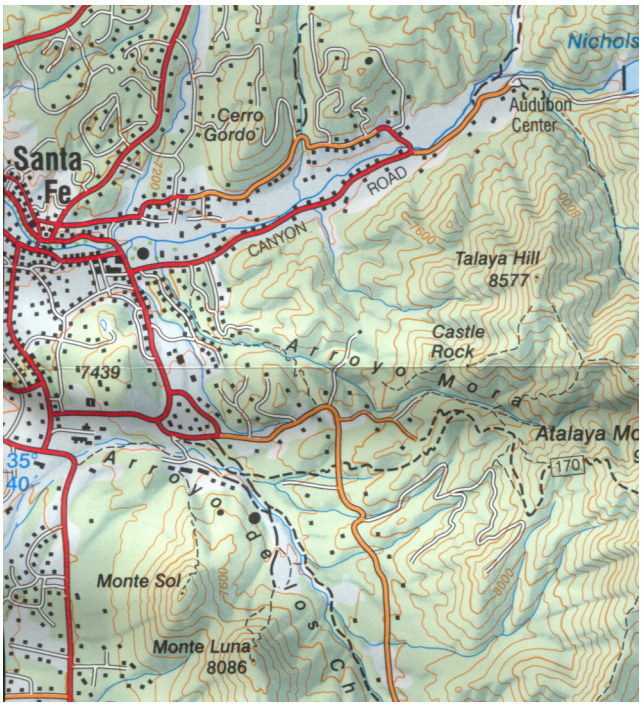
The Mystery of Talaya Hill
(a work in progress)
(comments and corrections are welcome)

Talaya from my window

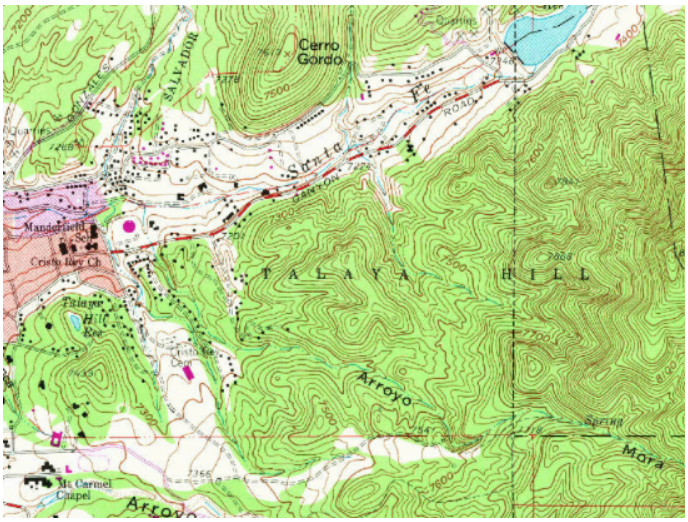
It has been 34 years since I took a sabbatical from my job at the New York Times and returned home to New Mexico. I had just signed a contract with the publisher Alfred A. Knopf to write what would be my fourth book: *Fire in the Mind: Science, Faith, and the Search for Order*. A work of nonfiction (I thought of it as popular philosophy) it was set in northern New Mexico and used the land between the four sacred peaks of the Tewa people -- Tschicoma to the west, Nambé to the east, Canjilon to the north, and Sandia to the south -- as a kind of literary stage on which to explore how the human brain finds order in the world, or imposes it when it isn't there. It was between these peaks, in a kind of Tewa big bang theory, that the universe was said to have begun. It was also the location of a fledgling scientific research center called the Santa Fe Institute, originally housed in the old Cristo Rey nuns residence on Canyon Road. As I was to learn, the scientists at the institute had their own ways of carving up the world.

As I walked the streets and trails of Santa Fe, I soon became enchanted by a distinctive conical prominence jutting up on Santa Fe's eastern horizon. Standing shoulder to shoulder with Atalaya Mountain (whose name means "watchtower)" and a bit lower in altitude, it was by far the most striking feature on the skyline. Naturally I wanted to know its name. Unfolding my new copy of *Map of the Mountains of Santa Fe* (Drake Mountain Maps, 1995) I saw that it was clearly labeled "Talaya Hill 8,577 feet." The same name appeared on another source, the United States Geologic Survey topographical map of the Santa Fe quadrant, with the words "Talaya Hill" elongated in a way suggesting the name referred to both the peak and the lands sloping below. Sitting near the bottom of the incline was a small feature marked "Talaya Hill Reservoir," a long abandoned storage pond whose waters had once spun the turbine at the city's old hydroelectric plant at the corner of Camino Cabra and Upper Canyon Road.



Drake Mountain Maps, 1995

Talaya, I figured, must be a corruption of "Atalaya." Somehow over the years, in some kind of typographical point mutation, the initial "A" had been dropped from the name.[1]



Detail from 1961 USGS quad

1 Except for obscure uses in certain locales, "Talaya" is not a common Spanish word. In Guam "Talaya" apparently refers to a type of fishing net (https://www.guampdn.com/news/local/linala-chamoru-talaya-throwing-is-a-tradition-that-continues-to-give/)

As I began writing *Fire in the Mind*, Talaya emerged as a kind of character in the book. In one chapter I described it like this:

> From all over Santa Fe, the most prominent feature on the eastern horizon is a piñon-and-juniper-dotted foothill called Talaya. With its steep sloping sides and its narrow rounded top, Talaya hill looks so symmetrical and precisely carved that it sometimes seems less a happenstance of geological forces than the deliberate work of an intelligent hand. Whenever pattern, deliberate or accidental, leaps forth from an otherwise random field, the mind is jolted with a sense of recognition and a compulsion to explain. An economist who regularly visits the Santa Fe Institute says that the first time he saw Talaya he was struck by a feeling that it was a holy place -- a reminder that there are forces and meanings beyond human comprehension. He had recently begun exploring eastern religions and had come to believe in powers even more mysterious than Adam Smith's "invisible hand," with its ability to apportion goods and services according to the laws of supply and demand. Another visitor to Talaya, who perhaps had similar ideas, planted on its summit a stick wrapped with colored string, a spiritual antenna for some unknown religion, maybe one he invented himself.

Not long after the book was published I embarked on my next project, *Strange Beauty*, a biography of the Nobel prize-winning physicist Murray Gell-Mann, who had recently become a resident of Santa Fe. I moved back here full time, into a house in the Eastside historic district where I could see Talaya from my east-facing windows. As the internet began to take root and I created my own website, I named it talaya.net.

I liked the sound of the name, and I was surprised a few years later, as the establishment of the Dale Ball Trails drew more hikers into the foothills, when I heard people referring to Talaya Hill as "Picacho," a name that didn't appear on the maps. That made no sense to me. How could such a prominent part of the Santa Fe skyline be called simply "peak?" Even worse people were calling it, with grating redundancy, "Picacho Peak," a name that soon began appearing on signs and in trail guides. "Peak Peak!" Had I been using the wrong name all along?

It was around that time that I began noticing some curious anomalies. While the 1961 USGS quad for Santa Fe carried the name "Talaya Hill," in later updates, the label became "Talaya Hill Grant." That was the first I'd heard of the old Spanish land grant, which had presumably taken its name from the striking landmark that formed its highest point. Interestingly, none of the maps referred to anything called Picacho.

Seeking more clarification I turned to the venerable *New Mexico Place Names*, which originated from work by the Federal Writers' Project established during the Depression to provide jobs for unemployed writers. But it just fuzzed things up more: According to the book, "Talaya" and "Atalaya" were two names for the same land grant, bestowed in 1735[2] by the King of Spain to a subject named Manuel Trujillo. There was also a separate listing for "Atalaya Peak," described as "a small cone-shaped hill 1/2 mile E. of St. John's College" -- a much better description of Talaya/Picacho than the neighboring Atalaya Mountain, which looks nothing like a cone. Even stranger there was another listing for a Mount Picacho described as lying "2 miles E. of Santa Fe" noting that "On its summit, in August 1937, the ashes of Mary Austin . . . were buried in a cairn of rocks." Mount Peak! That

2 An error, I was later to learn: It was actually 1731.

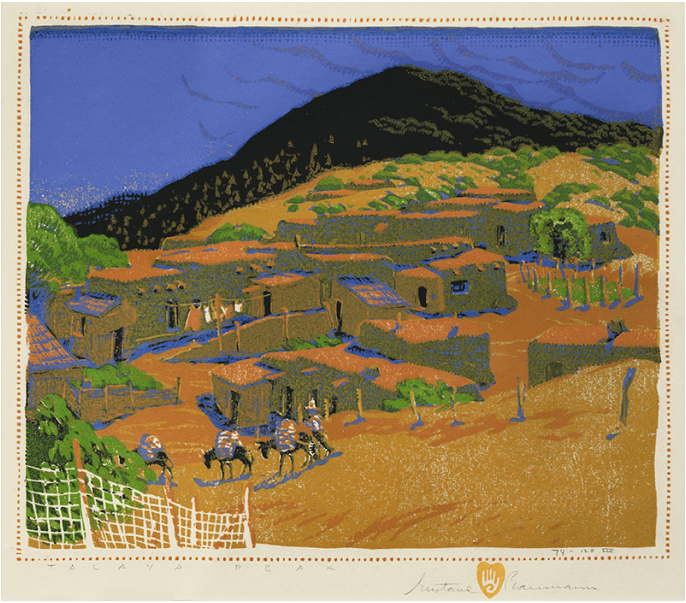
seemed almost worse than Picacho Peak. Did the writer mean Atalaya Mountain or Talaya/Picacho? No further specifics are given so it is impossible to know.

Left more confused than ever by the written sources, I found other clues from Santa Fe's artists. In 1921 Jozef Bakos, one of the Cinco Pintores, painted a landscape titled "Teleya Peak." I didn't know what to make of the odd spelling. I could see how Talaya, with its pointy top, might be more appropriately called a peak than a hill. In Spanish the distinction is not so clear cut. Talaya Hill would have been called, in Spanish, Cerro Talaya, and "cerro" is commonly used to refer to both a steep, rugged hill or a peak.[3] (In the Jemez Mountains near Abiquiu is Georgia O'Keefe's oft-depicted Cerro Pedrenal, not what we would think of as a hill.)

"Teleya Peak," Jozef Bakos

Bakos wasn't the first artist to be inspired by the landmark. In 1924 Gustave Baumann began producing a series of colored woodblock prints he titled "Talaya Peak." An online image of print, No. 78 of 120, appears on the website of the Annex Gallery, in Santa Rosa, California, which represents Baumann's estate. https://www.annexgalleries.com/inventory/detail/MAJA102/Gustave-Baumann/Talaya-Peak

3 The word colina or loma is used to mean a gentler, more rounded hill.



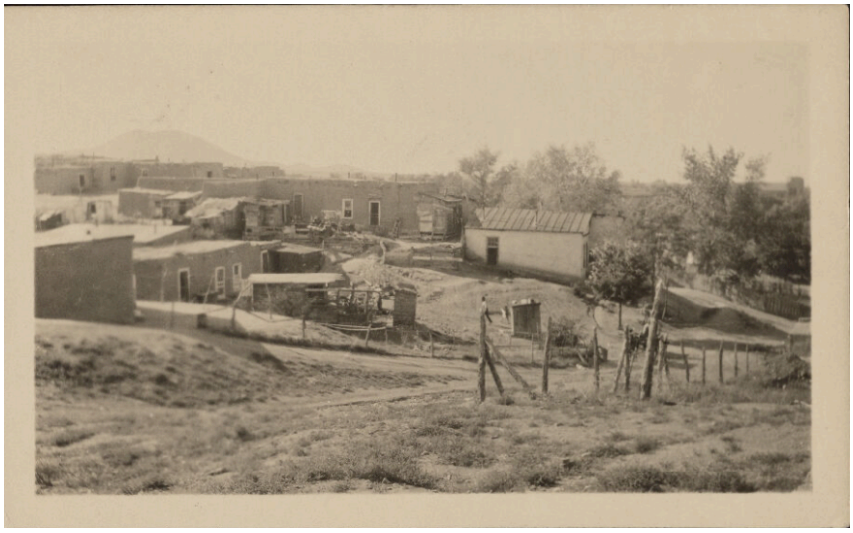
"Talaya Peak," by Gustave Baumann

Yet the confusion persists. Although the print is clearly inscribed, in graphite on the lower lefthand corner, "Talaya Peak," a note on the gallery website conflates it with Atalaya Mountain:

> Notes Chamberlain on p. 322 of *In a Modern Rendering: The Color Woodcuts of Gustave Baumann*: 'Atalaya Mountain is situated east of Santa Fe. Its peak is 9,121 feet high, and the mountain is a favorite destination for hikers and mountain bikers. Atalaya is the Spanish word for watchtower.'

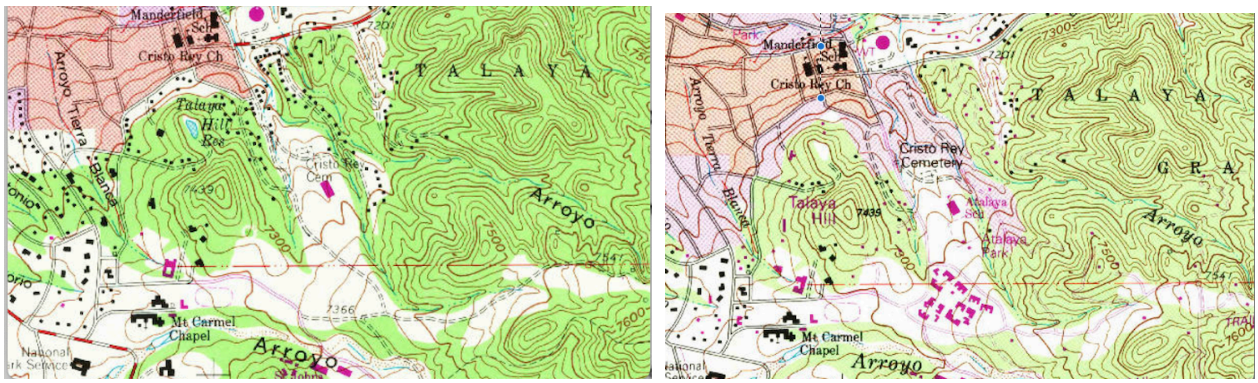
According to a page on the New Mexico History Museum Digital Collections, Gala Chamberlain, a leading authority on Baumann, speculated that the artist was inspired by a photograph called "Village With Atalaya Peak in Background, Northern New Mexico." But what village could this be? The photo shows a nondescript mountain in the distance that doesn't look like either Talaya or Atalaya. And if that were Baumann's inspiration why did he call his prints Talaya Hill? Or some of them. There is an identical print from a later run of his press, 54/125, at the Cleveland Institute of Art, inscribed "Atalaya Peak." [4] What was the reason for the change?

4While the Annex Gallery print is dated "about 1935," the one at the Cleveland Museum is dated 1947.



"Village With Atalaya Peak in Background, Northern New Mexico" by Gustave Baumann

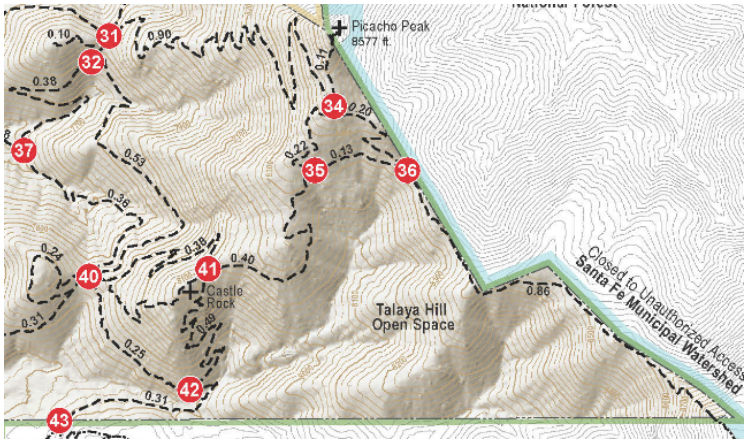
I was lured further down the rabbit hole when in the early 2000s the fashion designer Tom Ford began building a large residential compound at the site of the old Talaya reservoir. I was puzzled when local news stories began referring to the location of his new property as Talaya Hill. How could that be? This was a mile or so west of the conical landmark I had been calling Talaya. It was commonly known in the neighborhood simply as Reservoir Hill. (Rising behind it was Sallie's Hill, named in later years for Sallie Wagner, who created a conservation easement there.) Going back to the USGS maps, I looked for a possible explanation. While the 1962 map used the label "Talaya Hill Reservoir," a year later, on the 1963 map, the name became simply "Talaya Hill." Now I felt even more confused. I had assumed that "Talaya Hill Reservoir" simply meant that it lay within the boundaries of the sprawling Talaya Hill Grant -- which itself was named for Talaya/Picacho. Was it possible that this rather unremarkable hillock, little different from many around it, was actually the namesake not only of the reservoir but of the vast swatch of grant land rising eastward and including the striking cone?



Detail from USGS maps 1961 (left) and 1962

From then on the story became even stranger. In 2014 the city and county began to use the name Talaya Hill Open Space for an area of the old grant far from Talaya Hill Reservoir and southwest of what they now insisted on

calling Picacho Peak. Conflating matters even further, a revised edition of *The Place Names of New Mexico* by Robert Julyan (1998) erroneously states that Atalaya Mountain itself "sometimes has been called Reservoir Hill"!



Detail from Santa Fe Foothill Trails map, 2024

These latest twists made me all the more determined to resolve the inconsistencies between the maps, the art works, and the ever growing usage of the ridiculous name "Peak Peak." My book, *Fire in the Mind*, was, after all, about the human compulsion, wired in by evolution, to find -- or impose -- order in the world. Alas, we are cursed by not always being able to tell the difference between our discoveries and our inventions, a dilemma that applied to scientists as well as to other seekers of truth like historians and cartographers. Was I digging beneath the surface to find the true name of the conical hill? Or was I guilty of motivated reasoning and confirmation bias, interpreting the evidence to support what I already believed to be true?

I began to formulate a working hypothesis: The entire mountainside, rising from the old reservoir, up to the conical peak at 8,577 feet, and ending with the mountain summit at 9,121 feet, was originally called Atalaya, later corrupted to Talaya. Near the bottom of the expanse was Talaya Hill, where the city would later build the reservoir. Higher up the slope was the pointy prominence people nicknamed El Picacho -- short for "Picacho Talaya," or "Talaya Peak." And highest of all was the mountain top itself, Atalaya Mountain or Mount Talaya. In search of more clues to the nomenclatural mess, I began delving into the history of the Talaya Hill Grant. It turned out to be a fascinating story.

2.

In the archives of the Thomas B. Catron papers at the Center for Southwest Research and Special Collections at the University of New Mexico in Albuquerque are records of a 130-year-old legal case, *Jacob Gold, et al versus the United States*, seeking to establish the boundaries -- as well as the very legitimacy -- of what was called La Talaya Grant. Consisting of about 1,200 acres it would have stretched from an arroyo near what is now Camino del Monte Sol to the top of Atalaya Mountain, encompassing much of what would become Santa Fe's historic east side. After the defeat of Mexico in the War of 1848 and the signing of the Treaty of Guadalupe Hidalgo, La Talaya became one of many old Spanish and Mexican land grants the United States agreed to recognize. But first

claimants to the grants had to establish their validity to the satisfaction of the U.S. government.

When I first learned of the papers, I spent a few hours skimming them on microfilm. After they came online, I made my way through what amounts to more than 150 pages. After several readings I noticed an intriguing detail: During the transition from Mexican to American law, La Talaya Grant somehow came to be entered into the American court system as the Talaya Hill Grant. That, it gradually became clear, may be the source of much of the geographical confusion.

Filed on February 23, 1893 in the federal Court of Private Land Claims in Santa Fe, the case's 18 plaintiffs, who had come to acquire portions of the land through inheritance or sale, included some of the town's original settlers: Madrid, Garcia, Ortiz, Lucero, Martinez, Gonzales, Lujan, Rodriguez, Borrego. And then, somewhat incongruously, there was the lead plaintiff, an Anglo named Jacob Gold, who was apparently the instigator of the suit. According to old news clippings and family genealogy[5] Jake Gold was a flamboyant character who for awhile operated the Old Curiosity Shop near the corner of West San Francisco Street and Burro Alley in downtown Santa Fe, just west of where the Lensic theater is today. Described years later by a relative as the black sheep of the family, he had been imprisoned briefly for bigamy under the Edmund Act, which was more commonly used to prosecute polygamous Mormons. He told authorities that he had inherited his portion of La Talaya, the site of an old sawmill on Upper Canyon Road, from his father, Louis Gold, one of the first Jewish merchants to settle in the area.[6]

5 The Golds of Santa Fe & New York, at https://hornergenealogy.com/
6 There are more details about Louis Gold in *Golds of Territorial New Mexico: George and Louis* by Doyle Daves (2011, Citizens' Committee for Historic Preservation, Las Vegas, New Mexico).

The case seemed shaky from the start. To support their claim, Gold et al were relying on a typewritten transcript of what purportedly was a true rendition of an 1731 decree by the King of Spain (called an "act of possession by testimonio") granting La Talaya to a subject named Manuel Trujillo. The original papers were said to have been lost, but before his death in 1880, Louis Gold, Jake's father, had declared in a sworn affidavit to the Surveyor General of New Mexico, James R. Proudfit, that "I have for more than one year been constantly and diligently searching for the document . . . and have been unable to find the same or any trace therof. . . . I do verily believe that the same has been lost or destroyed, so that there is no probability of finding or obtaining the same." In a supporting deposition, a witness, Matias Urioste, stated that 40 years earlier he had read the original decree written on a torn sheet of paper while he was helping one of the land grant's heirs mend it with a needle and thread. Somewhere along the way the words on that deteriorating document had been transcribed and later typewritten to produce what the heirs were now presenting as proof of their claim.[7] That was apparently enough for Proudfit to recommend, in 1874, that the title to what he called simply "the Talaya grant" be confirmed.[8] Then the matter languished for almost 20 years until brought back to life by *Gold et al v the United States.*

The plaintiffs were facing formidable opposition, and it came on two fronts. Despite Proudfit's earlier recommendation, the U.S. government was now casting a skeptical eye on the existence of the missing decree. Moreover, the city of Santa Fe was seeking legal recognition for its own claim: an even older grant from the Spanish king. This "pueblo" or town grant was said to extend one Spanish league (about 2.6 miles) in each of the four cardinal directions radiating from the Soldier's Monument at the center of the Plaza (the obelisk destroyed by a mob in 2020). These records too were said to have been lost, in this case during the turmoil of the Pueblo Revolt of 1680. Consisting of some 17,361 acres, the Santa Fe Grant would engulf the Talaya Grant and overlap or subsume 17 other grant claims, also under consideration by the land claims court and all represented by a lawyer named James H. Purdy.

I haven't been able to find out much about Purdy, but in terms of legal power he was clearly outgunned. Representing the city were some of Santa Fe's most prominent lawyers. As a member of the notorious Santa Fe Ring, Catron had gained considerable expertise adjudicating old Spanish and Mexican land claims, often to his own financial benefit. Through various legal maneuverings he managed to acquire the vast Tierra Amarilla Grant in northern New Mexico, later selling it to a land development company. Working from his offices in the Italianate Catron Block across from the east side of the Plaza, he was joined by a team of seven lawyers that included A.B. Renehan, another member of the Santa Fe Ring.[9] Given the history of land grant chicanery one has

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7 "Letter from the Acting Secretary of the Interior transmitting, in obedience to law, reports of the surveyor-general of New Mexico on Mesilla Colony Grant, reported as No. 86, for land in Doña Ana County; on private land claim, reported as No. 89, known as the Talaya Tract; and on Refugio Colony Grant, reported as No. 90" (1874, 43d Congress, 1st Session. Senate. Ex. Doc. No. 56.) I found a digitized copy at the Hathi Trust, https://catalog.hathitrust.org/Record/100402218)

8 One doesn't get a very good impression of the care exercised by the Surveyor General's office. The filing includes a crude sketch of the claim that reversed east and west and vastly overestimated the area of the grant as a whopping 54 square miles or 34,560 acres, larger than the modern city of Santa Fe.

9 The others were Charles A. Spiess, Eugene A. Fiske, Charles H. Gildersleeve, Edward L. Bartlett, and J.P. Victory.

to wonder whether Catron and Renehan stood to gain more than just their legal fees if the Santa Fe Grant was upheld and Talaya overturned.

As the proceedings got underway on April 23, 1894 in the federal courthouse downtown, Purdy entered into the record the *testomonio*, translated into English, conveying the Talaya Grant to Mr. Trujillo. It began like this[10]:

> Month of April, in the year one thousand seven hundred and thirty-one, in compliance with the decree of his excellency, the Governor and Captain-General, I, Captain Diego Arias de Quiros, chief alcalde and war-captain of this said village, proceeded to the point and place up the river from this said village, taking with me Juan Manuel Chirinos, together with Manuel Trujillo, and being on the lands granted, for which a grant was made to him I took the said Manuel Trujillo by the hand, performing the customary ceremonies, he plucking up grass, casting stones, and shouting in testimony of his possession, and I designated to him the boundaries . . .

(Chirinos it seems, served as a witness, "in the absence of a public or royal Notary, there being none in this province.")

The northern border of the grant was described as "up the river from where the acequia has to be taken out, which is in front of a peñasco on the margin of the said river, at the first arroyo." This was taken to mean the place (*de onde a de sacar la acequia*) by a rocky outcrop (a *peñasco*) where the Acequia Madre was diverted from the Santa Fe River. What was meant by the "first arroyo" is unclear.

The western boundary was "a deep arroyo in front of the furnace, together with the upper acequia Madre, which serves also as the boundary." "Furnace" seems to have been a mistranslation. The Spanish typescript uses the word "fundision," a spelling of "fundición," which means foundry or smelter. The southern edge was along the "aforesaid deep arroyo," still unnamed. Most interesting to me was the eastern border: "the mountain called the Talaya." That too was a mistranslation. The original Spanish version used the words "*la a sierra que llaman Talaya*." *Sierra* means "saw" and can refer to the sawtooth profile of a whole range of mountains. So the grant was bounded on the east not by a single mountain but by the entire ridge that included Atalaya and its foothills, among them Talaya/Picacho. All of this was granted to the fortunate Manuel Trujillo "in royal possession in the name of His Majesty, whom may God preserve." Or so the U.S. land court was being asked to believe.

A government field survey commissioned when the claim was initially filed back in 1874, laid it out more specifically: 1,240 acres, bounded north and south by the Santa Fe River and the Arroyo Chamiso (which runs past present-day St. John's College cutting southwest through the city) and east and west by the Arroyo Tierra Blanca (which more or less parallels Camino del Monte Sol) and the very top of "Sierra Talaya." A handwritten note in the Catron papers, we don't know by whom, described the grant like this:

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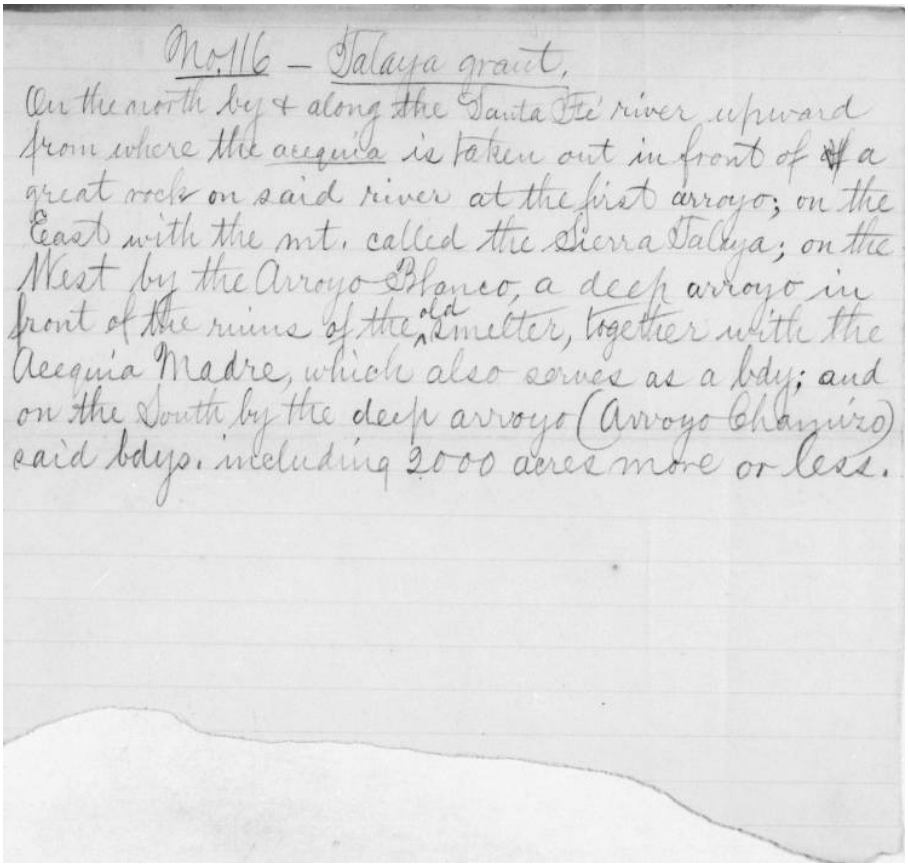
10 In all the historical documents I quote, I am preserving the spellings, misspellings, and capitalization.



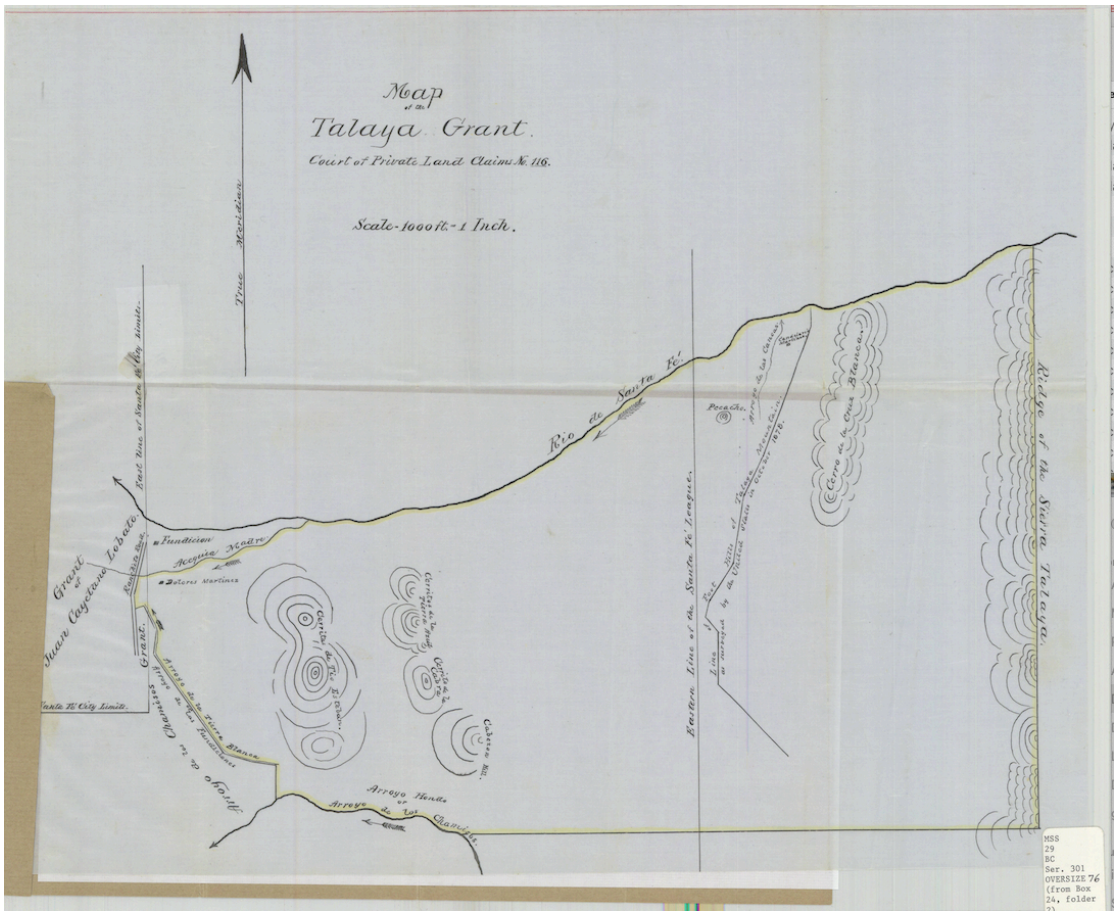
No. 116 – Talaya grant,
On the north by & along the Santa Fé river upward from where the acequia is taken out in front of a great rock on said river at the first arroyo; on the East with the mt. called the Sierra Talaya; on the West by the Arroyo Blanco, a deep arroyo in front of the ruins of the old smelter, together with the Acequia Madre, which also serves as a bdy; and on the South by the deep arroyo (Arroyo Chamizo) said bdys. including 2000 acres more or less.

Note in Catron papers describing Talaya Hill Grant boundaries from 1874.

It is fascinating to look back more than a century and watch the errors accumulate. It became clear during the hearing that *sierra*, at least to the ears of some Anglo lawyers, sounds similar to *cerro* meaning "hill" or "peak"--or perhaps they were using the ambiguity to sow confusion. Did the eastern boundary extend all the way to the top of *Sierra* Talaya as claimants of the grant would have it? Or, as the opposing lawyers suggested, only to something called *Cerro* Talaya, lower down and closer to the city, making the grant much smaller? But what then was this Cerro Talaya? It made little sense to think that it was the tiny reservoir hill, way down on the western edge of the grant. That would have made the claim very small indeed. Was it the cone-shaped picacho? Adding to the confusion, *sierra* is also used at various times in the proceedings to refer not to the full range of the eastern ridge but to Atalaya itself, which forms its highest point. Again, was this a genuine misunderstanding or a deliberate attempt at obfuscation?

A map filed as an exhibit in the case gives a better picture of what Purdy's clients were after. Note that it is titled

Talaya (not Talaya Hill) Grant.[11] Was it the similarity in pronunciation between *sierra* and *cerro* that led to the claim's being entered -- mistakenly, I believe -- into court records as Talaya Hill grant? Sierra Talaya becomes Cerro Talaya becomes Talaya Hill. That might explain a lot. In later years this misnomer was picked up by the first USGS topo maps and reflexively repeated year after year.



The city of Santa Fe submitted its own plat, apparently using two miles as the length of a Spanish league. But its claim was at least as weak as that for La Talaya. Also lacking original documentation, the city's lawyers were left to argue that there must have been a Santa Fe Grant because that is what Spanish kings had always done: handed out town grants encompassing the lands one league in each direction from the town center. That would have put the eastern boundary of the Santa Fe Grant near the old Two Mile Reservoir (now the Canyon Road Nature Preserve) wiping out most of La Talaya Grant.

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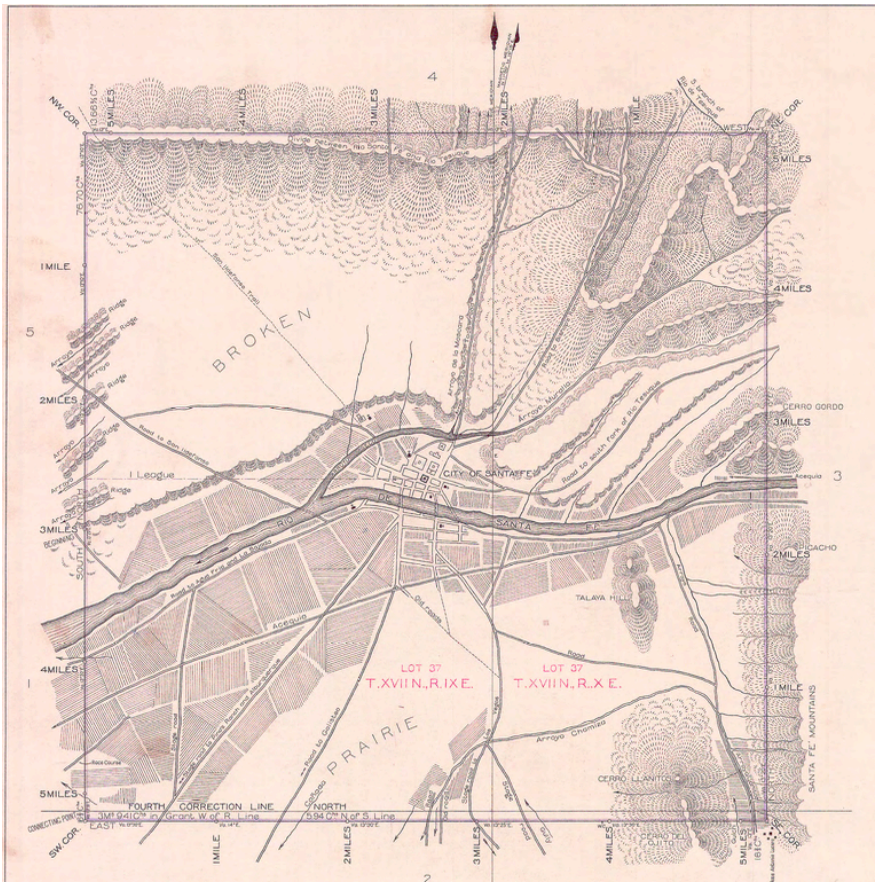
11 I was intrigued by the names given on the map to some of the lower hills, all new to me. Cerrito de la Cabra would presumably be near present day Camino Cabra, which was once a old goat herding trail. But what was Cerrito de las Tierras Azul (the blue lands), and Cabezon (Big Head) Hill? Farther west, the Cerritos de Tio Esteban (who was uncle Esteban?) appear to include the reservoir hill. And there is a Cerro de La Cruz Blanca. That would seem a likely namesake of the street that now runs past St. John's where it becomes Wilderness Gate Road. If so, the map shows it way out of place. In the court testimony, a Talaya plaintiff says Cerro de la Cruz Blanca is south of Talaya, in contradiction of the map.



Detail from Plat of the City of Santa Fe Grant, 1877. Here too we see both the names Talaya Hill and Picacho.

The city's map included a couple of striking details. What would become years later the reservoir site is indeed labeled Talaya Hill.[12] And the conical peak is called Picacho. This may support (or at least doesn't contradict) my speculation that there was both a Cerro Talaya (aka Reservoir Hill) and a Picacho Talaya within the bounds of the Talaya Grant.

It has taken me several readings of the court transcript to make sense of how the hearing unfolded. One source of confusion was the federal government's strategy of pursuing two sometimes conflicting agendas. First of all it opposed the legitimacy of the Santa Fe Grant. There was, after all, a considerable amount of federal property within the city limits: the grounds of Fort Marcy extended north from the plaza all the way across the old parade grounds along Federal Street (the site of the courthouse where the case was being heard) and past the present Cross of the Martyrs to where the fort itself once stood. All that land was now being claimed by the city. As part of the strategy to undermine the Santa Fe Grant, the U.S. Attorney, Matt G. Reynolds, pointed to the existence of the many conflicting claims, including that of La Talaya. But that didn't mean that the feds necessarily thought

12 But here too is an inconsistency. The map applies the name not just to the lower reservoir hill but to Sallie's Hill, which rises behind it.

these were any more legitimate than that of the City of Santa Fe. Since the signing of the Treaty of Guadalupe Hidalgo, land grant claimants had been pouring out of the woodwork. The land court was leery of sharp lawyers with dubious paperwork cooking up schemes to acquire lands that otherwise would go into the public domain.

Among all the pages of transcripts, none gives a richer feel for the confusion (or connivance) than the testimony of a Talaya grant claimant named Candelario Martinez, who lived on a small farm on Upper Canyon Road, three miles east of the city. When asked by Purdy, the lawyer for the Talaya claimants, to describe the boundaries of the grant, Martinez testified that it was marked on the east by "cerro de la Talaya, or sierra de la Talaya" (here he appears to use the terms interchangeably) and that he understood "Talaya" to mean "the highest point or highest place you could see." He went on to estimate that this cerro/sierra was about one half to three quarters of a mile southeast of his house. Purdy pushed his client to clarify the names of other hills nearby.

"Do you know a cerro called Pecacho?" [sic]

"Yes sir, right opposite my house."

Is it a part of the chain of Sierra Talaya? -- or is it east or west of the Sierra Talaya."

Martinez's answer is confusing: "It is part of the chain; it is west of Sierra Talaya."

So Sierra Talaya apparently could refer to both the entire group of mountains and also to the single mountain, Atalaya, that formed its highest point.

Next came the cross-examination by one of the city's lawyers, Eugene A. Fiske.

"Is this Talaya you spoke of, the sierra de la Talaya, a range of mountains or a chain . . . or is it a single lonely mountain or lookout?"

"It is a range of mountains."

"But can it be both a range of mountains and a highest point?"

"Well, because, you see, it may be a range of mountains and among the range there may be a high mountain."

"That is called a cerro is it not?"

"No sir, a sierra."

"Do you claim that as your eastern boundary?"

"Yes sir."

After more back and forth, U.S. Attorney Reynolds interjects:

“This place you call Talaya, is not that just as well known as Pecacho?”

“No sir. Pecacho, always I heard that hill over there called Pecacho; never hear it called Talaya.”

As the testimony continues the conflation of “sierra” and “cerro” arises again. (At one point Purdy bizarrely suggests that Talaya refers to some kind of herb.)

“Is Talaya not a little to the east and south of Pecacho?”

“Yes sir.”

So that would be Atalaya mountain.

“It is a well defined mountain, is it not?”

“It is the highest hill you see on this range.”

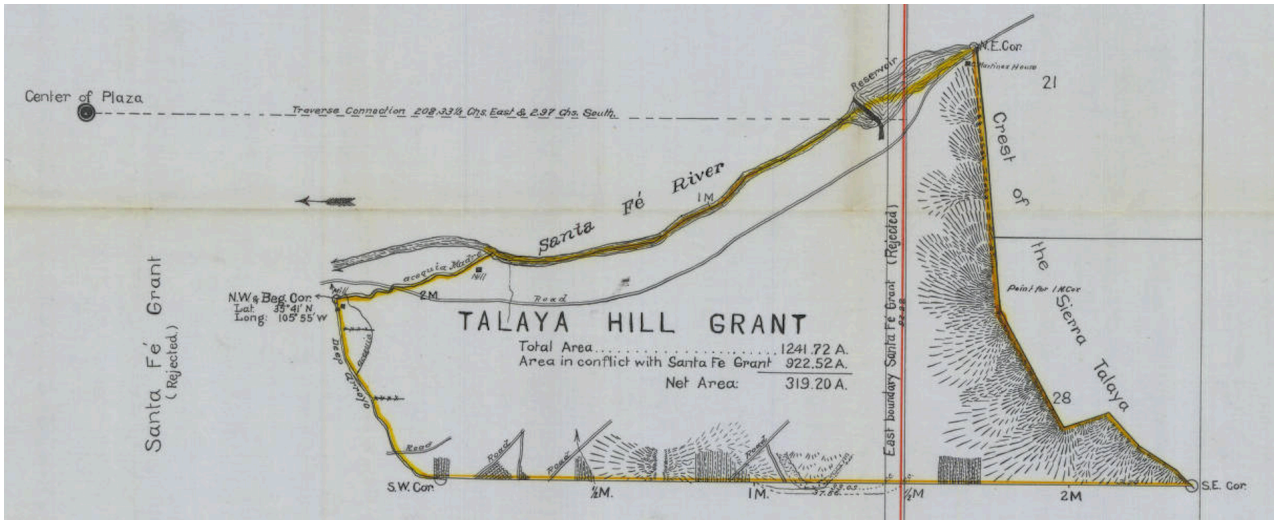
“Yes, and it is a well defined one too, isn’t it?”

“Yes, I think so; it is a well defined hill or mountain.”

And on and on it goes.

In the end, the city of Santa Fe prevailed, but only briefly. While the land court ruled to uphold the city grant, the U.S. government appealed, and the decision was overturned by the U.S. Supreme Court. The Santa Fe Grant was no more. For its part, La Talaya Grant, was whittled down from 1241.72 acres to 319.20 acres, leaving only the mountainous portion east of where Cerro Gordo meets Upper Canyon Road.[13]

13 The new boundaries were laid out in 1899 by a special agent for the Department of Justice, who re-examined the old survey used in the original Surveyor General’s report. He left “Sierra Talaya” as the eastern boundary, noting however, that “after taking testimony of a great many of the oldest people living in this vicinity, I can find no such mountain answering to such a description. The only natural object coming anywhere near to this is the ‘Cerro Talaya’ a hill situated immediately south of the small reservoir used by the Santa Fe Water and Improvement Co. to furnish water power for their electric light plant.” But that, he said, could not possibly be what had been meant as the eastern boundary.



In the end, Talaya Grant was reduced to a quarter of its originally claimed size.

3.

On December 20, 1905, seven years after the disappointing outcome of his lawsuit, Jake Gold died at age 54 at the Territorial Insane Asylum at Las Vegas, N.M., where he was cremated and interred. An obituary in the New Mexican described the cause of death as "progressive Paresis," which a descendant later speculated was syphilitic insanity.[14]

Considering Gold's pedigree, there are reasons to wonder whether the entire Talaya case was a ruse. Consider this telling moment in the cross-examination of Candelario Martinez when he is asked how he knew there was such a grant in the first place.

"The first time Mexican people began to know that there was grants in New Mexico was the time about twenty years ago, or more than twenty years ago, when speculators began to buy from the Mexican people pieces of land or their rights to grants, and more or less I should say that about twenty years ago I knew there was a certain grant known as La Talaya grant. That I know. I hardly think there is anybody of my people knew anything about it until the speculators began to buy land and to give them nothing for it, and the first time I knew, I should judge it was twenty or twenty five years ago that I knew that land in La Talaya Grant."

Was Jacob Gold among these speculators? And was La Talaya's lawyer, Purdy, part of the plot?

For many years after the case was decided, rumors circulated among descendants of Jake's father, Louis Gold, of a "fabulous estate" consisting of "millions of acres" that had somehow been swindled from his rightful heirs through fraudulent transactions.[15] The suspicions, documented in old letters collected by a family member doing

14 Private correspondence with Ken Horner, who maintains the Gold family genealogical site.

15 The quotations in this section are from letters exchanged in 1954 and 1955 between Gold heir and provided to my by Ken Horner, who found them in the Bloom Southwest Jewish Archives at the University of Arizona.

genealogical research, do not mention La Talaya by name, but there are enticing hints. In 1945 Louis Greenwald of Hartford, Connecticut, a grandson of Louis Gold, traveled to Santa Fe to examine county land records. Among them he saw a typewritten copy of a purported deed in which his parents[16] and another Gold relative conveyed "certain land grants to a James A. Purdy." He went on to describe Purdy as "an Attorney who, for a part interest in the lands as a contingent fee, had this deed executed to him."

"Everything in connection with the estate of my Grandfather LOUIS GOLD is strange indeed," the grandson wrote to a relative in 1955. "Our parents, in the years subsequent his death, were misled by the then Santa Fe residents of the family, and were given to understand repeatedly that the Land Grants were worthless. This, I presume, discouraged our parents from taking the proper legal procedure at the time. I also presume that by devious and fraudulent means induced our parents to enter in an agreement with the James A. Purdy referred to in my letter of February 10th."

Were they referring to the leftovers of La Talaya or to some other lands?

Louis Gold himself seems to have had less than a stellar reputation. The Gold family genealogy site notes that in 1871 he was sued by Willi Spiegelberg, a member of another of Santa Fe's pioneering Jewish families, for nonpayment of a debt, and he was charged in 1879 with obtaining deeds by false premises from a Rafael Roberto y Ortiz.

All kinds of tantalizing curiosities appear in the family history. At some point Louis Gold was said to have been represented in an unspecified matter by the attorney Stephen B. Elkins, another member of the Santa Fe Ring. And at the time of the 1870 census Louis was living in the home of Thomas B. Catron. A granddaughter of Louis later married a third member of the Ring, Al Renehan. Catron and Renehan, of course, were on the opposing side of Jake Gold's lawsuit over La Talaya.

So many mysteries remain. Today one can go online to the USGS geographical name database and find that there are five Picacho Peaks, two in California, two in Arizona, one in Utah, one south of Albuquerque on Laguna Pueblo, and not a single one in Santa Fe County. In New Mexico there is a Cerro Picacho in both Taos and Sandoval Counties, and in another part of Sandoval there is a Cerrito Picacho, but none near Santa Fe. As for "Talaya," the name appears only in the labels for the reservoir hill and, miles away, the old Talaya Grant.

[ending tk]

16 They were Jake's sister and her husband.