

HOUSE JOINT MEMORIAL 25

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING PARDONS BY THE PRESIDENT OF THE UNITED STATES AND
THE GOVERNOR OF NEW MEXICO FOR PEOPLE ACCUSED OF TREASON OR
TREASONOUS ACTS IN NORTHERN NEW MEXICO IN DEFENSE OF LAND
GRANTS.

WHEREAS, land grants were made in the internal provinces
of the west, which included New Mexico, to Spanish settlers by
the Spanish crown during the Spanish period, and land grants
were made to Mexican settlers during the Mexican period; and

WHEREAS, land grants made by the Spanish crown to the
settlers were made under applicable Spanish laws, customs and
traditions were assumed and enforced by Mexico, and Mexico
also made new laws pertaining to land grants; and

WHEREAS, land grant laws required grantees to comply with
certain conditions in order to keep their land, and one

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1 condition was that they were to defend it from the assault of
2 foreign invaders; and

3 WHEREAS, an insurrection occurred against the American
4 army of occupation in 1847 in northern New Mexico by the then
5 defenders of their country, and many citizens in Taos, Mora
6 and San Miguel counties were unjustly hanged for treasonous
7 acts or for treason, and their towns destroyed and land
8 confiscated; and

9 WHEREAS, it was later found that these people could not
10 be hanged for treason as they were not yet citizens of the
11 United States, and yet their names are still stigmatized with
12 a treasonous act; and

13 WHEREAS, on February 2, 1848, the United States assumed
14 and assured and protected Spanish and Mexican land grant laws,
15 customs and traditions under the Treaty of Guadalupe Hidalgo
16 and further clarified this protection under the Protocol of
17 Queretaro; the United States constitution, and government
18 further protected the land grants by various United States
19 supreme court decisions; and

20 WHEREAS, the United States and Mexico jointly signed the
21 Treaty of Guadalupe Hidalgo and the Protocol of Queretaro and
22 agreed to respect their provisions; and

23 WHEREAS, the descendants of the people hanged for treason
24 need closure and justice for their ancestors; and

25 WHEREAS, the consequential loss to the descendants of the

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1 people hanged for treason resulted in extreme poverty for
2 many, and all continue to bear an untrue stigma; and

3 WHEREAS, the United States and New Mexico should
4 rightfully clear the names of these so-called traitors, and
5 the United States should justly compensate the families for
6 the loss of their loved ones and the loss of their land; and

7 WHEREAS, new legal and historical information has been
8 brought to light regarding the grave injustices and inadequate
9 adjudications, which are today known as the treason trials of
10 1847; and

11 WHEREAS, the descendants of these brave defenders of
12 their country in northern New Mexico have long wanted
13 sufficient information and closure regarding the unjust acts
14 perpetrated upon their ancestors;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
16 STATE OF NEW MEXICO that the president of the United States
17 and the governor of New Mexico be asked to pardon these people
18 who were unjustly hanged in 1847 and to clear their names of
19 all wrongdoing; and

20 BE IT FURTHER RESOLVED that the United States reopen the
21 cases and seek appropriate relief for the descendants of these
22 people; and

23 BE IT FURTHER RESOLVED that appropriate memorials to
24 these defenders of their country be erected in the towns of
25 northern New Mexico where they were tried and unjustly

1 convicted; and

2 BE IT FURTHER RESOLVED that copies of this memorial be
3 sent to the president of the United States, the governor of
4 New Mexico and members of the New Mexico congressional
5 delegation.

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