TEACHER'S GUIDE

AN INTRODUCTION TO

THE LAND HISTORY OF TEXAS

TEXAS GENERAL LAND OFFICE

INTRODUCTION

Teachers understand that students are motivated when historical facts are interwoven with human experience. The story of Texas land is filled with rich human experience. Settlers migrated to Texas for many reasons, but none more important than the opportunity to own land. High land prices in the United States pushed people westward in search of opportunity and new lives.

The Texas General Land Office Archives holds the stories of people who risked everything for the opportunity to own land. When students understand this connection, land history becomes more relevant and meaningful. Through the introduction of GLO Archives documents and maps, students learn about the early colonization efforts of the Spanish Crown and the Republic of Mexico and their mounting frustrations in dealing with Anglo colonists. Through analyses of these primary sources, students can begin to understand how the conflict between two cultures was a major factor in the Texas Revolution.

What if land had been more expensive in Mexican Texas than in the United States? Would American settlers have come to Texas in such large numbers? Would there have been conflict and revolution? Who knows what would have happened to Texas without the lure of cheap, abundant land, but one thing is for sure: students will discover what many already have —that land history is Texas history.

How can the General Land Office help?

Successful teachers are always looking for resources that are fresh, interesting and relevant to engage students. However, the search can be challenging and time consuming. The Archives at the Texas General Land Office contains historical maps and documents that are readily accessible, in easy-to-use formats. These important primary sources, collected and preserved for almost 300 years, tell the story of Texas.

We also realize most teachers don't have time to review vast amounts of material. This guide was written to provide educators with a quick reference to the land grant systems used during the early history of Texas.

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Teachers working with GLO Archives documents

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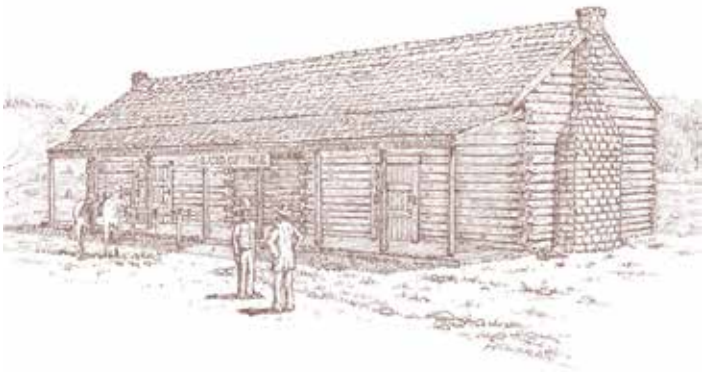
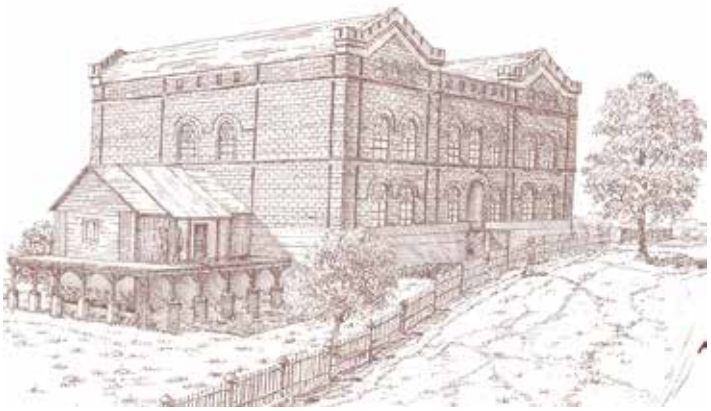
A Brief History of the Texas General Land Office



The Texas General Land Office is the oldest state agency in Texas. The Land Office was established by the First Congress of the Republic of Texas on December 22, 1836, shortly after the Texas Revolution. The first Land Office opened in Houston, then the capital of Texas, on October 1, 1837. John P. Borden, the first Land Commissioner, was asked to assemble the valid records of land grants issued by the former governments of Spain and Mexico and to provide English translations of these documents. This collection of 4,200 Spanish and Mexican land grants is known as the Spanish Collection. The Spanish Collection makes up the core group of records of the Land Office. Commissioner Borden began to systematically organize this information to determine where land had already been apportioned and delineate land that would be available to grant in the future. Through the management of the Texas General Land Office, the newly independent Republic of Texas began issuing land grants almost immediately after the Texas Revolution ended.

> “A rich source of information for anyone interested in the land history of Texas, particularly genealogists, surveyors, attorneys, petroleum landmen, historians, and educators.”



Because the new government was cash poor and land rich, land was used as currency to pay soldiers, public debt and build infrastructure, and was granted to veterans of the Texas Revolution as compensation for their services. Cheap public land was also used as a means to attract settlers to the new nation. In later years, Texas public land was used to finance internal improvements, public education, and even pay for the construction of the Texas Capitol.

Since its creation in 1836, the Texas General Land Office has accumulated millions of documents associated with the disposition of public land in Texas. Over the years, the many land-granting programs administered by the Land Office reveal the needs of a changing Republic and state. It is the responsibility of the Texas General Land Office Archives to conserve and preserve this collection for use by the agency and the public. Today, this collection is a rich source of information for anyone interested in the land history of Texas, par-ticularly genealogists, surveyors, attorneys, petroleum landmen, historians and educators.

TWO

The Basics: Land Granting Process & Programs

Helpful Vocabulary

Land Certificate—Document issued by the Republic of Texas or state of Texas entitling a person to a certain acreage in the public domain. It could be sold or transferred by the eligible certificate holder (**grantee**) to another person (**patentee**). No specific parcel of land was connected to a land certificate. (Ex: a certificate granted in Travis County could be used for land in Fayette County.

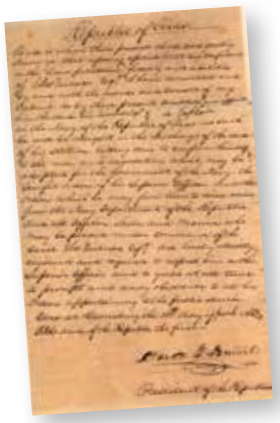
Field Notes—Documents drafted by surveyors to record the metes and bounds of land and legal descriptions establishing property boundaries.

Patent—The final step in the land granting process. The patent is a document that officially transfers public land to the private sector. Patents were issued by the Republic of Texas and continue to be issued by the state of Texas.

Public Domain—Land owned and controlled by a state or the federal government.

Note: Once public land becomes privately owned, the Land Office is no longer responsible for its disposition and management. Documents associated with future transactions of private property become the responsibility of the applicable county and are filed in the appropriate county courthouse.

THE LAND GRANT PROCESS



1 Settlers must prove their eligibility to receive public land when applying to a land granting authority.

4 After locating an available tract of land on the public domain, the land must be legally surveyed. The surveyor drafts field notes that provide a legal description of the land.

2 If eligibility requirements are met, the land granting authority issues a land certificate.

5 The Land Office annotates the survey on the appropriate county map for reference purposes and to ensure there is no conflict.

3 With the land certificate in hand, the grantee locates land anywhere in the public domain of Texas.

6 The Land Office issues a patent (title) to the settler, releasing the land from the public domain and into private ownership.

LAND GRANTING PROGRAMS

for Veterans and Settlers

Military Land Grants (Republic of Texas)

Bounty Grant—Issued to veterans of the Texas Revolution and to those who enlisted before October 1, 1837. Each three months of service provided 320 acres up to a maximum of 1,280 acres. Often the heirs of a soldier who died in battle were granted the full 1,280 acres on the assumption that the fallen soldier would have served for the duration of the war.

Donation Grant—Issued to soldiers who fought in specific battles of the Texas Revolution such as the Siege of Bexar and the Battle of San Jacinto. The next of kin of those who fought at battles such as the Alamo and Goliad also received land grant certificates.

Map #1971 – An 1855 map of Fisher & Miller's Colony.

Settler Headright Grants (Republic of Texas)

1st Class—Issued to those who arrived in Texas before the signing of the Texas Declaration of Independence, March 2, 1836. Heads of families were eligible for one league and one labor of land (4,605.5 acres). Single men were eligible for one-third of a league (1,476.1 acres).

2nd Class—Issued to those who arrived between March 2, 1836 and October 1, 1837. Heads of families were eligible for 1,280 acres and single men received 640 acres.

3rd Class—Issued to those who arrived between October 1, 1837 and January 1, 1840. Heads of families were eligible for 640 acres and single men received 320 acres.

4th Class—Issued to those who arrived between January 1, 1840 and January 1,1842. The amount of land issued was the same as a 3rd class headright with the added requirement that 10 acres be cultivated.

Colonization Grants (Republic of Texas)

Settlers participating in chartered colonies were required to cultivate at least 15 acres of land in order to receive a patent (title). Heads of families settling in these colonies were awarded 640 acres; single men were eligible for 320 acres.

Peters' Colony (1841)—Englishman William Peters brought settlers from the United States to regions of North Texas.

The Fisher and Miller Colony (1842)—The Adelsverein Society brought German pioneers to settle parts of south central Texas.

Castro's Colony (1842)—Empresario Henri Castro established a colony of French immigrants west of San Antonio in present day Medina County, and along the Rio Grande.

Mercer Colony (1844)—A North Texas colony established by Charles Fenton Mercer under the old empresario guidelines.

Preemption Grants (State of Texas)

These were homestead grants allowing individuals to claim public land, provided they lived on the land for three years and made improvements. The amount of land granted changed over time:

- From 1845 to 1854: **320 acres**
- From 1854 to 1856: **160 acres**
- Reinstated in 1866 to 1898: **160 acres**

Land Granting Programs (Internal Improvements)

Loan Debt and Reduction—Texas sold land to repay loans for expenses incurred during the Texas Revolution and to liquidate the public debt.

Infrastructure—Before the advent of the oil industry in Texas, money for internal improvements was in short supply. To meet this challenge, Texas sold land to private companies, in the form of scrip, to construct railways, ships, canals, factories, and improve shipping channels. As early as 1839, Texas also set aside and sold land to subsidize public education; proceeds from the sale of land, as well as mineral royalties, created the Permanent School Fund which provides a portion of the state's funding for public education.

State Capitol Building—In 1882, 3,050,000 acres in the Texas Panhandle were set aside for the construction of a new State Capitol building. At its completion in 1888, the Texas Capitol was the seventh largest building in the world and cost $3.7 million to construct. Today, the same land in the Panhandle is worth $7 billion. H