td>1834</td>
<td>Potrero Del Espiritu Santo</td>
</tr>
<tr>
<td>Santa Ana</td>
<td>1834</td>
<td>Potrero de San Martin</td>
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<tr>
<td>Agostodero Del Gato</td>
<td>1834</td>
<td>Potrero de Santa Isabel</td>
</tr>
<tr>
<td>La Blanca</td>
<td>1834</td>
<td>Potrero de Buena Vista</td>
</tr>
</tbody>
</table>

Grants bearing a date after 1821 were Mexican grants, although in some instances the title may have been given to perfect a grant which had its inception under Spanish authority. The “Los Ejidos” above mentioned were the Reynosa ejidos. Because of persistent
By the middle of the eighteenth century there were Spanish settlements in Mexico, at El Paso, San Antonio and along the Texas coast. An unsettled inland area existed from the Guadalupe River in Texas to Tampico, which José Escandón, the Count of Sierra Gordo described as a 'bag' in which Indian tribes collected to molest the surrounding country. Spanish encroachments had driven those Indians which were not amenable to the Spanish plan of reduction and civilization into this triangular pocket or bag, where they were joined by incorrigible apostates from the existing Spanish towns and missions. The San Antonio River was considered to be the southern boundary of the province of Texas or the New Philippines, as the territory was called at an earlier date. The territory south of the San Antonio River and north of Tampico was sometimes referred to as Seno Mexico and constituted a problem for the Spanish authorities in America because it served as a base for disastrous raids upon the Spanish settlements and outposts. Various plans for the reduction of the territory were considered, including a system of congregas under which the government permitted certain individuals to assume supervision and control over groups of natives. In return for instruction and support there was an expectation of a reasonable amount of personal service from the natives.

flooding, the location of the town was moved and the ejidos of Reynosa Viejo, as distinguished from Nuevo Reynosa, were sold. This became the subject matter of the lawsuit styled State v. Gallardo, 133 S.W. 664 (Tex. Civ. App. 1911), aff'd, 105 Tex. 274, 168 S.W. 369 (1914).

The destruction of the town of Palafox by Indians raised a number of legal questions as to the status of its ejidos and porciones which were considered in a series of cases. See State v. Ortiz, 99 Tex. 475, 90 S.W. 1084 (1906); State v. O'Conner, 96 Tex. 484, 73 S.W. 1041 (1903); Texas Mexican Ry. Co. v. Jarvis, 80 Tex. 456, 15 S.W. 1089 (1891); Alexander v. Garcia, 168 S.W. 376 (Tex. Civ. App. 1914); Hamilton v. State, 152 S.W. 1117 (Tex. Civ. App. 1912).

The cases of von Rosenburg v. Haynes, 85 Tex. 357, 20 S.W. 143 (1892), and Texas Mexican Ry. Co. v. Uribe, 85 Tex. 386, 20 S.W. 153 (1892), are concerned with the Jose Vasquez Borrego grants and the poblador settlement of Dolores by Borrego under Escandón's authority and direction. Part of the Borrego grants were appropriated for the Laredo pueblo and porciones.

City of Brownsville v. Basse & Hord, 36 Tex. 461 (1872), dismissed for want of jurisdiction, 154 U.S. 610 (1895), and City of Brownsville v. Cavazos, 100 U.S. 138 (1879), relate to the ejidos of the Mexican town of Matamoros.

The following cases discuss legal problems which arose concerning the towns mentioned: Downing v. Diaz, 80 Tex. 436, 16 S.W. 49 (1891) (Revilla, now Guerrero); Texas Mexican Ry. Co. v. Jarvis 69 Tex. 627, 7 S.W. 210 (1888) (Laredo); Sullivan v. Solis, 114 S.W. 456 (Tex. Civ. App. 1908) (Camargo). This list is introductory and not intended to be exhaustive.

22 Notable among these are: 3 CASTEÑEDA, OUR CATHOLIC HERITAGE IN TEXAS ch. 4, Escandón and the Settlement of the Lower Rio Grande 1738-1779, 130-96 (1938); HORGAN, op. cit. supra note 6, at 340-46; SCOTT, op. cit. supra note 10; and HILL, JOSÉ DE ESCANDÓN AND THE FOUNDING OF NUEVO SANTANDER.


24 In his account of the founding of Nuevo Santander, Hill gives the following description of the Indians in the area:

The numerous tribes that inhabited the sunas and coast of Nuevo Santander in 1747 were almost completely naked. They lived in poorly constructed huts or in caves and cafions of the mountains and propagated like beasts; they sustained themselves by the raw meat of animals they were able to kill and by the wild fruits furnished them in abundance by the forests. Deception, killing and stealing was commonplace among the tribes. Hill, op. cit. supra note 22, at 51.
In practice, the plan quickly degenerated into a species of chattel slavery. Fortunately, it was rejected.25

The Count of Revilla, then Viceroy of Mexico, primarily upon the recommendation of the Marquis of Altamira, his *Auditor de Guerra*, designated José de Escandón to undertake the task of establishing settlements in the "bag" between Tampico and the Guadalupe River. Escandón was the mayor of the town of Querétaro26 where he made his home after emigrating from Spain. He was a man of reputation and had been awarded the title of Condé de Sierra Gordo and was a knight of the Order of Santiago. Upon his appointment he was given the rank of Lieutenant General and performed his assignment in a thorough, businesslike manner. He had had experience in treating with Indians in and about Querétaro and the Sierra Gordo Mountains and was familiar with the dual Spanish policy of converting the Indians to Christianity and establishing order among them, thus reducing or eliminating the sporadic and murderous raids which had been theretofore conducted against Spanish settlements.

Prior to a settlement attempt, Escandón made a thorough exploration of the area, sided by some 765 soldiers from various established presidios and towns. He encountered numerous Indian tribes with such uncommon and now forgotten names as Cootajam, Sepumpacam, Paramatugu, Perpepug, Coucuguyapem, Tlanchuguin, Pezpacuz, Hueplapiaguilam and Masaquajulam,27 which may represent a heroic but perhaps not wholly successful attempt to translate strange and guttural Indian sounds into written Castilian Spanish.

Upon the completion of his explorations and an evaluation of the problems incident to settlement, Escandón submitted his recommendations which, with one notable exception, followed the usual pattern of the Spanish pueblo. The exception related to the military. Escandón envisioned a citizen soldiery. He suggested that a total of fourteen towns be established in the area, although ultimately a larger number was organized.

He also made three specific recommendations applicable to each of the proposed towns:

1. That soldiers be offered lands as first settlers.
2. That missionaries be carefully screened and only those eminently qualified for the proposed undertaking be chosen from the qualified colleges.
3. That professional soldiers should not be maintained in the towns for more than a year or two. This last recommendation was made to save expense, as under the proposed town organization the first settlers would be soldiers and hence able to protect themselves.28

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25 HILL, *op. cit. supra* note 22, at 52. For some time after the invasion of Mexico by the Spaniards there was considerable debate as to the nature of the Indian—was he truly a man or more in the nature of an animal. In 1537, Pope Paul III issued the bull *Sublimis Deus* in which he stated that, "The sublime God so loved the human race that . . . all are capable of receiving the doctrines of the faith." The enslavement of Indians was proscribed. HORGAN, *op. cit. supra* note 6, at 242.

26 Querétaro is between and approximately equidistant from Mexico City and San Luis Potosí.

27 3 CASTEÑEDA, *op. cit. supra* note 22, at 146.

28 Id. at 150.
After his plans had been approved by the proper authority, Escandón proceeded with the actual settlement of the projected towns. The territory which was the subject matter of the plan was designated as Nuevo Santander. This province later became the State of Tamaulipas under the Mexican regime. It "extended over approximately the six degrees lying between the parallels of 22½ and 28½ north latitude. Its natural limits were the bar of Tampico.
on the south, the Bay of Espiritu (mouth of the San Antonio River) on the north, the Gulf of Mexico on the east and the Sierra Madre Mountains on the west.”

A map of the territory is subjoined hereto.

Escandón's first town was Camargo, located on the south (now the Mexican) side of the Rio Grande near its confluence with the San Juan River. Its site is across the river from the present town of Rio Grande City, Texas. Escandón's official account of a later inspection of Camargo gives a graphic picture of the Spanish-American pioneer settlement. He reported that:

The village of Camargo was founded on March 5, 1749, with the appellation of our Lady of Santa Ana. Its captain is Don Blas Maria de la Garza. It has 66 families of settlers with 378 persons, to which 24 persons have been added in accordance with the catalogue of the said captain as an increase since the last registration occasioned by marriages with outside persons because the others were sons and daughters of the actual settlers; and with the foregoing they comprise 85 families with 402 persons. The said captain, one sergeant and 11 soldiers, who moved from the old Garrison of Cerralvo with 129 persons, and added to the foregoing comprise 531 persons.

Its mission, Laredo, with the appellation of San Agustin, and the Reverend Father Juan Bautista Garcia as Minister, has 500 persons of congregated Indians obedient to bell and doctrine, and many others who reside on the outskirts will become congregated as they are attracted by the good manner of the said Holy Man. It has already planted corn and beans subject to the seasons for which purpose it has the necessary farming implements, and has a good number of large and small stock. It has already concluded the construction of a suitable convent of rock, stone and adobe, with its roofing of beams and terrace. At the present time it is commencing the construction of a church. Among the said Indians there are found a great many who are now working as journeymen in construction work and as laborers in the project in the making of adobe brick, soap and other very useful articles to which they apply themselves, and judging from the way in which things are progressing, within a short time it will be one of the best Missions in the Indies.

The settlers of this Villa, as is quite evident, are generally all of Spanish ancestry. They entered into the site with some large and small stock, which said stock has produced so much that it has caused some surprise since generally the goats give birth to two, three and four sucklings, and a large part of the sheep give birth to two and all of them are saved. The mules are generally large bodied. This has already made them rich because of the great fertility of the soil. During the past year they recovered a reasonable harvest of temporal corn and beans, and they are becoming quite enthused with this character of endeavor.

The great flood of the past year of 1751 did it some damage, and it was for this reason that I removed it to a place a little below to a higher site. They have made some terraced houses and others are being built by the settlers.

The situation is beautiful and very delightful on the Eastern

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Hill, op. cit. supra note 22, at 40.
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margin of the River of San Juan which forms a square with that of the North (abundant in fish) which it joins at a short distance; and for the increase of their stock they have already passed some of it to the North of the latter, which has accounted for the domination of that land which is very important to the attracting of the many indians which are found therein, a facilitation for the extraction of salt and transit and communication with the Garrison and Mission of the Bay of Espiritu Santa. * * *

It has been made an assignment of land which are bounded by the directions of the East and West, the only thing remaining being to run the measure of the North and South, and time has not permitted this. 30

The second river town established by Escandón was Reynosa, the most easterly of the pueblos, followed by Dolores, Revilla (now Guerrero), Mier and Laredo (now a thriving Texas city of 60,678 population). These river towns, like the majority of Spanish and Mexican towns, possessed certain rights in and to surrounding lands, generally to the extent of four leagues. In Ordenanzas de Tierras y Aguas 31 it is said that:

In consideration that a person cannot live without sustenance; likewise no city can subsist without an income. His Majesty was pleased to grant to the settlements in America . . . in the nature of a gift or town privilege a certain portion of the lands in order that they might secure their subsistence and improve their circumstances, holding a usufruct on the pasture and cultivated land, or in any manner their municipal ordinances should dispose.

Under the later Spanish practice, when governmental permission for the establishment of a town was given the center of the proposed town was first established and four square leagues or sitios for town purposes were measured by surveying lines of 5,000 varas 32 each, from the center of the town toward each of the cardinal points. Lines were then measured at right angles to the terminal points of these first mentioned lines, and their several points of intersection established the corners of the town property. 34


31 See note 21 supra. Dolores remained a ranch settlement or headquarters of the Borrego family and did not develop into a regular town.


33 A vara is approximately 33 1/3 inches in length. A league is 5000 varas in length. A square league or sitio is 25,000,000 square varas or 4428.4 acres. (A sitio was also sometimes called a sitio de ganado mayor or a ranch for large stock, such as cattle and horses. A sitio de ganado menor, a ranch for small stock such as sheep and goats, was 11,111,111 square varas.) A labor is 1,000,000 square varas or 177.1 acres. A caballería is 105.7 acres. TAYLOR, SPANISH ARCHIVES OF TEXAS ch. 5, at 69-79 (1955); SCOTT op. cit. supra note 10, at 13; see also United States v. Perot, 98 U.S. 428 (1878).


The case of Vernon Irrigation Co. v. City of Los Angeles, 106 Cal. 237, 39 Pac. 762 (1895), contains a detailed description of the Spanish town properties and various portions thereof, such as the montes or woodlands; the dehesas, the enclosed tracts where the laboring cattle were kept; the fuentes, springs of water appropriated to supply the town; the ejidos proper which were commons surrounding the town in front of the gates; prados or fields; the pastos or pastures; the aguas or waters; the salinas or salt springs; the abreveduras, places for watering cattle; and the valdios, lands not devoted to any special or specific use.
As indicated, the rights which the town acquired in the lands assigned to it — generally four square leagues — were usufructory only, that is the title remained in the sovereign. The town merely held the town lands in trust for the benefit of inhabitants. This principle is well illustrated by the short and tragic history of the Palafox pueblo which was established on the banks of the Rio Grande in the year 1810. In 1818 the town was destroyed by an Indian uprising, and, contrary to the experience of Sante Fe, it was never rebuilt. *Alexander v. Garcia*\(^{35}\) arose between claimants under its four-league town grant, if it can be properly so designated, and claimants under patents from the State of Texas. Chief Justice William S. Fly of the San Antonio Court of Civil Appeals, after reciting the history of the town, then discussed the nature of the pueblo grant. His holding and the statements relative thereto are worthy of notice:

For more than 65 years there was a complete abandonment of the town, during which period the land was under the flags of Spain, Mexico, and the United States. There was clearly an abandonment of the land, and the purposes for which it was granted ceased to exist, and the question arises: To whom then did the lands belong that had not been conveyed to individuals? Would they lie there unclaimed and unused through generation after generation of men, the home of the coyote and the rattlesnake, and the fiction prevail that a town was located there among the cacti and the mesquite, and that it was the property of that imaginary town? Was it no-man's land where the trespasser and the squatter might find an abiding place and successfully resist eviction by the claim that over 100 years ago the King of Spain had granted the land to a town? There can be no doubt that a negative answer is the only reasonable one to these questions, and that, when there was an abandonment for so long a time as to evidence its permanency, the sovereign who had never parted with the fee to it would resume control and dominion over it. It had been granted for a purpose and on certain conditions. The purpose had failed, the conditions were unfulfilled, and the lands passed back into the public domain, to be disposed of as the overlord of the soil might feel disposed. The authorities sustain this proposition.\(^{36}\)

A similar holding was announced by the Supreme Court of the United States in *Townsend v. Greeley*.\(^{37}\) Speaking for the Court, Mr. Justice Field of California, a recognized Spanish law authority, pointed out that:

It may be difficult to state with precision that exact nature of the right or title which the pueblos held in these lands. It was not an indefeasible estate; ownership of the lands in the pueblos could not in strictness be affirmed. It amounted, in truth, to little more than a restricted and qualified right to alienate portions of the land to its inhabitants for building or cultivation, and to use the remainder for commons, for pasture-lands, or as a source of revenue, or for other public purposes. This right of disposition and

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\(^{36}\) 168 S.W. at 377.

\(^{37}\) 72 U.S. 326 (1866).
use was, in all particulars, subject to the control of the government of the country.  

There was some understanding that lands in the vicinity of the towns founded by Escandón would be distributed among the early settlers of the towns who, under the accepted plan of settlement, would be soldiers for the most part and thus make it unnecessary for the crown to maintain presidios. In 1755, Escandón made his final report as to the condition and circumstances of the towns, and two years later, in 1757, José Tienda de Cuervo, accompanied by an engineer, Augustín Lopez de la Camara Alta, made a second report recommending that lands be immediately allotted to the settlers.

The reports indicate that the first Escandón town, Camargo, which in Escandón’s opinion was the most successful of the river towns, contained 96 families composed of 637 people. There were seventeen ranches in the vicinity, two of which were located on the north side of the Rio Grande. A substantial stone church had been erected at the mission where Fray Juan Bautista García Resuárez was in charge of 245 natives. The community possessed some 8,000 head of horses and mules, 2,600 head of cattle and 72,000 head of sheep and goats.

The actual allotment of lands was not made until Royal Commissioners made a general visit to the respective communities, surveyed the available lands and placed the various allottees in possession thereof in a ceremony somewhat similar to the English livery of seisin. The usual allotment was the acreage equivalent of a sitio or square league.

In Camargo 111 allotments or porciones were laid out, some fronting on the San Juan River and others on the Rio Grande. They were somewhat smaller than the usual league because of the number of persons entitled to them. Because of a scarcity of water in the area, the porciones were laid out in the form of strips of land with a comparatively small frontage on the river so that all would have access to the river for the watering of their livestock. In another opinion by Chief Justice Fly, an account of the proceedings at the time of the visit of the Royal Commissioners to Camargo is set forth. The opinion recites that the royal commissioners were:

38 72 U.S. at 336. With reference to the plan of Pictic and its relation to California pueblos, Mr. Justice Field continued:

The royal instructions of November, 1789, for the establishment of the Town of Pictic, in the Province of Sonora, were made applicable to all new towns which should be established within the district under the Commandant General, and that included California. They gave special directions for the establishment and government of the new pueblos, declared that there should be assigned to them four square leagues of land, and provided for the distribution of building and farming lots to settlers, the laying out of pasture-lands, and lands from which a revenue was to be derived, and for the appropriation of the residue to the use of the inhabitants.

It is evident from this brief statement that these lands were not assigned to the pueblos in absolute property, but were to be held in trust for the benefit of their inhabitants.

This is the view taken by the Supreme Court of the State of California after an extended and elaborate consideration of the subject. Hart v. Burnett, 15 Cal. 530, Fulton v. Hanlow, 20 Cal. 450, 460.

39 Scott, op. cit. supra note 10, at 37.
40 Id. at 53.
41 The size of allotments was determined to some extent by the length of time a person had resided in the town. Ibid.
“Don Juan Fernando de Palacios, vowed knight of the order of St. James, commander of the shield in the same, field marshall of the royal armies of his majesty, Governor and Lieutenant of the colony of the Mexican Gulf Sierra Gorda, their missions, garrisons and frontiers and Don Joseph de Ossorio y Llamas, advocate of the royal councils, commissioned to visit the same by his lordship the Marquis of Croiz, Viceroy Governor and Captain General of the Kingdom." [The opinion continues:] They began their labors at Camargo on August 2, 1767, and concluded them on August 31, 1767, partitioning the land and setting apart 111 porciones to different citizens by lot; among the number being porcion No. 107. The surveyors appointed by the commissioners reported that, in compliance with their instructions, they had gone to the boundary marked out for the town, which adjoined the boundary of Reynosa, and calculated the depth of the grant, which was five leagues. Then they “stretched the cord from east to west along the margin of the Rio Grande del Norte and with 23 cords and 30 varas for each end and 25,000 varas in depth,” which constituted the first porcion, which was allotted to Gregorio Farias. To this tract the other “porciones” were tied up to and including No. 69, excepting 43 and 44, on the Mexican side of the river. The survey on the north or Texas side of the river was begun at a place called San Juan de Buena Vista on the boundary of Mier, and the remaining 42 porciones were laid off, among the number porcion No. 107, a part of which is in controversy.

The document shows that prior to the private surveys the town had been staked out and its boundaries defined, one of which is called for as the beginning point of the surveys of the “porciones.”

While the town of Camargo was rather typical of the river pueblos established by Escandón, there were variations. Most of them had jurisdiction of privately owned and allocated lands — porciones — and in most of them either the ejidos or the privately owned lands figured in subsequent litigation. The second of the Escandón river towns to be established was Reynosa, south of the present city of McAllen, Texas, and the easternmost of the Escandón pueblos. Subsequently the towns Dolores, Revilla (presently known as Guerrero), Mier and Laredo were laid out. Laredo and Dolores were on the present American side of the river. The other settlements were on the south or west bank in territory which is now part of the Republic of Mexico. Both Laredo and Dolores were originally ranch headquarters founded with the consent of Escandón by landed proprietors. Laredo, which had been established with the aid of Tomas Sanchez, developed into a more or less typical river town with ejidos and porciones, although at the time of the general visit in 1867 several of the porciones which were surveyed and laid out were not assigned because of a lack of settlers to claim them.

Reynosa differed somewhat from the usual settlement because of its position as the easternmost river town, and its jurisdiction extended over numerous

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43 See note 21, supra.
44 Scott, op. cit. supra note 10 at 74-76.
45 Matamoras, opposite Brownsville, was not established until 1826, after Mexico had become independent of Spain. See City of Brownsville v. Cavazos, 100 U.S. 574 (1879).
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large land grants embracing the Rio Grande delta and areas adjacent thereto. This town in many respects resembled an ancient Roman city establishment and developed an aristocratic form of social order.

Juan Jose Hinojosa, the Chief Justice of Reynosa, secured a 25-league grant known as Llano Grande in the eastern part of what is now Hidalgo County, Texas. His daughter, Rosa Maria Hinojosa de Ballí or Vallín (as the name is sometimes spelled), the wife of Jose Maria Ballí, secured a grant of 12½ leagues, “La Feria,” adjoining her father’s grant on the east. Rosa Maria Hinojosa was perhaps the first Texas land baroness. With her assistance, her brother Vicente secured a 35-league grant, Las Mestenas, and conveyed half of it to her. Her son Juan Jose Ballí received the San Salvador del Tule grant of 72 leagues. Another son, Padre Nicholas Ballí, and her grandson, Juan Jose Ballí II (son of Jose Maria Ballí II), were the grantees of Padre Island, located off the South Texas coast and extending from the vicinity of Brownsville to Corpus Christi. It is interesting to note that upon division of the lands of the Llano Grande grant among the various heirs of the original grantee, comparatively narrow tracts known as the Ballí strips were laid out, each having some river frontage. They were similar to the porciones of Camargo and the other Escandón river towns.

The Treaty of Guadalupe Hidalgo

In accordance with well-recognized principles of international law the Treaty of Guadalupe Hidalgo contained a special provision relating to properties of Mexican nationals: “In the said territories, property of every kind, now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guaranties equally ample as if the same belonged to citizens of the United States.” This provision of the treaty clearly applies to the California and other portions of the Mexican Cession. It has no application to the separate session known as the Gadsden Purchase, which was controlled by a subsequent agreement.

46 Hidalgo County was organized in 1852. An affidavit appearing in its deed records states that the county was named Hidalgo after Father Miguel Hidalgo to please the Mexicans, and the capital was named Edinburgh to please John McAllen, a Scotchman who had married Salome Ballí, one of the later day Ballí heiresses. The present county seat is not at its original site, and in the process of relocation the “h” was lost, resulting in Edinburg. The City of McAllen, where in 1960 population was 32,728, is located on the Reynosa porciones and was named for John McAllen.

47 At times in Spanish names the letters “B” and “V” seem to be used interchangeably. The double “L” is given a “Y” sound.

48 Deed records of Hidalgo County. Base abstract of lands of the American Rio Grande Land and Irrigation Co., prepared by Honorable Duval West, later United States District Judge for the Western District of Texas. See also State v. Ballí, 173 S.W.2d 522 (Tex. Civ. App. 1943), aff’d, 144 Tex. 195, 190 S.W.2d 71 (1944). While the Hinojosa-Balli domain was truly an empire, the abstract of the San Salvador del Tule grant discloses that Juan Jose Ballí lost the entire grant of 72 leagues, or 318,845 acres, through a failure to pay a mortgage debt of 200 pesos, which represented an indebtedness of approximately 3/5 of a centavo per acre.


50 Delassus v. United States, 34 U.S. (9 Pet.) 117 (1835); Maxey v. O’Conner, 23 Tex. 234 (1859).

As to lands within the Texas Republic, particularly those which were formerly a part of the Mexican State of Tamaulipas, we have an anomalous situation. The Supreme Court of the United States has held that the term "said territories" in the treaty refers to ceded territories and has no application to lands within boundaries of the Republic of Texas as declared by its Congress and recognized by joint resolution of the American Congress. A somewhat similar view was expressed, but not acted upon, by Chief Justice Key in State v. Gallardo. The Supreme Court of Texas, however, has consistently held that Mexican titles to lands within the boundaries of Texas which were good in equity as against the predecessor sovereign, were protected by the treaty. When State v. Gallardo reached the Texas Supreme Court it was said that:

[W]e do not deem it necessary to reopen the question urged by the able counsel for the state as to whether property rights within the territory, over which the sovereignty of Texas was extended, were within the protection of the treaty of Guadalupe Hidalgo. That, in relation to such rights, that treaty has the force of law in Texas has been repeatedly affirmed by this court.

It has been held that an inchoate or equitable title to land in the former Mexican state of Tamaulipas which was good against the Mexican government as of December 19, 1836, comes within the protection of the Treaty, and such title is commonly referred to as "title under the treaty of Guadalupe Hidalgo." The question of whether the treaty applies to Texas lands may be largely academic under the general rule of international law that a change in sovereignty over an inhabited territory does not divest the property rights of individuals. However, the Texas Supreme Court held invalid a provision of the 1876 Texas Constitution, stating as one of its reasons that the provision was contrary to the treaty of Guadalupe Hidalgo and hence violated Article 6, Section 2 of the Constitution of the United States.

Confirmatory Actions

Although the Spanish authorities and the Mexican officials who followed them made rather complete written records of their official actions, a series of unsettling events — Indian uprisings, the Mexican revolution, the Texas War of Independence, the Mexican War, and the French intervention in Mexico about the time of the American Civil War — contributed to a rather chaotic

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54 Haynes v. State, 100 Tex. 426, 100 S.W. 912 (1907); Clark v. Hiles, 67 Tex. 141, 2 S.W. 356 (1886); State v. Sais, 47 Tex. 307 (1877).
55 106 Tex. 274, 166 S.W. 369, 373 (1914).
56 Kenedy Pasture Co. v. State, 111 Tex. 200, 231 S.W. 683 (1921).
58 See note 50 supra.
59 Texas Mexican Ry. Co. v. Locke, 74 Tex. 370, 12 S.W. 80 (1889).
60 See United States v. Santa Fe, 165 U.S. 675 (1897).
condition insofar as land titles were concerned. In order to alleviate this condition to some extent, numerous confirmatory measures were adopted and investigating boards set up. The scope of this article will permit only a general treatment of these confirmatory actions. In case of pueblo controlled land such as the ejidos, as contrasted with privately owned land such as the porciones, solares and suertes, the form of confirmation might be highly important.

While under the provisions of the Treaty of Guadalupe Hidalgo the title to lands granted to private individuals required no confirmation (provided of course the claim of an individual rose to the dignity of an equitable title), nevertheless, in most instances some action was taken by the succeeding sovereign to confirm Mexican titles to lands in Texas and the Mexican Cession. Under the joint resolution annexing Texas, all public lands of the Republic remained public lands of the State, which was the proper governmental authority to confirm existing Mexican titles. The United States became the proprieor and sovereign of lands in the Mexican Cession. A dual sovereignty came into being when territory within the Cession was organized into a state. Confirmatory action was taken in numerous instances by both the federal and state governments.

The Texas Legislature passed a series of Acts relating to Spanish and Mexican land titles. In 1850, an investigating Board of Commissioners was

61 In Haynes v. State, 100 Tex. 426, 100 S.W. 912, 914 (1907) the Court noted: "It was shown that the records of the ayuntamiento of Guerrero [formerly Revilla] were mutilated, and many of them destroyed or lost, and that the expediente of Zapata had at one time been in the archives of Victoria, the capital of Tamaulipas, which were destroyed in 1864 by the French soldiers." In State v. Balli, 173 S.W. 2d 522, 535 n.5 (Tex. Civ. App. 1943), mention is made of loss of the steamer Anson containing some documents relating to land titles in Cameron County, Texas, which were under investigation by a commission set up by the Texas Legislature. The Balli case contains some explanation of the record system of the Spanish and Mexican authorities, the expediente, the protocolized copy and the testimonios.

62 California became a state on September 9, 1850, some two years after the promulgation of the Treaty of Guadalupe Hidalgo.

63 The following cases are concerned to some extent with confirmatory actions: San Francisco v. LeRoy, 138 U.S. 656 (1891); Miller v. Dale, 92 U.S. 473 (1875); Townsend v. Greeley, 72 U.S. 326 (1866); Fremont v. United States, 58 U.S. 541 (1854). The opinion in San Francisco v. LeRoy contains portions of the Van Ness Ordinance adopted by the City of San Francisco in 1855 and confirmed by the California Legislature in 1858. See also Los Angeles Farming & Milling Co. v. Los Angeles, 217 U.S. 217 (1910); City of Monterrey v. Jacks, 139 Cal. 593, 73 Pac. 436 (1903). In Adam v. Norris, 103 U.S. 591, 593 (1880), it was said that:

[The] United States, in dealing with parties claiming, under Mexican grants, lands within the territory ceded by the treaty of Mexico, never made pre- tence that it was the owner of them. When, therefore, guided by the action of the tribunals established to pass upon the validity of these alleged grants, the government issued a patent, it was in the nature of a quitclaim, — an admission that the rightful ownership had never been in the United States, but had passed at the time of the cession to the claimant, or to those under whom he claimed. . . . Such a patent was, therefore, conclusive evidence only as between the United States and the grantee that the latter had established the validity of the grant.

64 The problem of proof of Spanish and Mexican grants and title papers in the Texas courts involved a rather technical procedure. See State v. Cardenas, 47 Tex. 250 (1877); State v. Cuellar, 47 Tex. 293 (1877). A discussion of some of the Texas confirmatory acts is contained in State v. Sais, 47 Tex. 307 (1877).
William H. Bourland and James B. Miller were appointed and numerous grants were confirmed upon their recommendation.

**Conclusion**

Over a hundred years ago a great American statesman, Daniel Webster, declared that California and New Mexico were "not worth a dollar." An estimate of Texas was even lower. A soldier in the Mexican War and exponent of total victory declared that the Mexicans should be whipped "until they consent to take back all Texas." Even today it is said that whether one regards the Mexican War as justifiable depends on one's opinion as to whether the United States would be better off with or without California and Texas. Nevertheless, two of our larger states occupy territory which was once Spanish, and a number of our larger American cities grew from Spanish pueblos. We share two large and important international rivers with Spanish-speaking neighbors. Thus Spanish laws, customs and practices are still of importance in determining modern American rights.

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66 3 Gammel, Laws of Texas 798 and 941. By the latter act (p. 941), approved February 10, 1852, the State of Texas relinquished all of its right, title and interest in and to 192 grants in Kinney, Webb, Starr, Nueces and Cameron Counties. These included porciones in the jurisdictions of Palux, Laredo, Mier, Camargo and Reynosa, the Llano Grande, La Feria and Las Mestenas grants and Padre Island. Further legislative acts are listed in Taylor, The Spanish Archives of Texas ch. 10, The Special Disposition of Titled Lands between the Nueces and the Rio Grande, 125-41 (1955). The chapter contains a portion of the Bourland and Miller Report. See also 3 Gammel, Laws of Texas 1538; 4 Gammel 1471; 6 Gammel 375.