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Land and Liberty THE SAGA OF SAM MCCULLOCH

Within the Archives of the Texas General Land Office are the original land grant documents of a genuine Texas hero. His name was Samuel McCulloch, Jr. He is reported to have been the first person wounded in the Texas Revolution.

Sam McCulloch came to Texas from the United States as a free black man, but had no rights as a citizen under U.S. law. However, under Mexican law Sam was entitled to citizenship and land grants, regardless of his status and color. After serving as a volunteer soldier in the Texas Revolution, Sam, along with other free blacks in Texas, encountered resistance to their rights by the new government and society of the Republic and state of Texas. Because of the emerging influence of the planter class and prevailing racial views, laws were passed that challenged the status of free blacks like Sam.

Using primary source documents, students will piece together the challenge and ultimate triumph of Sam's quest for land grants in Texas.

VOCABULARY

constitution

laws that determine the basic principles of a country.

petition

a formal request for something written to an authority.

act

a law that has been passed by a legislature for a specific purpose.

affidavit

a sworn statement of fact given by a person and witnessed by a legal authority.

land grant

a gift of land made by a government as a reward for citizenship or service.

RESOURCES

Battle of Goliad image

Sam's Introduction (*a fictional account*)

Sam's Autobiography and questions handout

Sam's Documents (9)

Document Analysis worksheet

Handbook of Texas Online

GOALS

- ★ Describe the early life of Sam McCulloch and his role in the Texas Revolution.
- ★ Compare Sam McCulloch's status as a free black during the Republic of Mexico and Republic of Texas eras.
- ★ Examine how laws and acts passed by the Republic of Texas Legislature affected Sam and his family.
- ★ Examine the influence of fellow military veterans on Sam's efforts to secure land grants.
- ★ Create a culminating project based on research of Sam's life and times.

TEKS

TEXAS HISTORY 7.2

- (D) Identify the impact of the Mexican Federal Constitution of 1824 on events in Texas.

TEXAS HISTORY 7.3

- (A) Explain the roles played by significant individuals during the Texas Revolution.

TEXAS HISTORY 7.4

- (A) Identify individuals, events, and issues during the Republic of Texas era.

TEXAS HISTORY 7.11

- (A) Analyze why immigrant groups came to Texas and where they settled.

TEXAS HISTORY 7.21

- (A) Differentiate between primary and secondary sources; locate, and use primary and secondary sources to acquire information about Texas.

Land and Liberty—The Saga of Sam McCulloch

ACTIVITY STEPS

1. Show the image of the Battle of Goliad to the class. On a blank sheet of paper, ask students to study the image and list people, objects and activities they observe. After a few minutes, ask for volunteers to share their lists.
2. Next, ask students to form an overall impression of the image and write one sentence that summarizes the scene. Share and discuss their impressions.
3. Tell students that this is part of a mural display, courtesy of the Institute of Texan Cultures in San Antonio, painted by Texas artist Kermit Oliver. The painting memorializes the bravery of a little known Texas hero named Sam McCulloch. Read aloud **Sam's Introduction** to the class.
4. Hand out a copy of **Sam's Autobiography** and accompanying questions to each student. When students finish, review and discuss their answers. Ask students if this additional information was helpful in understanding the painting's meaning and purpose.

SETTING THE STAGE

One of the reasons men like Sam joined the Texan army against Mexico was the promise of free land. He expected to get land not only as a reward for fighting, but also because he was a settler and a citizen under Mexican law before the Texas Revolution began. Slavery existed in the southern states of the United States in 1835 but was outlawed in the Republic of Mexico. After the war, Sam found that his circumstances had changed. Sam would face a battle of another kind, a legal battle. Your students are going to analyze a series of legal documents and piece together Sam's story.

5. Place students in groups of four. One member will act as recorder. Provide each group with a set of **Sam's Documents** and a copy of the **Document Analysis Worksheet**.
6. As a group, have students read and analyze each document and develop a consensus about its purpose and application to Sam's story. The group recorder will write their findings on the **Document Analysis Worksheet**.
7. When all documents have been analyzed, the group should discuss how the documents together tell Sam's story. Using facts collected from the documents and **Sam's Autobiography**, each student will write a narrative explanation of Sam's story beginning with information from the first document. (Remember, students are writing a narrative story and not simply listing facts from each document).

Did your students enjoy this lesson? Let us know! The Texas General Land Office values your thoughts and feedback. Please report oversights, errors and omissions to the Texas General Land Office Archives at archives@glo.texas.gov.

Texas General Land Office | George P. Bush, Commissioner
1700 North Congress Avenue ★ Austin, Texas 78701

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8. When finished, each group member should share his or her narrative with the other members of the group and fellow group members can make suggestions for any modifications that are needed to correctly tell the story, according to the evidence from the documents.
9. From the individual narratives, groups should each write one final collective narrative of Sam's story and present it to the class.
10. When all groups have presented their narrative, ask students to write out three questions they think are important to understanding Sam's story to share with the class. These may include the following:
 - ★ Why do you think Sam was so persistent in requesting his land?
 - ★ Which event in his story was the most worrisome for Sam and his family?
 - ★ Why would Benjamin White (a white person and fellow soldier) stand up for Sam in his quest for justice?
 - ★ How is Sam's story different from that of most blacks in Texas during the Republic era?
 - ★ What do you think Sam did with all that land?
 - ★ Is this a story with a happy ending? Explain.

SUGGESTED ACTIVITY

Create an exhibit that tells Sam's story through his land grant documents. Research the land grants awarded to Sam McCulloch and determine where the grants were located and how much land he received. Create an exhibit showing where and how much land Sam received over the years, from his first land grant by Special Act to his Republic Donation grant. Display copies of the land grant documents in sequential order and provide explanations of why Sam was awarded these grants. Contact the Texas General Land Office Archives at 512.936.9644 for copies of Sam's land grant documents.

EXTENSION

- ★ Why would Sam fight for this cause and country?
- ★ Research the stories of other free blacks in Texas during the Republic and statehood period and compare their stories and experiences to those of Sam McCulloch. The Handbook of Texas Online is a great resource for finding this information.
- ★ Research other groups in American or Texan history that found themselves in similar circumstances. How are their stories similar and different from Sam's?



Image courtesy of The University of Texas at San Antonio, Institute of Texan Cultures.

SAM'S INTRODUCTION: A FICTIONAL ACCOUNT

“Hello, I’m Samuel McCulloch, Jr., and I have a story to tell you. Some people believe that I was a genuine Texas hero. There were times when I wondered whether it was true or not, but I’m getting ahead of myself. By now you should have figured out that I am of African descent, and that fact is important to my story.

“Although my life had its share of ups and downs, I lived during some very exciting times in Texas history. I arrived in Texas in May 1835, just as the conflict between Texas settlers and the Mexican government was about to escalate into all out war. The talk among volunteer soldiers was that if we lived through the fighting, we might get some land as payment for our military service. I also heard that we could get land as new settlers too. It was then that I made the fateful decision to fight for Texas independence from Mexico. That decision would affect the rest of my life.

“Your assignment is to piece together my experience as a free black person in Texas. I’m going to give your teacher some copies of some old documents I’ve kept over the years. These documents are important to me because without them, my story might have been lost forever.

“The first thing I want you to do is read my autobiography. This will give you some general information about me. Be sure to answer the accompanying questions.

“Although my autobiography has some useful information, it doesn’t tell the story about the peculiar situation I found myself in during the early days of the Republic of Texas. It is up to you to figure it out. Let’s get started.

“Oh, and remember what I said about getting some land to call my own when the fighting was over? Well, it got a little complicated ...”

Sam

THE AUTOBIOGRAPHY OF SAM MCCULLOCH

Samuel McCulloch was born in South Carolina in 1810. He moved with his white father (Samuel, Sr.) to Alabama when he was 5. (There is no mention of his mother in any official records). In May 1835, Sam's father moved Sam and his three sisters to Texas. Sam and his sisters were considered free blacks. The McCulloch family settled on the Lavaca River in what is now Jackson County.

On October 5, 1835, barely five months after moving to Texas, Sam, Jr. joined the Matagorda Volunteer Company as a private to fight in the Texas Revolution. On October 9th, two days short of his 25th birthday, Sam and 50 other men attacked the Mexican army garrison at Goliad. According to eyewitness testimony, he was the first soldier to enter the fort. During the attack, Sam was severely wounded in the right shoulder by a musket ball. He is believed to be the first person wounded in the Texas Revolution. Sam was transported by wagon to his father's home in Jackson County, where he began a long period of recuperation. He later had to evacuate his home in April 1836 during the Runaway Scrape, to escape Santa Anna's army. The musket ball was not removed from his shoulder until July, nine months after he was wounded. The wound left Sam an invalid for over a year and he remained handicapped for the rest of his life.

Sam married in 1837 and he and his wife raised four sons. He became a farmer and a rancher and lived most of his remaining life in Medina County, a few miles southwest of San Antonio.

Sam's handicap did not keep him from serving Texas again as a soldier. He fought in the battle of Plum Creek in 1840 against Comanche Indians, and also served as a spy for the Army of the Republic of Texas during the Mexican invasion of San Antonio in 1842.

In his later years, Sam attended reunions of old soldiers and pioneers and died at the ripe old age of 83.

*Adapted from the **Handbook of Texas**.*

AUTOBIOGRAPHY QUESTIONS

1. Using facts from the first paragraph, predict any problems Sam McCulloch's family might encounter in Texas.

2. List three details from the reading that support the notion that Sam was a man of courage.

3. Summarize Sam's involvement in the battle of Goliad and how it changed his life.

4. For what main reason is Sam remembered in the Texas Revolution?

5. List three adjectives you would use to describe Sam.

6. What would you like know about Sam that was not in the reading?

THE CONSTITUTION OF
THE REPUBLIC OF TEXAS

1836



Excerpts

Section 9

... No free person of African descent, either in whole or in part, shall be permitted to reside permanently in the Republic without the consent of Congress ...

Section 10

All persons, ([except] Africans, the descendants of Africans, and Indians) who were residing in Texas on the day of the Declaration of Independence, shall be considered citizens of the Republic, and entitled to all the privileges of such.

★ REPRESENTATION OF A HISTORICAL DOCUMENT ★

EXCERPTS FROM

SAMUEL L. MCCULLOCH, JR. AFFIDAVIT

To the Honorable Congress of Texas



(June 1837)

... he [Samuel McCulloch] participated in the storming of the Fort at Goliad, on the 9th of October, 1835. In that action, he received a severe wound in the right shoulder, which laid him up, a helpless invalid, for nearly a year, and has made him a cripple for life. He was the only one of the Texan troops wounded in that action, and the first whose blood was shed in the War of Independence.

[Sam McCulloch], while Texas was a part of the Republic of Mexico was by the Constitution and laws a citizen of the state, and as such entitled to lands as a settler ... and now, having by marriage become the head of a family, he is desirous of settling in life, and of performing the duties of a citizen; but he unhappily finds that the Laws of the Country for the Independence of which he has fought and bled ... he is deprived of the privileges of citizenship by reason of an unfortunate admixture of African blood ... nor can he, without the beneficent action of Congress, receive the lands to which he was entitled under the Mexican government. Your petitioner [Samuel McCulloch] refers to the truth of the ongoing statement to the accompanying copy of his military discharge and the evidence of John P. Borden ... he would also respectfully refer to testimonials of his general good [character].

Your petitioner [Samuel McCulloch] asks ... to take his case into consideration, and that he may be allowed to receive from the government the [quantity] of land that is allowed to other persons who were citizens of the Country before the Declaration of Independence; and as he wishes to make Texas the home of himself and his [descendants] ... he further asks ... that he and his children be allowed to enjoy the privileges of citizenship in this Republic.

I Samuel McCulloch, Jr.

★ REPRESENTATION OF A HISTORICAL DOCUMENT ★

*An Act making provisions for persons
who have been permanently disabled*

IN THE SERVICE OF TEXAS



Sec. 1

Be it enacted by the senate and house of representatives of the republic of Texas, in congress assembled, That ... and all others who have been permanently disabled by loss of eye, arm, or limb, or such other bodily injury as by certificate of the board of land commissioners, [shows] his incapacity for bodily labor, by wounds received in the service of Texas be, and they are hereby declared to be entitled to one league and one labor of land each, as a testimony of the gratitude of this republic.

Joseph Rowe

JOSEPH ROWE

Speaker of the house of representatives

S.H. Everitt

S.H. EVERITT

President pro tem. Of the senate

Approved, Dec. 18, 1837

Sam Houston

SAM HOUSTON

Special Certificate

LAND CERTIFICATE NO. 113



This is to certify that Samuel McCulloch, Jr., has appeared before us the Board of Land Commissioners, for the County of Jackson and proved according to Law that he was a member of Capt. George Collinsworth's Company at the taking of Goliad in the fall of 1835 and that he was permanently disabled by a wound in the shoulder and that [the] wound [prevented] him [from working] as appears from a certificate from Walter Fosgate M.D. assistant Surgeon Genl ... and that under an act of Congress approved Dec. 18th 1837 making provisions for persons who have been permanently disabled in the service of Texas he is entitled to one league of land as a testimony of the gratitude of this Republic ...

*Given under our hands this
12th day of April A.D. 1838*

Patrick Usher, President

PATRICK USHER, PRESIDENT

Francis M. White

FRANCIS M. WHITE

AN ACT
OF TEXAS LEGISLATURE



February 1840

Sec. 8

Be it further enacted, That two years shall be allowed, from and after the passage of this act, to all free persons of color who are now in this Republic, to [leave]; and all those who shall be found here after that time, without the permission of Congress, shall be arrested and sold as provided in this act.

Sec. 10

Be it further enacted, That the President of the Republic do issue his proclamation, commanding all free persons of color who are now in the Republic, to [leave] before the first of January, 1842 ...

★ REPRESENTATION OF A HISTORICAL DOCUMENT ★

AN ACT CONCERNING

FREE PERSONS OF COLOR



Sec. 1

Be it enacted by the Senate and the House of Representatives of the Republic of Texas ... That Samuel McCulloch, jr., and his three sisters ... Jane, Harriet and Mahaly, and their descendants, better known as the free children of Samuel McCulloch, senr., now in the Republic of Texas, together with a free colored girl, known by the name of Ulde or Huldir, a member of said McCulloch's family, be ... exempted from all provisions of "an act concerning free persons of color," approved [February 5th, 1840].

Sec. 2

Be it further enacted, that the [previously mentioned] free persons ... are permitted and allowed to continue their residence within the bounds of the Republic of Texas.

David S. Kaufman

DAVID S. KAUFMAN

Speaker of the house of representatives

Anson Jones

ANSON JONES

President pro tem. Of the senate

Approved, Dec. 15, 1840

David G. Burnet

DAVID G. BURNET

Affidavid of
BENJAMIN J. WHITE



I Benjamin J. White

Being solemnly sworn ... and say, that I am well acquainted with Samuel McCulloch – and that I knew him when he joined the Company of George M. Collinworth in the service of the Republic of Texas on the 6th or 7th day of October A.D. 1835 as a volunteer, and I know that he was engaged in the attack made by said company on the Fort at Goliad on the 9th of October at about 12 o'clock at night and to my knowledge he was wounded in [the] attack by the enemy by a gunshot in the right shoulder, which disabled him and rendered his right arm useless. And I was by his side when he was wounded and that he is the person he represents himself to be. I also know [that] I have known him personally ever since.

Benj. J. White

Witness my hand and the seal of the
County Court this Sept 16th A.D. 1857.

Henry D. Starr, Clerk

★ REPRESENTATION OF A HISTORICAL DOCUMENT ★

AN ACT FOR

THE RELIEF OF SAM MCCULLOCH



Section 1:

Be it enacted by the Legislature of the State of Texas, That the Commissioner of the General Land Office be, and he is hereby authorized and required, to issue to Samuel McCulloch, a certificate for one league and one labor of land, which may be located, surveyed and patented upon any vacant and unappropriated land of this State; and that this act take effect from and after its passage.

Approved, January 21st, 1858

CERTIFICATE OF BOARD OF VETERANS.

Austin, Texas,

July 27th

1881.

This is to Certify, That we, the BOARD OF VETERANS appointed by the Governor under and by virtue of an act entitled "An act granting a land certificate of 1280 acres to each of the surviving soldiers of the Texas Revolution, and the surviving signers of the Declaration of Texas Independence, and to the surviving widows of such soldiers and signers, and to the widows of those who fell at the Dawson Massacre, and to repeal an act approved April 26, 1879, entitled 'an act granting a land certificate of 640 acres to each of the indigent Veterans who were engaged in the struggle for Texas Independence prior to and at the battle of San Jacinto, enrolled under the act approved July 28, 1876,'" approved March 15, 1881, have carefully examined the application and vouchers filed by

Samuel McCulloch

applicant for a land certificate

under said act. We are satisfied, from our own knowledge and the evidence in this case, that

he

rendered the service required in said

act; and we are further satisfied that the said

Samuel McCulloch

applicant, is entitled under the provisions of said act to a land certificate for

Eighty

hundred and *Eighty* acres.

J. N. Johnson
President.
Paul Hunter
H. P. Brewster

Board of Veterans.

DOCUMENT ANALYSIS WORKSHEET

- 1. THE CONSTITUTION OF THE REPUBLIC OF TEXAS** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 2. SAMUEL MCCULLOCH AFFIDAVIT** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 3. CERTIFICATE OF BOARD OF VETERANS** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 4. AN ACT FOR PERMANENT DISABILITY** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 5. SPECIAL CERTIFICATE** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 6. ACT OF LEGISLATURE** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 7. ACT CONCERNING FREE PERSONS OF COLOR** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 8. BENJAMIN J. WHITE AFFIDAVIT** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____
- 9. ACT FOR THE RELIEF OF SAM MCCULLOCH** Date _____ Author _____
What are the main points? _____
Why was it written? _____
How does it affect Sam? _____