

# COLONIZATION LAW

OF

## THE STATE OF TAMAULIPAS.

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[No. 42.]

DECEMBER 15TH, 1826.

*The Congress of the State of Tamaulipas enacts the following as a General Law.*

ARTICLE 1. Foreigners, who wish to colonize vacant lands in the state, shall be admitted, and their persons and property protected provided they submit to the laws of the republic, and those of the State.

ART. 2. For a foreigner to obtain adjudication of lands he must become domiciliated in some town in the state with a capital of his own to afford him a decent support, or with a trade or useful industrious pursuit which he follows; or he must establish a new town with one hundred families at least. Should he establish himself on the northern frontier of the state, fifty families shall be sufficient for that purpose.

ART. 3. In either case they shall make their petitions in writing to the governor of the state, who shall resolve thereon with the concurrence of his council, and audience of the fiscal of the court of justice of the state, making them the concessions of lands that shall be hereinafter determined.

ART. 4. Foreigners who claim domiciliation in any of the present towns, their petition being granted by the executive, shall be sworn by the respective political authority to observe and to comply with the constitutive act, the constitution and laws of the republic, and those of the state.

ART. 5. After this act, the said authority shall provide that, in a book to be denominated *Register of Foreigners*, shall be written the name of the person who shall have taken the oath, mentioned in the foregoing article, whether he be married, his age, trade, and place of his birth, setting down also the names of the family he may have, and making relation of having taken the oath prescribed. Said books shall be kept in the archives of each town.

ART. 6. Certificates of naturalization and of citizenship shall be granted to foreign colonists as soon as they obtain that of naturalization from the general congress.

ART. 7. From the very date whereon a foreigner is thus registered he acquires domiciliation, and may as such an inhabitant designate (*denunciar*) the vacant land he thinks best, presenting himself to that effect by writing to the respective *Alcalde*, who shall decree what is proper for examining, measuring and marking out the land designated, after citing the adjoining proprietors should there be any.

ART. 8. The instructive despatch being terminated, and no opponent of right resulting, the *Alcalde* shall pass it to the executive of the state, by whom the title of adjudication and ownership shall be issued to the person interested, ordering that the *Alcalde* of the town of his residence put him immediately in possession of the land granted. All these proceedings shall be conducted officially, and the executive shall proceed with the audience of the fiscal of the supreme court of justice of the state.

ART. 9. Opposition of right of ownership that is commenced shall go through the steps of an ordinary civil trial between the designator and the opponent, the former aided by an agent of the state, whom with the citation of the fiscal the executive shall appoint. Should the opposition be for the right of option to the ownership, the executive shall examine and decide.

ART. 10. The executive shall take care to repeople by this means the depopulated, and very particularly that the designations and judicial proceedings that have to be conducted on account of the same, be not paralyzed.

ART. 11. In the same manner he shall take care that no town projected by foreigners be situated within ten leagues upon the coast of the Gulf of Mexico within the limits of the state, without previously obtaining the consent and approbation of the supreme executive of the union. Beyond said line he shall also take care that, so far as the sites permit, the new towns be established in contact with the present ones, and with the conditions he stipulates with the *empresarios*.

ART. 12. Contracts ratified by *empresarios* with the executive are guaranteed by this law so far as they are in conformity to the provisions thereof.

ART. 13. In the distribution of lands, in view of their diplomas issued by the supreme executive power, military men, who, according to these are entitled to land, shall be preferred. Among citizens not military, no other distinction shall be made than that which is founded in their private merit, and services rendered the country; preferring, in parity of circumstances, a domiciliation in the place to which the lands belong. The quantity in which the lands are to be distributed is pointed out in the following articles.

ART. 14. A square of land measuring a league upon each side, or what is the same thing, a superficies of twenty-five million square va-

ras shall be called a sitio, and this shall be the unit for enumerating one, two or more sitios, in the same manner as the unit for counting one, two or more labores shall be a superficies of a million square varas, or a thousand varas on each side, which shall compose a labor. The vara for these dimensions shall consist of three geometrical feet.

ART. 15. That unit taken as a standard, and observing the distinction to be made on the distribution of lands, between grazing lands, or those suitable for raising stock, and irrigable and temporal tillage land, this law grants to the contractor or contractors of new towns for every hundred families they introduce and establish in the state five sitios of grazing land and five labores, of which one-half at least shall be temporal land; but they shall receive only in the ratio of eight hundred families, although they shall introduce more, and no fraction not completing a hundred shall entitle them to a premium, not even proportionally. Should the northern frontier be settled, fifty families shall suffice for enjoying the benefit of this article.

ART. 16. To each family of those comprised in this contract, whose occupation is that of cultivating the soil, one labor shall be granted; should the family raise stock, grazing shall be added to complete a superficies of twenty-four million varas.

ART. 17. Foreigners shall have the same assignment after marrying, and foreigners marrying natives of the country shall have one-fourth more, and those who are entirely alone, or who do not form a part of any family, whether foreigners or natives, contenting themselves with one-fourth of said assignment, the sole portion that can be granted them, which shall be completed to them when their assignment is made.

ART. 18. Families and unmarried men, who having emigrated separately and at their own expense, should wish to annex themselves to any of the new settlements, may do so at any time, and their assignment of land shall be respectfully the same as mentioned in the two foregoing articles; but should they accomplish it within the first two years from the establishment of the settlement, one labor more shall be granted to families; and unmarried men, instead of one-fourth as pointed out in article 17th, shall have one-third. Men unmarried, and with a family shall be considered in the light of families.

ART. 19. For the project of new towns, which one or more foreigners offer to settle with families from one hundred upwards, or from fifty, should they have to settle on the northern frontier, the vacant and deserted lands of the state, proposition shall be made to congress by the executive, in order with his report to accord the contracts.

ART. 20. Adjudication and possession to new foreign settlers shall be subject to the following rules:—

*First*.—All deserted lands to which at the expiration of fifty days from the designation thereof for settling, the supposed owners do not appear to prove their right, shall be considered as open for colonization.

*Second*,—That, which, having been adjudicated by this law, should be abandoned for five years, and no successor appearing within said term claiming a right to the same.

*Third*,—That, which, having been disputed in adverse trial with regard to the ownership thereof, are found to be voluntarily abandoned by the parties for three years; or where the parties have withdrawn from the trial, without the formation of a determinate judgement deciding the right of either, provided, that the time specified by law for the trial to be considered as abandoned, shall expire.

*Fourth*,—The boundaries that are established shall be clearly and distinctly pointed out, expressing the bearings, and specific landmarks, under the responsibility of the judge of survey.

*Fifth*,—The standing waters the lands contain shall likewise be designated and adjudicated with the lands.

*Sixth*,—Until twelve years reckoned from the date of the publication of this law, they cannot be alienated or transferred to the ownership of any one not born in the republic, or who resides out of the state.

ART. 21. The children of foreigners not born in the republic, and domiciliated therein, may inherit them by testament, or *ab intestato*, in equal portions. The portion of him who removes to his country shall be divided among those who remain in the state, and thus indefinitely. In regard to this matter the right of inheritance by cross lineage shall not be in force.

ART. 22. All adjudication and possession of lands designated for settling shall be made with previous citation of the adjoining proprietors. As little detriment as practicable shall be occasioned to those who do not appear, of themselves or by attorney, and their complaints shall not be heard.

ART. 23. The new settlers shall pay to the state as an acknowledgment, thirty dollars for each sitio of grazing land, uncultivated, or woodland, that is adjudicated to them; and for those having the benefit of running water an estimate shall be made by two competent persons, chosen by the executive and the settler, setting out from the established rule.

ART. 24. The Ayuntamientos, each in its limits, shall collect said funds gratis by means of a commission from within or without their own body, and shall pass them according as they are collected to the depositary or treasurer that they may be of their funds or means, who shall give the corresponding receipt; and without further interest than two and a half per cent., that shall be paid him, he shall place them at the disposal of the executive, giving him notice every month of the receipts and remittances thereof, and of any negligence or deceit he may notice in their collection. Of the management of the treasurer and that of the commission, the officers themselves and commissioners shall be responsible with their property; and moreover, the members of the Ayuntamiento who choose them, and that this responsibility may at

all times be effectual, the said appointments shall be made *viva voce*, and notice thereof shall be immediately given to the executive.

ART. 25. The executive shall convoke those born in the republic for the occupation of vacant lands, who shall be preferred to foreigners in the order of the older date of the designations, and, in case of equality, the natives or inhabitants of the place to which the land designated belongs, shall have the first place, those of places within the state the second, and those of the other states of this republic the third, and adjudication may be made up to the amount of one hundred and twenty-five million square varas.

ART. 26. Designators of lands, which, in time of the ancient government did not perfect their adjudication, shall present themselves to the respective authority to continue its course according to the state thereof, effecting the same within the term of forty days from the date of the publication of this law, and on the contrary said lands shall be considered open to designation as vacant.

ART. 27. Designations that have passed to the congress of the state shall be returned to the executive, who shall cause them to be carried through the steps provided by this law.

ART. 28. Proprietors of extensive deserted and uncultivated lands shall likewise settle them with foreigners or Mexicans within the term of five years with the conditions that may suit them, and on the contrary, opposition to the designations made in conformity to this law shall not be taken into consideration.

ART. 29. The lands might be designated by reason of the foregoing article shall be valued by competent persons chosen by the executive and the proprietor, for indemnifying the proprietors, unimpeded by any resistance on the part of the latter.

ART. 30. All land of which the proprietor makes no use for himself shall be considered as deserted and uncultivated land.

ART. 31. Land acquired by virtue of this law cannot pass into mortmain; more than two grants cannot be adjudicated to one individual, and this should the increased number of those he removes demand it of necessity. For any violation in these cases the state shall recover the ownership thereof.

ART. 32. The products of rural industry of said lands, acquired in conformity to this law, by natives and foreigners, during the term of ten years, reckoned from the date of possession shall be free from every tax, direct or indirect, of whatever denomination, unless specially enacted by congress for said new settlements.

ART. 33. Said new settlers shall be free to promote every kind of industry, and to undertake the working of mines according to the ordinances on the subject. The machines, tools, or serviceable articles they introduce for such objects, for the term of ten years shall not pay taxes imposed by the state, although they be municipal.

ART. 34. Lots abandoned in depopulated towns, wherein they wish to fix their residence, shall be adjudicated to them gratis by the Alcaldes of said towns.

ART. 35. The inhabitants of the country known by the denomination of Indians, shall enjoy the benefit of this law.

ART. 36. The executive shall appoint two approval surveyors, and in default thereof two individuals of known education to concur in the operations forwarded by this law, which he shall cause to be published in a manner sufficient for it to arrive to the notice of nations that interest themselves in colonizing.