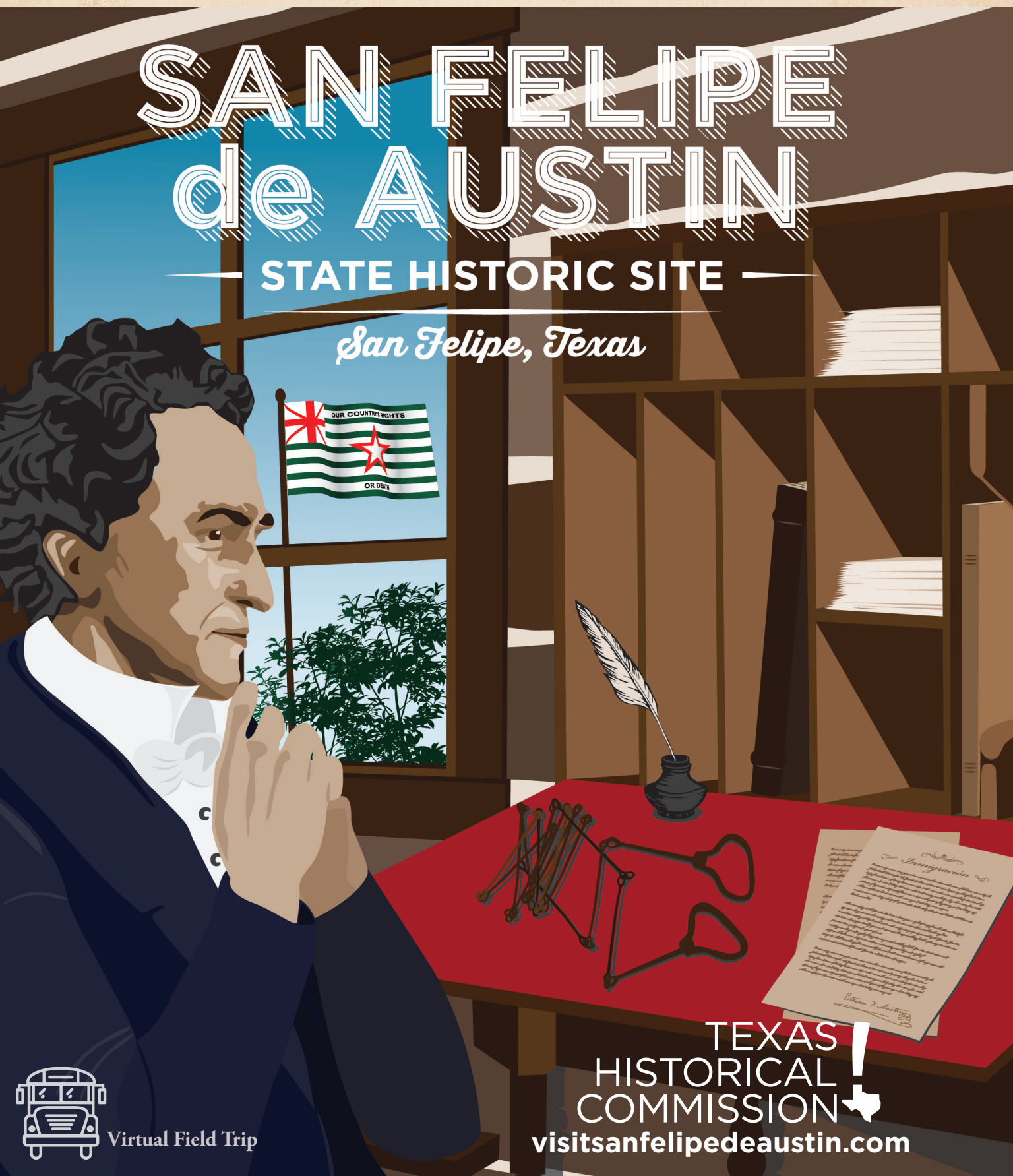
Texas Historical Commission

The Importance of the Land Office

Grade 4 & 7



Texas General Land Office, Austin, 1856.
Courtesy of Texas Historical Commission.

The Importance of the Land Office

Overview: A New Beginning for Texas

In Part 8 in the *Empresario* series from the Texas Historical Commission's **San Felipe de Austin** site, learners are introduced to the important functions of a colony's land office, the center of administration and record-keeping. The activities provide opportunities to analyze and organize information relating to land titles and maps. An introductory video and primary source transcripts of letters and land titles are included.

Objectives

- Demonstrate understanding of the empresario system in 19th century Texas.
- Identify the qualities beneficial to a Texas empresario.
- Analyze primary source documents.
- Reflect on the empresario experience.

Social Studies TEKS

4th Grade: 4.2 E, 4.6 A, 4.14 B, 4.21, 4.23
7th Grade: 7.1 B, 7.2 D E, 7.20 A, 7.21, 7.23

Resources

- Video: Importance of the Land Office (THC YouTube) https://www.youtube.com/watch?v=h4aUjLdZKm4&feature=youtu.be
- Activity 1: Organizing a Colony Title and Map activity resources
- Activity 2: Primary Source Documents activity resource
- Activity 3: Journal Reflection activity resource
- Primary Source Letter: Stephen F. Austin letter to Baron de Bastrop (transcription)
- Primary Source Letter: Martin Allen to Stephen F. Austin (transcription)
- Primary Source Land Title: William Millican Land Title, 1824

Vocabulary

ayuntamiento (ah yoon tah me EHN toh) noun: a city or town council

empresario (ehm preh SAH ree oh) noun: a person who was contracted by the Mexican government to bring colonists to settle in Texas

labor (LAY bur) noun: a section of land a colonist could receive equal to 177 acres

land office (lahnd AW fis) noun: the place where all documents are kept regarding land ownership and any debts associated with that land

land title (lahnd TY tuhl) noun: a deed that showed a colonist owned a certain section of land

league (leeg) noun: a section of land a colonist could receive equal to 4,428 acres

surveyor (SUR vay yur) noun: a person who measures land to determine where an owner's land begins and ends; establishes land boundaries

Historical Context

A land office served many functions in a colony. It was the place where potential colonists reported if they wished to join a settlement. Colonists were to present their letter of introduction and their application to the empresario or the empresario's secretary. If they were accepted, they could then join the colony and receive a land title, the official government document that described the land a colonist had been granted in Mexican Texas. Due to the importance of the land office to the administration of a colony, and because all the records it held, the land office was placed in the colonies' capital.

To be able to give land to colonists, empresarios like Stephen F. Austin had to work hand in hand with land surveyors. These surveyors traveled throughout the colony measuring sections of land that would be given to future colonists. Once the surveyors completed their work, they gave their notes and measurements of these sections of land to the empresario for storage at the land office.

Copies of all colonists' land titles were kept at the land office. In addition to keeping colonists' land titles, the land office also held the debt records of the colonists. Although the Mexican government didn't impose a fee for colonists to receive land, several other entities did, including the local ayuntamiento, land commissioner, state government, land secretary, the empresario, and the surveyor. This meant a record of who paid and how much needed to be kept, as a colonist wasn't expected to pay those fees right away. Other records that were held by the Land Office in San Felipe de Austin included a record of livestock brands and markings, ayuntamiento records, and sales receipts from the local community.

Stephen F. Austin bound all the copies of his land titles into a book called the Registro, which is stored today in the Texas General Land Office archives in Austin.

Video: The Importance of the Land Office

To introduce the roles of a land office in early 19th century Mexican Texas, have learners watch the **Importance of the Land Office video**.

Activity 1: Organizing a Colony

In this activity, learners assume the role of an empresario taking over a colony with disorganized records. Using the **Organizing a Colony: Titles** and **Organizing a Colony: Map activity resources,** earners will analyze fictional land titles to determine which families own which lands in order to update the colony map. Share the following activity introduction:

> Congratulations! You've just received an empresario contract! You're taking over land that had been previously settled by an empresario who had his contract terminated by the government, so there are already some colonists in the area.
>
> Upon your arrival at the one-room land office, you find a mess. Papers are stacked all around the room. After sorting through some of them, you discover that some of the papers are land titles granted by the previous empresario. There is a map which shows the sections of land around two merging rivers. This map has one family's name written on one of the sections. It also has a list of the names of other families that live nearby, but their land sections aren't labeled on the map.
>
> Your job as the new empresario is to analyze the information in these titles in order to label the colony map correctly. This will not only record which family lives where, but will also show what lands are available for new settlers.

<u>Answer Key:</u>

TEXAS HISTORICAL COMMISSION

Activity 2: Primary Source Documents (transcriptions)

In this activity, learners read three primary source document transcriptions for information. **Source 1** is a letter is written by Stephen F. Austin to Baron de Bastrop asking for permission to form a recorder's office. This idea was granted, and the land office was created. **Source 2** is a letter written by Martin Allen to Stephen F. Austin after Martin learned that some of his land had been given away to another colonist. **Source 3** is a land title granted to William Millican. Note: A scanned copy of this original document (in Spanish) from the *Registro* is available through this link from the Texas General Land Office (GLO). Additional land title documents can be accessed through the GLO's land title search engine.

Preview the primary source transcriptions and the questions. The language of the primary source transcriptions is the original and includes misspellings and non-standard grammar. Assisting learners in understanding the meaning of the texts may be helpful and/or necessary. Discuss any challenges in dealing with transcriptions of primary source materials. Share responses when completed.

Source 1 Answer Key:

- ★ In this letter, Stephen F. Austin petitioned to establish a recorder's office. What types of documents did Austin propose to be kept in this office? marks and brands of hogs and cattle, title deeds to lands, bills of sales, and "other such instruments of writing of importance"

Source 2 Answer Key:

- ★ How much land did Mr. Allen accuse Stephen F. Austin of giving away to another settler? a labbour (labor) of land How many acres was that? 177

Source 3 Answer Key:

- ★ Mr. William Millican was a native of what country before he came to Texas? **United States of America**
- ★ What was the name of the surveyor who mapped out the land that was being given to William Millican? **Horatio Chriesman**
- ★ Who was the governor of Texas when this land title was granted to William Millican? **Lieutenant Colonel Don Luciano Garcia**
- William Millican's original title: https://s3.glo.texas.gov/ncu/SCANDOCS/archives_webfiles/arcmaps/webfiles/landgrants/PDFs/1/0/2/8/1028005.pdf
- GLO Land Title Search Engine https://s3.glo.texas.gov/glo/history/archives/land-grants/index.cfm?sa=z

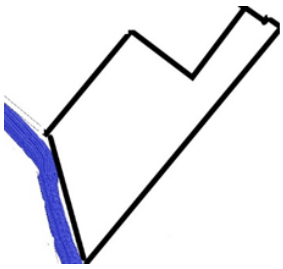
Activity 3: Journal Reflection

Using **the journal reflection activity resource**, learners will write in response to Activity 1, considering methods for maintaining and safeguarding important historical records

Activity 1 Resource: Organizing a Colony: Titles

These are the land titles you found in the messy land office. You must figure out from information in the documents below which land grant belongs to each family. Write each family's name on the correct space on the **Organizing a Colony**: Map resource.

Aynesworth family: Immigrated from Tennessee and wish to start a successful farm and ranch. Mr. and Mrs. Aynesworth have two sons and one daughter living with them. The Aynesworth family lives on the section of land drawn here.



Lewis family: Mr. and Mrs. Lewis and four daughters and two sons. They immigrated from Louisiana. They chose a section of land that has the smallest border with the river. Their section of land is also the narrowest and longest section in the area.

Jolly family: Immigrated from Alabama. They hope to start a successful cotton planation. The land they now occupy is on the south side of the eastern fork of the river across from the Rice and Bachmann families.

McMurphy family: The couple currently have no children. They immigrated from Ireland and are looking forward to raising sheep and selling their wool. The McMurphys have a sizable pond on their section of land. They plan to build their home next to this pond.

Activity 1 Resource: Organizing a Colony: Titles pg2

Belle family: Mr. and Mrs. Belle and one daughter joined this colony from their home in Massachusetts. Mr. Belle is a skilled millwright. He claims that a few of his cousins who are skilled mechanics will soon follow him to this colony. The Belle family currently has the Lewis and Krueger families as neighbors. It is hoped that the Belles will be on better terms with the neighboring Kruegers than the Browns and Bachmanns are.

Brown family: Immigrated from Virginia with one son. They became friends with the McMurphys on their journey to join the colony. The Browns requested a section of land near the McMurphys to settle. They have selected the open section on the northwest side of where the McMurphys now live.

Rice family: No children, immigrated from New York state. They hope to be able to offer large amounts of pork and corn to the inhabitants of the colony. They have occupied the section of land between the Padilla family and the Bachmann family.

Wright family: Four brothers in total immigrated from North Carolina. Some of the brothers are skilled mechanics who will be beneficial to the development of the colony. The Wright brothers' land shares its eastern-most corner with the Aynesworth and Jolly families.

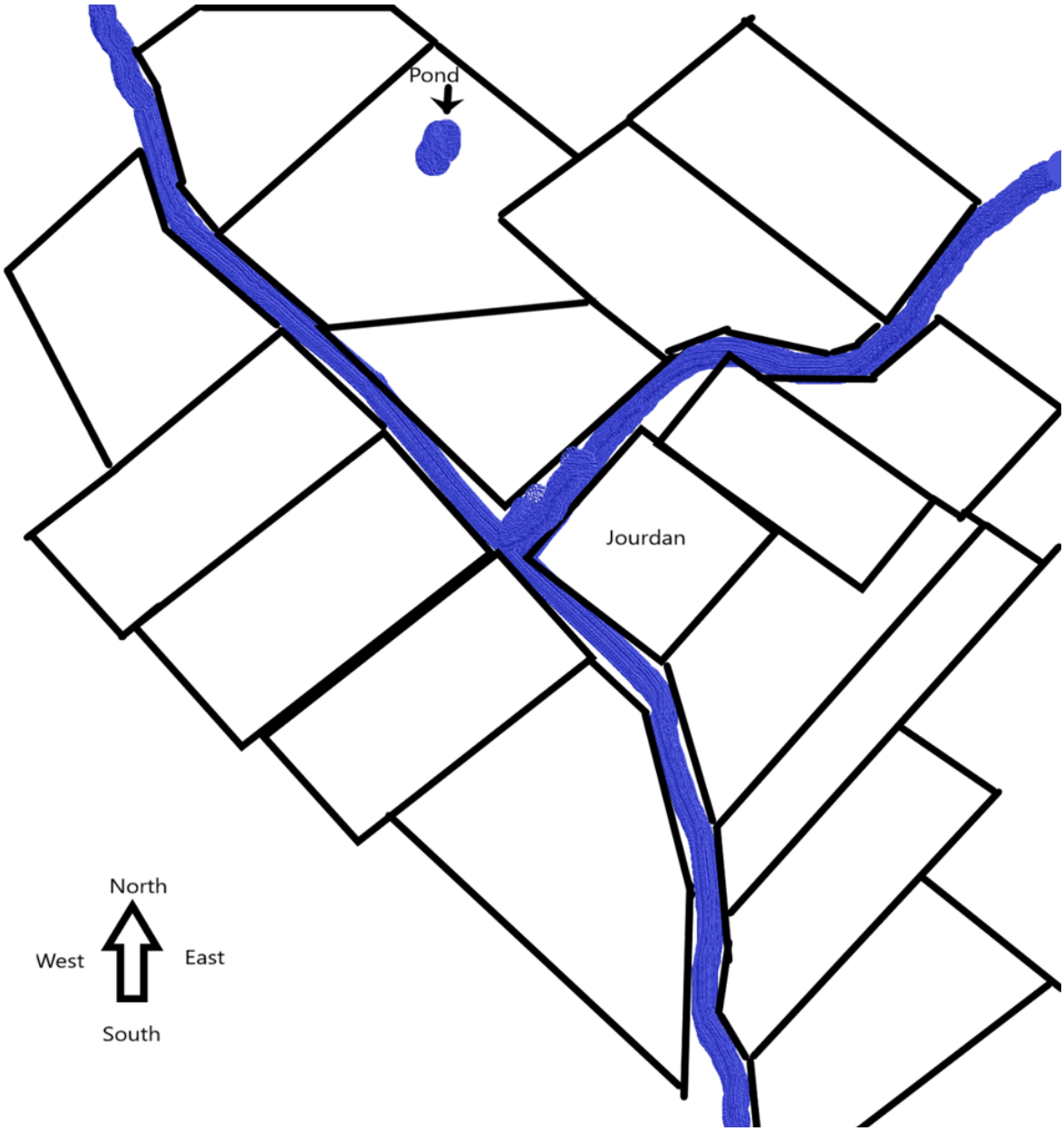
Padilla family: Moved here from Zacatecas, Mexico. Mr. and Mrs. Padilla brought their five children (three girls and two boys) with them. They selected the section of land north of the area where the two rivers merge. This section of land borders more of the river than any other land section in the area.

Krueger family: Immigrated from Westphalia, Germany. Their family group is made up of Mr. and Mrs. Krueger and their nine children (six boys and three girls). They are eager to make a new living for themselves in the colony. It is fortunate the Kruegers' section of land is as far away as possible from the Browns and Bachmanns. Mr. Krueger had thrown unfounded claims of theft against those families after joining with them on the trip to Texas to join this colony. It is a good thing that the Kruegers now live on land as far away from the Browns and Bachmanns as one can in this area.

Bachmann family: Made up of Mr. and Mrs. Bachmann, three daughters, and one son. They immigrated to this state from Munster, Westphalia, and are looking forward to living freely in the Catholic nation that is Mexico. They appear to have had a run-in with the Krueger family on the journey to join the colony. This prompted them to select a section of land far away from the Krueger family. The Bachmann family's land is on the northeast fork of the river.

Activity 1 Resource: Organizing a Colony: Map

Use the information you learned from the **Organizing a Colony: Titles** resource to write the name of each family on the correct section of land where they settled. Note: None of the families that had titles settled along the western side of the river.



Activity 2 Resource: Primary Source Document Information

Write answers to the questions after reading the **Primary Sources 1, 2, and 3 transcripts** of letter and land title documents.

Primary Source 1: Letter from Stephen F. Austin to Baron de Bastrop

- In this letter, Stephen F. Austin petitioned to establish a recorder's office. What types of documents did Austin propose to be kept in this office?

Primary Source 2: Letter from Martin Allen to Stephen F. Austin

- How much land did Mr. Allen accuse Stephen F. Austin of giving away to another settler?
- How many acres was that?

Primary Source 3: William Millican Land Title

- Mr. William Millican was a native of what country before he came to Texas?
- What was the name of the surveyor who mapped out the land that was being given to William Millican?
- Who was the governor of Texas when this land title was granted to William Millican?

Activity 3 Resource: Journal Reflection

Think about the experience you had in Activity 1. You had to sort through document titles to plot a map correctly. Before computers, all historical records were written on paper. Each document had to be stored safely and kept track of. If you had been responsible for historical records in the 1800s (before technology), how would you have made sure each document survived, was recorded, and remained available for future generations?

Primary Resource 1: Letter from Stephen F. Austin to Baron de Bastrop

Feb 3 1824

Dr. Sir,

The interest of the colony requires that there should be a recorders office established in it for recording marks and brands of Hogs and Cattle, and Tittle Deeds to lands, Bills of Sales and such other instruments of writing of importance that ought to be recorded, I therefore wish that you would have the goodness to represent the subject to the most Excellent Deputation and procure from them a Decree authorising me to establish at this place a recorders office for this Colony for the above purposes—It has become necessary that this Colony should have a name to disignate it in Judicial proceedings as well as in authenticating instruments of writing of all kinds, at this time it has by common habbit taken the name of Austin's Colony and if there should be no objection made by the Deputation I should wish that the establishing the Recorders office should be in the following form—

The most Excellent Deputation of the Province of Texas taking into consideration the inportance and necessity of establishing an office in Austins Colony in this Province for the purpose of registering and recording the Marks and Brands of hogs and Cattle and titles and sales of land or other property amongst the Inhabitants of said Colony, have thought proper to decree and do hereby decree that Stephen F. Austin Judge of said Colony is hereby fully authorized to establish in said Colony a Recorders or Registers office for the purpose of recording and registering in Books to be kept for that purpose all Marks and Brands of Hogs Horses cattle or other stock and all titles for landed property and real estate and all sales or other transactions between the inhabitants of said colony proper to be recorded.

You know that in the United States there is a recorders office of this kind in every County and the inhabitants here are therefore accustomed to it and will not be satisfied unless one is properly established by the highest authority of the Province It is a subject of great importance and is, so just and approachable a request that I think it cannot be refused.

Primary Resource 2: Letter from Martin Allen to Stephen F. Austin

Natchitoches 12th May 1825

Col. Austin

Sir by this safe oppertunity I must trouble you with another letter as I have wrote to you so often respecting my Land, and other things: I requested you in several of my letters to you to write me a few lines respecting my Land, if you received my Last letter which I think was dated sometime in April I expressed greate uneasiness about my Land from a letter I had just received from Mr. Lynch stating that you had givin away my Labbour,—and he gave me no positive answer respecting by League which I could not conceive how that could be the Case as you entered my Labbour in July last in my name and told me it should be secure to me and named in the same title with my League—and I had all ways understood by Mr Lynch that my title was safe in the office I have received a letter since from mr, Lynch by the hand of Mr. Aulsbury that gave me more satisfaction respecting it he informed me that my League was safe and a first rate one by your own information and my Labbour had been taken through mistake, which Can be All rectifyed when I come on which will be amediately, Mr, Aulsbuy and his familey and myself and my familey are all Comeing In Companey we will start in afew days

I kneede not write aney thing of the knews of this Country as Mr, Cable will hand you this letter himself directly from this place: You Can ask him what difficulties I have in Countered and what Losses I have sustained in trying to git to my Land in that Country which I hope to afect in next month without some unavoidable accident—I have wrote repetedly to my sons to make aney nessary improvements on my Land that you would direct; if you should go on to the in- terier before I arrive you will please to give my deede to James Lynch for me. do all you Can for me and you will be amply rewarded by your friend

Martin Allen

Primary Resource 3: William Millican Land Title

This is the translated and transcribed text of the land title issued to William Millican in 1824. The document details where Millican came from before setting in Mexican Texas and the land he received. In addition, the document illustrates how many people were involved in the process of settling a colonist in Mexican Texas in the early 19th century.

To the Commissioner the Baron de Bastrop

Sir
William Millican a native of the United State of American and now residing in the Province of Texas would respectfully request to you that having emigrated to this country with his family and effects with the intention of settling himself permanently in the Colony of Stephen F. Austin established by authority of the empresario government of the Mexican Nation he hopes that admitting him with his family as one of the settlers of the aforesaid Colony you may be pleased to grant him and put him in possession of the quantity of land allowed by law to colonists with the understanding that he is ready to settle and cultivate that which may be assigned obeying in all cases the existing laws, and to defend the rights the liberties and the independence of the nation. He therefore prays you may be pleased to accede to this his petition wherein as he will receive favor and justice.

Town of San Felipe de Austin July 11th, 1824
William Millican

Town of San Felipe de Austin July 11th 1824. The Empresario Stephen F. Austin will report whether the petitioner possesses the qualifications necessary to entitle him to the favor he solicits.

Bastrop

To the Commissioner, Sir,
Pursuant to your fore going decree I would state that the petitioner William Millican is worthy of the favor he solicits and may be admitted as a settler in this new colony and in consideration of his good qualities and circumstances well known Application to agriculture, raising of stock and industry One league of land may be granted him.

San Felipe de Austin July 11th 1824
Stephen F. Austin

For the laws of San Felipe de Austin the eleventh day of July, One thousand and eight hundred and twenty four. The Baron dit Bastrop as the member of the Honorable the Provincial Delegation of Texas Commissioner appointed by the government, and Stephen F. Austin Empresario to establish a new colony in this Province. By virtue of the Commission conferenced upon the foreseer by the Governor of this Province Lieutenant Colonel Don Luciano Garcia by his decree of the eleventh of July One thousand eight hundred and twenty four and of the order of the Political Chief of this Province Don Jose Antonio Saucedo dated twenty third of June One thousand eight hundred and twenty four, and of the powers vested in both of us by that of the Superior Mexican Government dated Eighteenth of February, confirmed by the decree of the Sovereign Constitutional Congress and of the Supreme Executive Power dated the eleventh and fourteenth of April of the year One thousand eight hundred and twenty three, and by that of the Commander in Chief of these Provinces Brigadier General Don Felipe de la Garza issued on the nineteenth of June of the aforesaid year and contained among the documents forwarded at the instance of the said Empresario Stephen F. Austin relative to the emigration of three hundred foreign families who are to settle as Colonists in this Province. By virtue of the powers vested in us by said commission and decrees and in consideration of the merit and qualifications of the petitioner William Millican as appears as by the preceding report, we have concluded to give and grant, and by these presents do give and grant, in the name of the Government of the Mexican Nation, unto the aforesaid William Millican his heirs and successors one league of land situated upon the East side of the Brazos River without the facilities of irrigation and only with the use of permanent water, of the Brazos River of which lands we will put him in possession and will issue to him the corresponding title for his security, so soon as he shall have paid the dee designated in the fee bill promulgated by the Political Chief of the Province of Texas on the seventeenth of May of the present year. The testimony wereof we the said Commissioner and Empresario sign this with attendant Witnesses the day and date above written, which we certify

The Baron de Bastrop *Stephen F. Austin*

Witness John Austin *Witness Samuel M Williams*

We the said Commissioner Baron de Bastrop and Empresario Stephen. F Austin the witnesses Samuel Kennedy, James Nelson, Amos Gates, the surveyor Horatio Chriesman and the party interested William Millican recieved to the land which by the forgoing decree we have granted to the last mentioned. The Surveyor commenced the survey of each league at a point between the Rivers Brazos and Navasoto at the distances of these leagues more or less from the mouth of the said River Navasoto where a corner was established in a small prairie from which a Post Oak tree ten inches in diameter fourteen varas distant bears on the 49 degrees East. And another Post Oak seven inches in diameter seventeen varas distant bears South 80 degrees West. Both marked with the axe. Thence south 25 degrees West five thousand varas where another corner was established. Thence South 65 degrees East five thousand varas where another was established. Thence North 25 degrees East five thousand varas where another corner was established from which one Elm eight inches in diameter four varas distant bears north 63 degrees East and another Elm seven inches in diameter two varas distant bears south 83 degrees West. Thence north 65 degrees West five thousand varas to the place of beginning, containing within said lines a superficie of One league of land. Bounded on all sides by the Public Domain, And are put the said William Millican in possession of said league taking him by the hand and leading him over it and telling him in a loud and an audible voice that by virtue of the Commission and powers vested in us and in the names of the Government of the Mexican Nation we put him in possession of said land with all the rights privileges and appurtenances thereunto belonging, for himself, his heirs and successors and the said William Millican in evidence of having oral and personal possessions of said land without any opposition whatever, shouted aloud, plucked plants, thrown stones set posts and performed all the other necessary ceremonies, being at the same time notified of the obligation he is under to settle and cultivate said land within the time of two years as prescribed by law. In testimony whereof we the said Commissioner Baron de Bastrop and Empresario Stephen F. Austin have signed the same with attendant witnesses according to law three being no Notary Public which we certify.

Town of San Felipe de Austin the sixteenth day of July One thousand eight hundred and twentyfour.

The Baron de Bastrop *Stephen F. Austin*

Witness John Austin *Witness Samuel M Williams*