

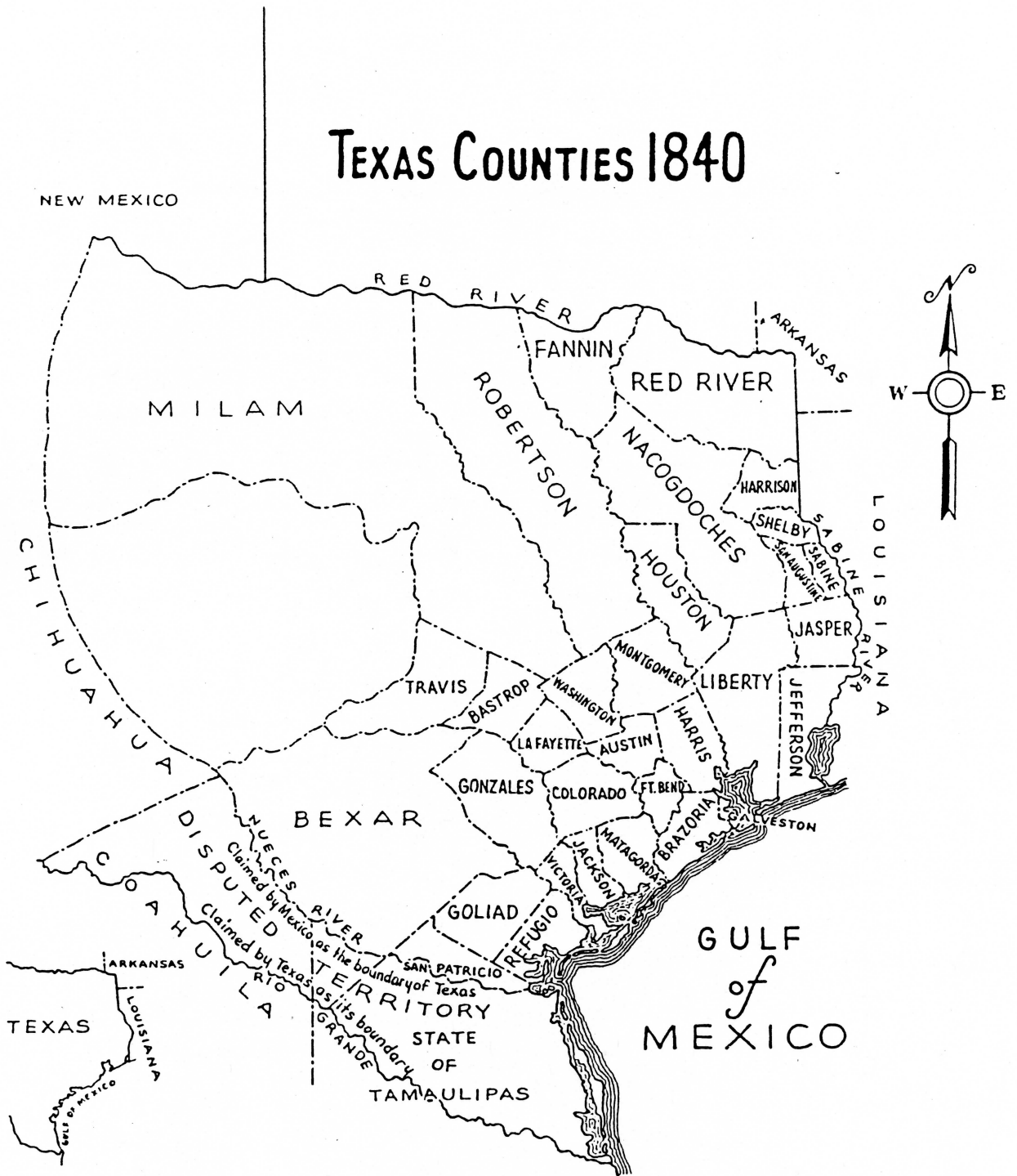
1840 CITIZENS OF TEXAS

Volume 3 Land Grants

by
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Austin, Texas
1988

TEXAS COUNTIES 1840



PREFACE

Historical Events in Texas

Texas was part of the colonial empire of Spain before 1821 and the few colonial grants that survive are described in a publication of the General Land Office.

When Mexico became a republic in 1821, Texas was administered as part of the State of Coahuila and Texas. To stimulate immigration Mexico made contracts with Empresarios like Stephen F. Austin to bring settlers into the frontier. After 1824 they came in increasing numbers, mostly from the United States. About 5000 grants had been issued when the gathering Revolution closed the Mexican land offices in November 1835. These grants have been listed by Virginia Taylor in a publication that is later cited

The Texians declared independence on 2 March 1836 and this date is one of the important "cutoff dates" in the land laws that were later passed by the Congress of the Republic of Texas that began functioning after the successful Battle of San Jacinto on 21 April 1836.

Land was the most important element in early affairs of the Republic, but the necessary laws were not passed until late 1837 and were not effective until February 1838. Actual records pursuant to this Act of the Congress actually begin in January 1838, reflecting the pressure to resume the orderly allocation of land. The complete records of the applications for land and the grants made to the citizens are now found in the General Land Office of the State of Texas in Austin.

Texas was annexed to the United States in late 1846, but Texas was allowed to keep and administer its public lands. The records of this land are an important genealogical resource, although their very volume makes broad searches difficult.

Records in the General Land Office

The records of Texas land are in the Archives and Records Division of the General Land Office of Texas, at Austin. They are complete in two main divisions except for the voids from chance and fraud

The first record group is in Spanish and dates before 27 November 1835. It is in the custody of an official Spanish translator, who was appointed from the beginning to furnish legally acceptable translations. The records are indexed and copies of both the Spanish originals and the translations can be ordered from the GLO. They are fully described in the history by Virginia Taylor.

The second record group is far larger and contains all of the documents created in granting lands in the Republic and State of Texas. The working core for this very large archive is the separate files for each parcel of land granted after the opening of the General Land Office in February 1838. They are indexed by the name of the person (or organization) originally entitled to the land. Each file will usually have several documents, of which copies can be ordered from the GLO.

1. Each file contains a Certificate stating the name of the person and the proof given to satisfy the conditions of the land law under which land was claimed. This Certificate usually contains more

genealogical information than other papers in the file. The information in it is abstracted for all of the tabulations that follow in this book.

2. When land was selected, a survey was requested, and the field notes together with the Certificate were forwarded by the County Surveyor to the GLO. These will be in the file.

3. Other papers may appear if the Certificate was sold BEFORE the issuance of a Patent, and some unexpected records may found. There is NO RECORD here of transfers after the Patent was issued.

4. The Patent, or deed from Texas to the grantee, is the final document. A copy of the Patent was given to the grantee for filing in his home county as evidence of ownership.

Land Grant Classes

Colonial grants conveyed to the settler by a document called a Title have been mentioned. Usually, one league of land was allocated to a head of a family, and one-fourth league to a single man over 17 years of age. In the early colonial grants, there was no allowance for single men, and under Austin in particular, two single men became partners and the two constituted a "family". This accounts for later holdings of 1/2 league. Under laws of the Republic, allotments were larger and early colonial grantees came in for the increase or Augmentation. Many of these will appear in the tabulations that follow.

Many persons in Texas had not received land by Title when the land offices were closed in November 1835. They may have reapplied in Class 1 in the list below.

Class 1 Certificates were given to settlers who were already here before the Declaration of Independence on 2 March 1836. The grants under these certificates were unconditional and the rights as well as the land could be sold at once. Heads of families received a league and a labor. Single men over 17 before 2 March 1836 could receive one-third league. Colonial settlers could apply for the more generous amounts over the Mexican law, as shown by the entries for Augmentation in the records that follow.

Class 2 Certificates were given to those arriving after 2 March 1836 but before 1 October 1837. Amounts were 1280 acres for heads of families and 640 acres to single men 17 years of age before 1 Oct 1837. The Certificates were conditional: the rights or land could not be sold until 3 years residence in Texas were proven.

Class 2M Certificates is the name given here to a special right of Volunteers for military service who volunteered in Texas before 1 August 1836 (and after 2 March 1836 of course). Although nominally Class 2, they were given Class 1 rights and amounts of land as a "veteran's benefit."

Class 3 Certificates were given to arrivals after 1 October 1838

but before 1 January 1840. They were Conditional Certificates and the same residence requirement as in Class 2 applied. The amounts of land were 640 acres and 320 acres.

Class 4 Certificates were given out after the Class 3 privileges were extended to those arriving after 31 December 1839 but before 1 January 1842. The conditions were more strict: the settler had to live on his land 3 years before an Unconditional Certificate could be issued by applying for it in his home county. Since the quantities of land and conditions were the same as Class 3, confusion in the records is frequent. In the GLO Index, both are entered as Class 3.

Origin of the Certificates

Each county had a local division of the land office in the form of a Board of Land Commissioners. For 1838 these boards were appointed by Congress, and made up of 3 Commissioners and a Clerk who given duties under the land law, including the keeping of a permanent record of all certificates issued. In January 1839 the New Boards were made up of 3 County Justices and the Clerk of the Court.

Applicants were to petition the Board of their home county, giving sworn answers to the detailed requirement of the land law. Two sworn witnesses familiar with the settlers record were also required.

Few of the originals of the local Board minutes survive, but their Clerk was required to transmit abstracts at frequent intervals to the GLO, listing all applicants with a summary of their answers, and the amount of land allocated. These Clerk's Reports are held in vertical files in the GLO, under the title "Clerk's Reports". They are only indexed by counties and they are not suitable for general search.

As explained in the Foreword, these reports were used to compile a list of those that could be proven to have here in 1840, and published as 1840 Citizens of Texas, Vol. 1. This volume, Vol. 3, is the remainder of the names from the Clerk's Reports. It ranges over all classes of homestead grants. Homestead grants were not given to arrivals after 1 January 1842. Some important characteristics of Clerk's Reports will be reviewed.

1. These Reports list persons who proved under the detailed Land Law that they were entitled to land, as verified by two sworn witnesses. It did NOT put them in possession of land. The only initial record of this Certificate in the General Land Office was the periodical Clerk's Report.

2. Using the Certificate, the settler could search for open land. If he selected land, he could then have it surveyed and proceed with the chain of actions in the system that might lead to his being issued a Patent or initial deed from Texas.

3. Many of the Certificates were not used, or the chain of acts was not complete. The names will NOT appear in the GLO index, or among the grant files. The Clerk's Reports may be the only record that the person was ever in Texas in search for land.

INDEXES, PUBLISHED AND UNPUBLISHED

In searching for a member of a family, or a particular name, among the early applicants for land in Texas, there are several lists that can be consulted. The earliest groups of settlers are in published lists.

The lands granted on Spain up to 1821 are abstracted in a General Land Office publication now out of print but available for reference. These grants are few and not usually relevant to a genealogical search.

More important are the lands granted by the Republic of Mexico under their colonial laws, from 1823 up until the Revolution closed the land offices in November 1835. This group of grantee names was edited by Virginia Taylor, at one time the official translator and archivist of the Spanish section of the General Land Office records. Her book has been reprinted and can be found in principal libraries. It contains about 5000 names and is an important history of the colonial land era. It is entitled The Spanish Archives of the General Land Office of Texas, by Virginia Taylor, The Lone Star Press, Austin 1955.

The Provisional Government of the New Republic of Texas closed the Mexican land offices on 27 October 1835 and all applications for land not complete on that date were disallowed. They were later compiled into two volumes in the GLO appropriately called Unfinished Titles.

These petitions have been abstracted and published along with the abstracts of the "Character Certificates" file in the GLO. The title is not descriptive but it follows the GLO label by which it is known. The book is called Character Certificates in the General Land Office of Texas, by Gifford White, Ingmire Publications, St. Louis 1985. In addition to the very important Character Certificates (required of new citizens) the book contains over 1100 petitions from the Unfinished Titles volumes, made up of applications incomplete at the time of the sudden closing of the Mexican land offices.

The books above contain most or all of the names of land grantees in the colonial period. The situation is not so convenient for the much larger list of names of persons who applied for and were granted land in the Republic and State of Texas, up to 1 January 1842 when the homestead privileges ended.

There was no paper work done after the 1835 closing of the land offices until the new Republic could get machinery set up to administer the public lands, the most important asset of the country. Finally in January 1838, local land offices were set up in each land district (then a county) and petitions could be heard. The local boards thus created were empowered to issue certificates to the settlers, and these certificates were reported to the General Land Office as notice of issue. The files called "Clerk's Reports" hold them. They are not complete, not indexed, and not in suitable condition for general search. However, many of them have been published verbatim and in the Bibliography will be found a list of the printed series, county by county.

THE TABULATIONS

Name of settler

This is the name of the original settler who considered himself entitled to a certificate for land. Any resulting land grant was always known by this name, and not by that of the person who may have located the land and received the patent for it.

Arrived in Texas

The Land Law always spoke of "the date of emigration to Texas." This may be interpreted in different ways, but in practice, the "date of arrival in Texas" was always given and I have used this.

Class (of certificate)

This refers to the type of certificate applied for, and see the previous definitions. No entry was made in this column if the original appeared to be ambiguous.

Lg and Lb, Acres

This refers to the amount of land in Leagues (4428.4 acres), Labors (177.1 acres) for Class 1, and to Acres for Classes 2, 3 and 4.

Conditional Certificates

As already explained, Classes 2, 3 and 4 Certificates were Conditional. Until they were made Unconditional, the land could not be transferred. The place given is the county of residence of the settler at the date of application.

Unconditional Certificates

All Class 1 certificates were unconditionally issued. They could be, and were, sold at will. Class 2 and later certificates, as already explained, required three years of residence in Texas before they or the land could be transferred. Not until March 1841 were instructions in effect to enable Unconditional Certificates to be issued. When one appears in the Report, the county and date are entered. Note that there was no limiting date on which this could be done.

Remarks

Notes under this heading (or at any blank space in the entry) are actual notes from the Clerk's Reports.

[] Entries

Any remark or addition of the Editor has been made in []. If ordinary () appear, they come from the original.

Name of settler petitioning for a certificate for land	Arrived in Texas	Cl	Lg	Lb	Conditional Cert. Where When (Remarks)	Unconditional Cer Where When
Rabb Thomas	1822	1		1	Aug for 1 Lg	Colorado 1Feb1838
Racket Charles	1831	1	1	1		SanAug Jul1838
Raglin Henry W	May 1836	2M	1/3			Harris 17Mar1838
Ragsdale Charles	Sep 1835	1	1/3			RedRiver Jun1838
Ragsdale Edward B	1835	1	1/3			Sabine 22Jan1838
Ragsdale James C	Jan 1834	1	1	1		Fayette 1838
Ragsdale John decd	1832	1	1/3			RedRiver Mar1838
Ragsdale John D	pre 2May35	1	1	1		Brazoria 1Mar1838
Ragsdale Martin	Jan 1833	1	1	1		RedRiver Mar1838
Ragsdale Nimrod decd	pre 1835	1	1	1		Sabine 22Jan1838
Richard R. Joel & Peter C. Ragsdale Administrators						
Ragsdale Peter C	1834	1	1/3			Sabine 9Jan1838
Ragsdale Robert	Feb 1833	1	1/3			RedRiver Feb1838
Ragsdale Thomas	25Jan1832	1	1/3			RedRiver Feb1838
Ragsdale William decd	1825	1	1	1		RedRiver Mar1838
Ragsdale William	1835	1	1	1		Sabine 1Jan1838
Raguet Henry		1		1	Aug for 1 Lg	Nacogd 1838
Rainey John decd	pre 2May35	1	1	1	to Admr	Brazoria 15Mar1838
Rains Emery	1822	1		1	Aug for 1 Lg	Shelby 3Feb1838
Raines Howard [Reams]	1832	1	1	1		RedRiver Feb1838
Raines James M	Sep 1837	2	640		Jasper Aug1838	
Rains Joel D	1835	1	1	1		Shelby 2Feb1838
Rains John W	1832	1	1/3			Shelby 1Feb1838
Rains Lambert	1834	1	1	1	to assignee	Sabine Mar1838
Rains P.P.	1834	1	1	1		Shelby 2Feb1838
Raines Samuel M	1832	1	1	1		SanAug Jan1838
* Rainwater E.R.	pre DofI	1	1/3		to assignee	Brazoria Jan1838
Ralph Samuel	1834	1	1	1		Jasper Mar1838
Ralston Joseph	pre 1Jan42	4	320			Washingt 2Jan1846
Rambert Ann			640		Paschal 6Dec1841	Cass 8Apr1848
Rambo Anderson J	1835	1	1	1	to assignee	Sabine Jan1838
Rambow R	1833	1	1	1	to assignee	Sabine Mar1838
Ramirez Edouardo	Native	1	1	1	to assignee	Bexar Jan1838
Ramirez Guerra		1	1	1		Nacogd 1838
Ramirez Juan Lozaro	Native	1	1	1		Goliad Nov1838
Ramirez Locario	Native	1	1/3		to assignee	Bexar Feb1838
Ramon Antonio	Native	1	1	1		Goliad Oct1838
Ramon Carmel decd	Native	1	1	1	to assignee	Bexar Oct1838
Resident at Dec of Ind, was a widow at death						
Ramon Ma Canuta	Native	1	1	1	to assignee	Bexar Feb1838
Ramon Rosario	Native	1	1	1	to assignee	Bexar Jan1838
Ramos Isidro	Native	1	1	1		Bexar Jul1838
Married at Dec of Ind						
Ramos Jose' Maria		1	1/3			Nacogd 1838
Ramos Maria Luisa	Native	1	1	1	to assignee	Bexar Feb1838
Ramos Vicente	Native	1	1/3			Bexar Jan1838
Ramos Vicente	Native	1	2/3	1	to assignee	Bexar Feb1838
Ramsdale Francis		1	1	1		Nacogd 1838
Ramsdale George L	Feb 1835	1	1/3			Montgom Feb1838
Ramsdale John F		1	1/3			Nacogd 1838