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PREVIEW

THE ASCARATE GRANT

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THE ASCARATE GRANT

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In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

by

Jocelyn J. Bowden

August, 1952

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J. J. B.
August, 1952

TABLE OF CONTENTS

	Page
Acknowledgment	iii
Table of Contents	iv
List of Maps and Illustrations	v
CHAPTER	
I. BACKGROUND	1
II. SPANISH AND MEXICAN SYSTEM OF LAND GRANTS. . .	13
III. THE TEXAS EXPANSIONIST MOVEMENT.	21
IV. NORTH OF THE RIO GRANDE.	35
V. THE CONSUMMATION OF THE ASCARATE GRANT	60
VI. A COLLATERAL ATTACK ON THE CONFORMATION OF THE ASCARATE GRANT	75
VII. THE SEGREGATES OF THE ASCARATE GRANT	99
VIII. UNRECOGNIZED GRANTS IN THE EL PASO AREA . . .	109
IX. THE PARTITIONING OF THE ASCARATE GRANT	135
X. LITIGATION OVER THE BOUNDARY BETWEEN THE ASCARATE AND YSLETA GRANTS	160
XI. THE PLATTING OF THE ASCARATE GRANT	176
APPENDIX A	179
APPENDIX B	188
BIBLIOGRAPHY	202
VITA	209

LIST OF MAPS AND ILLUSTRATIONS

	Page
Historical Markers Pertaining to El Paso	2
Commemorative Settlement Markers	4
Historic Churches in the El Paso Region	6
Marker Commemorating Doniphan's Entrance into the El Paso Valley	26
The Texas Expansionist Movement	32
The Conflict between the Fountain and the Hays Surveys	40
El Paso County in the 1850's	53
The Settlements North of the River in 1850	56
The Location of the Ascarate Grant	61
Plat of the Ascarate Grant as Surveyed by Anson Mills on January 24, 1859	68
Boundaries of the Ascarate Grant as Ultimately Patented	73
The Cenicu Grant as Surveyed	88
Location of Cenicu Grant as described in the Relinquishment Act of January 21, 1854, and Platted on Official Map of the General Land Office; also Cenicu Claim and Tract Granted to Inhabitants of Ysleta	91
The Probable Location of the Ascarate Grant if it were situated to the West of the Cenicu Grant	93
Bounty Warrant issued to George M. Collingsworth	100
Donation Certificate issued to the Heirs of David P. Cummings	102

Third Class Headright Certificate issued to Thomas H. Duggan	105
Segregates of the Ascarate Grant	107
Map of the Lerma Grant	115
El Rancho de Ysleta	120
La Prieta Grant	124
Location of the alleged Lerma, Prieta and Rancho de Ysleta Grants	133
The Segregation of the Lower or Southern 2 Leagues . .	148
The Segregation of the Upper or Northern 1 League . .	156
Tay's Map of the Ysleta Grant showing lands north of the Rio Viejo and claimed by the Inhabitants of Ysleta	162
The Conflict between the Ascarate and Ysleta Grants. .	163
Lands Conflicting with the Ascarate Grant.	174

CHAPTER I

BACKGROUND

A glance at an officially prepared map of El Paso County, Texas discloses that the greater portion of the fertile valley lands on the north side of the Rio Grande River consist of large land grants. These grants, seven in number, include the Canutillo Grant, the Ponce de Leon Grant, the Ysleta Town Tract, the Inhabitants of Ysleta or Cenico Grant, the Pueblo of Socorro Grant, the Inhabitants of San Elizario Grant, and the Ascarate Grant. The histories of all these grants are fascinating and closely related, but the one of particular interest is that of the Ascarate Grant.

The history of the El Paso area actually begins with the foundation of the Church, Nuestra Senora de Guadalupe, by Fray Garcia de San Francisco y Zuniga on the 6th of December, 1659, but for many years El Paso del Norte had been an oasis for the continuous flow of traffic that traversed El Camino Real, the long, weary 2000 mile stretch from Mexico City to Santa Fe. Those traveling through El Paso del Norte via El Camino Real found an arid, mountainous region situated in the eastern foothills of the Rockies. The barren mountains lacked continuity and exhibited many sharp, rugged, irregular



LOCATED IN UPPER VALLEY ON HWY 80

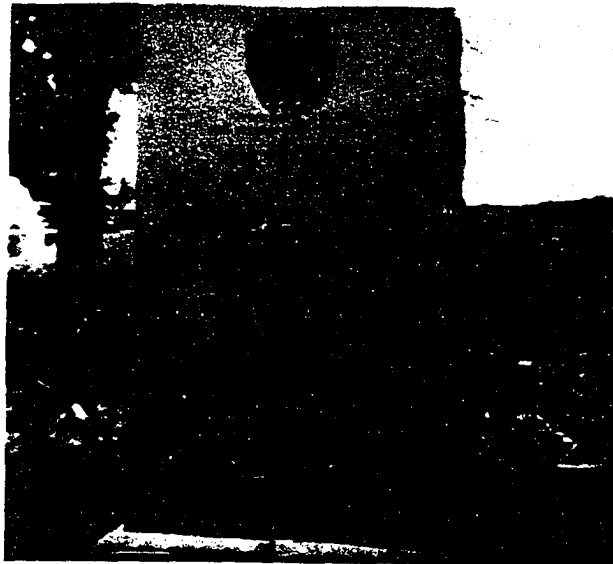


LOCATED IN PLAZA PARK

HISTORICAL MARKERS PERTAINING TO EL PASO

forms of relief. The Rio Grande having cut a gorge through the Franklin Mountains formed a natural gateway through the Continental Divide. The El Paso Valley was below the Pass and the Mesilla Valley above. Back from the valleys were gentle, rolling, flat table or mesa lands. Sloping gradually from the mesa down to the valley floor was a margin of desert vegetation furnishing a limited amount of range pasture land for cattle and goats. Numerous arroyos, usually dry, but flowing in torrents after the heavy summer rains, ran down from the mountains and mesas and across the bench lands. Desert conditions prevailed over the greater part of the El Paso District, which occupied the central portion of the Mexican Highlands. The climate of this area was characterized by low precipitation, high temperature, and occasional "sand storms" blowing from the south or southwest.

On August 13, 1680, the Pueblo Indians, under the leadership of Pope, a San Juan Indian, rebelled against the cruel and intolerant treatment of the Spaniards and drove the colonists from New Mexico. Governor Antonio de Otermin, priests, and settlers all along the Rio Grande Valley fled south to safety and shelter offered by the Mission of Guadalupe at El Paso del Norte. Here Governor Otermin made his stand after he established El Paso as his presidio, capital, and military base for the reconquest of New Mexico.¹



Located in the 8400 Block Highway 80 East.



Located in the 6200 Block Alameda Ave



COMMEMORATIVE

SETTLEMENT MARKERS

Located At Ysleta, TEXAS



Located At Socorro, TEXAS



Located At SAN ELIZABETH, TEXAS.

¹ Hubert Howe Bancroft, History of Arizona and New Mexico, 1530-1888, pages 174-183.

In 1682 Governor Otermin established San Lorenzo for the Spaniards and Zumas Indians twelve leagues below the original settlement of El Paso del Norte. He then proceeded to alleviate the crowded conditions and scarcity of food supplies by founding the three new Mission pueblos of Cenecu, Socorro, and Isleta for the 385 native refugees that had accompanied him from the north in 1680. Cenecu was established for the Piro and Tampiro Indians two leagues east of El Paso in 1682. In the same year Ysleta was founded for the Tigua Indians two leagues beyond Cenecu. In 1683 Socorro was founded for the Piro and Zumas Indians a league east of Ysleta.²

² C. E. Castaneda, Our Catholic Heritage in Texas, pages 262-264; also Cleve Hallenbeck, Land of the Conquistadores, page 168; also Anne E. Hughes, The Beginning of Spanish Settlement in El Paso District, pages 322-323.

Don Domingo Jironza Petriz de Cruzate, who succeeded Governor Otermin, established the presidio Senora del Pilar y Glorioso Senor San Jose (San Elizario) in 1683, after searching both banks of the Rio Grande. The presidio was later



MISSION AT JUAREZ, MEXICO



MISSION AT SENECA, MEX



MISSION AT SAN LORENZO, MEXICO

HISTORIC CHURCHES IN



MISSION AT YSLETA, TEXAS

THE EL PASO REGION



MISSION AT SOCORRO, TEXAS



MISSION AT SAN ELIZARIO, TEXAS

moved to El Paso to provide better protection for the surrounding missions against the hostile Indians.³

³C. E. Castaneda, Our Catholic Heritage in Texas, I, page 264.

Fray Nicolas Lopez, who came with Cruzate, established missions at Socorro for the Piros Indians; San Francisco for the Zumas Indians; Sacramento for the Tiguas; San Antonio de Zenecu for the Piros and Tampiros Indians; Santa Gertrudis for the Sumas Indians; Soledad for the Xanos Indians; and San Lorenzo Real and Villa Jurada, San Pedro Alcantara, San Jose, and El Pueblo Viejo de la Ysleta for the Spanish.⁴

⁴Alfred Barnaby Thomas, Forgotten Frontiers, pages 108-109.

There was a great deal of unrest and discontentment among the Indians up and down the Rio Grande which was largely caused by the prosecution of their religious beliefs. Cruzate had to continually suppress revolts. Ending a decade of resistance, peace was restored to New Mexico by Don Diego de Vargas Zapata Lujan Ponce de Leon in 1693.⁵

⁵Ralph Emerson Twitchell, The Leading Facts of New Mexican History, Vol. 1, pages 385-392.

Between 1693 and 1807, the El Paso District was not often mentioned. The presidio of San Elizario and the pueblo of El Paso and its surrounding settlements of Socorro, Ysleta, Genecu, and San Lorenzo were slowly increasing in population. The people, Spaniards and Indians, were engaged in cultivating and irrigating the soil by constructing dams and acequias, raising crops, ranching, making pottery, weaving, and fighting the incessantly hostile Apaches, who roamed the surrounding plains and mountains. Freight caravans continuously rolled up and down the Camino Real. El Camino Real followed the Rio Grande from the settlements of northern New Mexico to the northern end of the Jornada del Muerto, crossed that waterless plain, struck the river again at the southern end of said desert and ran along its eastern bank to Paso del Norte where it crossed the river. From El Paso the road traversed the arid plains of Northern Chihuahua to Carrizal and from there it continued southwardly to Chihuahua and Mexico City.

Although the El Paso District had been first occupied by the Spanish during the last half of the Seventeenth Century, at the opening of the Nineteenth Century it had a sparse population of Mexicans and Indians living in an isolated group of flourishing villages situated on the left bank of the Rio Grande River in the El Paso Valley. This area so remote and

obscure a century ago was destined, because of its strategic location with regard to the lines of communication and its mild climate and fertile soil, to become an important center of trade. The advantages for trade and transportation are due to the Pass of the North, where all the routes north and south, east and west converge at the most practicable passage through the Continental Divide. Vehicular traffic can cross the long north-south Sierra Oscurra Chain in three places within the El Paso Region: in the Organ Mountains, about twenty miles northeast of Las Cruces, at San Augustine Pass, but the grade is too steep for heavy motor traffic; at the gap between the Oregon and Franklin Mountains, about eighteen miles north of El Paso, but the lack of water and deep sand makes crossing at this point difficult; and El Paso del Norte at El Paso, which is the only practicable year-round pass through the Rocky Mountains.⁶

⁶William Cambell Binkley, The Expansionist Movement in Texas, page 216.

Lieutenant Zebulon M. Pike, the first American in the District to write an account of his adventures, reached El Paso on March 21, 1807, as he was forcefully being taken to Mexico from Santa Fe after being found on Spanish soil. Pike describes El Paso as "by far the most flourishing town we

have been in". During his brief stay in El Paso, he resided with Don Francisco Garcia, a merchant and planter who possessed 20,000 sheep and 1,000 cows in the vicinity of the town.⁷

⁷Z. M. Pike, Exploratory Travels Through the Western Territories of North America, pages 285-286.

Pike states that freighting over the route from Santa Fe to Mexico City via the Pass was already a flourishing business. Such a journey was made by mule train and consumed five months for a round trip. Thirty thousand sheep, tobacco, dressed deer, furs, buffalo robes, salt, and wrought copper vessels of a superior quality were exported from New Mexico annually. Imports were dry goods, confections, arms, ammunition, iron, steel and choice European wines and liquors.⁸

⁸L. B. Prince, A Concise History of New Mexico, page 145.

Pertaining to irrigation, Pike stated that five miles above Paso del Norte there was a bridge over the River "where the road passes to the west side of the river, and starting at this point there is a large canal that takes out an ample supply of water for the purposes of cultivation, which is carried on here in as great perfection as at any I visited in the province". There was a wall on both sides to protect

the canal from the animals. When the acequia came to the village, the water was distributed in such a manner that each person had his field watered in succession. Pike further states that at El Paso there were "as finely cultivated fields of wheat and other small grain as I ever saw, and also numerous vineyards from which were produced the finest wine ever drank in the country."⁹

⁹ Z. M. Pike, Exploratory Travels Through the Western Territories of North America, pages 334-336

When Mexico became an independent government in 1821, the Santa Fe foreign trade became more legitimate and free. Upon gaining their independence from Spain, the Mexicans not wanting any remembrances of the King, changed the name of the trail from El Camino Real (The King's Highway) to the Santa Fe or Chihuahua trail. El Paso del Norte, an oasis in the desert, was an important stopping place for all traffic between the north and south. It was considered one of the four centers of trade between New Mexico and Old Mexico.¹⁰

¹⁰ J. M. Frank, History of the Southwest, page 62.

James O. Pattie, an American who visited El Paso in 1826 wrote:

I know not whether to call Passo del Norte a settlement or a town. It is in fact a kind of continuous village, extending eight miles on the river. Fronting this large group of houses is a nursery of the fruit trees of almost all countries and climes. It has a length of eight miles and a breadth of nearly three. I was struck with the magnificent vineyards of this place, from which are made great quantities of delicious wine. The wheat fields were equally beautiful, and the wheat of a kind I never saw before, the plants generally yielding two stalks each. The land is exceedingly high and its fertility increased by irrigation.¹¹

¹¹R. G. Twaites, Early Western Travels, 1748-1846; "The Personal Narrative of James O. Pattie," pages 155 and 156.

Pattie further states that hunting and trapping of gray bears, deer, beaver, and other wild animal could be had only a short distance from the settlement of Paso del Norte.¹²

¹²Ibid., pages 156 and 157.

Such was the early background of the El Paso Valley.

CHAPTER II

SPANISH AND MEXICAN SYSTEM OF LAND GRANTS

Technically, every title to land is said to emanate from the sovereign of the soil. When a sovereign makes a valid land grant, a succeeding sovereign will generally comply with the principles of international law and recognize the grantee's title in the land. Such has been the policy of the succeeding sovereigns to the El Paso area despite the numerous changes of rulers, except that the equitable interests of Indian tribes originally in possession of the land under a form of civilization have not been recognized as conferring upon them any sovereign land rights.¹ The El

¹ Carroll G. Patton, Land Titles, Section 151

Paso District, for all practical purposes, may be considered as a part of the Province of New Mexico, belonging to New Spain from 1691 to 1822. During this period the government was administered by Spanish Viceroys. The various Mexican Provinces, called territories, were governed by local officials, called jefe politicos, who derived their power remotely from the Crown. The cities or pueblos were governed by