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Your Texas ancestor might have received land from Spain, Mexico, the Republic of Texas, or the State of Texas. Learn how to locate the records needed to enhance your research.

History of Land Ownership in Texas and Types of Land Records

Several push/pull factors would have influenced our ancestors in their choice to move to Texas. A major reason was land availability. The lure of land encouraged many settlers to move west. Many men wanted to live on the frontier and Texas certainly offered plenty in the way of adventure. During the Mexican era, there was no reciprocal agreement requiring fugitives to be returned or allowing creditors to collect debts making it a desirable place for those wanting to start over. After the Civil War, southerners came to Texas wanting a new start, leaving behind the ruins of their plantations and way of life. Consider the area your ancestor was living before their move to Texas and the reasons they might have migrated.

A benefit of discovering and studying your ancestor's land grant is the understanding you can gain about the why of his migration. Studying the legislative act behind the land grant and its requirements will help you understand more about your ancestor and why he or she came to Texas.

Six flags flew over Texas beginning with Spain and ending with the United States of America.

- Spain (1519-1685; 1690-1821)
- France (1685-1689)
- Mexico (1821-1836)
- Republic of Texas (1836-1845)
- Confederate States of America (1861-1865)
- United States of America (1845-1861; 1865-)

The earliest land grants in Texas came under the rule of Spain as missions and presidios were established in east Texas beginning in 1690. A presidio was a fort built of adobe or logs and provided protection for the mission as well as a place for soldiers and officers to reside. The spread of missions and presidios in Texas was designed to gain control over the region and to teach Christianity to the native people.

Private land grants began in the 1750s with Spanish royal commissioners surveying and distributing the land in south Texas. The land was distributed based on seniority – original, old, or recent settlers. Because of the importance of irrigation water, the lots were set off on long thin strips of land (porciones) with a narrow frontage on the river. These grants were recorded in the *Acts of the Visit of the Royal Commissioners* and generally went to influential citizens.

In other areas of Texas, informal agreements with local officials resulted in families receiving a portion of land. As more settlers moved into the region, these settlers sought to formalize their grants. The number of inhabitants in Texas remained small, so in 1820 the Spanish government opened Texas to any settler who would respect the laws of the land. In 1821, Mexico obtained Independence from Spain and land settlement entered a new era.

In 1821 Moses Austin obtained permission for bringing 300 families to the Brazos River region of Texas. With his death that year, his son, Stephen F. Austin, moved forward with the idea of settlement. “Austin's Colony Records” at the Texas General Land Office Archives represents a huge collection of documents such as contracts, land titles, correspondence and more, dating from 1823-1841 (bulk 1825-1835). <https://www.glo.texas.gov/history/archives/collections/index.html#item/91>. Three indexes are available online which name the head of household, age, state of emigration, and household information. The first link is to the original register, hosted digitally on the GLO website. The next two are copies of the original register. All three should be consulted for an ancestor for best results. The index by George Glass has additional notes inserted and the William’s index is translated from the original Spanish to English.

- *Register of Families 1*. Digital images. *The Texas General Land Office*.
https://s3.glo.texas.gov/ncu/SCANDOCs/archives_webfiles/arcmaps/webfiles/landgrants/PDFs/1/0/7/3/1073961.pdf
- Glass, George W. compiler, and Stephen F. Austin. *Index to Land [Applications]*, Austin, Texas. Salt Lake City, Utah : Digitized by FamilySearch International, 2018.
<https://www.familysearch.org/library/books/records/item/622884-index-to-land-applications-austin-texas?>
- Williams, Villamae compiler, and Stephen F. Austin. *Stephen F. Austin’s Register of Families: From the Originals in the General Land Office*. Baltimore, Md: Genealogical Publishing Company, 1989.

Available on Ancestry.com (subscription) under “Stories, Memories and Histories” as Stephen F. Austin’s Register of Families. <https://www.ancestry.com/search/collections/48403/>

From 1823-1830 Mexico established a colonization policy providing land for immigrants to settle under empresarios such as Stephen F. Austin. Each colony had its own land office. For a small fee, the heads of the families could obtain as much as a league of grazing land (4,428.4 acres) and a labor of cropland (177.1 acres). If a settler did not use the assistance of an empresario he would receive an additional labor of land. [An Abstract of the Original Titles of Records in the General Land Office](#) names the settler, the date of the title and the quantity of land granted by league and labor.¹

The Empresario system offered many incentives:

One league for grazing (4428.4 acres)

One labor for farming (177.1 acres)

Two years to settle on the land after receiving the title

Exempt from taxes for six years

Pay half the regular taxes for the next six years

After three years, married settlers automatically became naturalized citizens of Mexico

The Empresario received free land within the colony and could collect fees from the colonists

Allowed settlers to bring slaves into the colony

Mexico’s colonization policy resulted in a flood of American emigration to Texas. By 1835, more than 30,000 Americans lived in the region. Most of the settlers came from the southeastern United States and many brought their slaves with them – establishing a culture of slavery that would persist in the area until emancipation. Most of these settlers were of the Protestant faith but had to swear an oath of Catholicism to own land in Texas under Mexican authority.

The number of U.S. settlers made revolution a given and in 1836 the Republic of Texas was born. Upon gaining independence, the Republic required all previous land transactions to be submitted to the newly formed General Land office.

From 1836-1842 headright grants (initially 4,605.5 acres per family; 1,476.1 acres per single man) were issued. The records were filed and indexed by time periods called classes. The process to obtain a headright grant consisted of several steps for the applicant.

Application to the board of land commissioners in the county of residence

Could choose land in county of residence or any county with available land

Prove residence and marital status by two witnesses

Pay \$5.00 to the board for a certificate

If valid, chose a plot and had it surveyed

Certified the field notes and sent them with the application to the General Land office

¹ May Lewis Ulmer, *An Abstract of the Original Titles of Record in the General Land Office*, (Austin, Texas : Pemberton Press, 1964); digitized by *FamilySearch International*.

Received a patent signed by the President of the Republic and land commissioner.
Original sent to the grantee and a copy made for the GLO

- **Class 1.** Settlers who arrived prior to 2 March 1836 and had not received a Mexican land grant: heads of families were eligible for one league and one labor of land; single men 1/3 of a league; those with a previous grant could augment the land up to the allowed amount.
- **Class 2.** Arrivals from 22 March 1836 to 1 October 1837: heads of families were eligible for 1,280 acres and single men 640 acres; required to reside in the Republic for 3 years.
- **Class 3.** Arrivals from 1 October 1837 to 1 January 1840 : heads of families were eligible for 640 acres and single men 320 acres; required to reside in the Republic for 3 years.
- **Class 4.** Arrivals from 1 January 1840 to 1 January 1842: same as for class 3 but settlers had to cultivate at least 10 acres; filed under the class 3 heading.

With its entry into the United States on 29 December 1845, Texas retained control of land distribution, making it a “state land state.” Land grants continued under a variety of acts with the intention of building a tax base and encouraging settlement.

- **Preemption Grants** 1845-1854: settlement of up to 320 acres of vacant public land; an 1854 act reduced the amount to 160 acres. After the program’s closure in 1856, the grants were reinstated from 1866-1898. Qualifications included living on the land for three years and making improvements.
- **Colony Grants** 1841-1844: filed under the class 3 heading and included four empresario colonies established under contracts with the Republic of Texas: Peter's, Fisher and Miller's, Castor's, and Mercer's.

Spain granted land to military veterans and the tradition continued with the Republic and State of Texas.

- **Military Headrights** 1836: filed under Class 1 heading; granted to volunteer soldiers from 2 March 1836- 1 August 1836.
- **Bounty Grants** 1837-1888: granted to soldiers who had provided military service to the Republic prior to 1 October 1837.
- **Donation Grants** were awarded for participation in specific battles of the Texas Revolution. Most certificates were issued for 640 acres.
- **Veteran Donation Grants** 1879-1887: granted to veterans of the Texas Revolution and signers of the Texas Declaration of Independence through an act of the Texas legislature.
- **Confederate Scrip Grants** 1881-1883: granted to permanently disabled Confederate veterans and widows of soldiers who died in service.

Texas Land Survey System

Because Texas is a state land state, it does not use the federal land survey system of section, township, and range. Instead the land has a unique system often measured in Spanish units of measurement. A “vara” is a unit of length and is Spanish for rod or pole. It measures roughly a yard or 33 1/3 inches. A

“labor” is a measurement of area and is used to equal 1 million square varas. A labor equals about 177.1 acres. A “league” is also a measurement of area and equals 25 million square varas or 4,428.4 acres.

The original land grant files are organized by land district instead of county. After Texas gained independence from Mexico, the General Land Office was created. The GLO was to issue new land patents and validate titles issued under Spain and Mexican rule. When the Republic of Texas was formed in 1836, the original 23 counties did not have well-defined boundaries. As the population grew, the county boundaries continued to change. After statehood, the Texas state legislature declared the 36 counties in existence on 15 February 1846 to be declared the land districts of the state of Texas. The land district map can be viewed courtesy of the Texas General Land Office.

https://www.glo.texas.gov/history/archives/forms/files/land_district_map.pdf

Finding the Records

The Texas General Land Office (<https://glo.texas.gov/index.html>) is the place to start the search for an ancestor’s land grants. The Land Grant database currently has over 800,000 records. Start with the Surname Index (<https://glo.texas.gov/history/archives/surname-index/index.html>) or go straight to the Land Grant Search (<https://s3.glo.texas.gov/glo/history/archives/land-grants/index.cfm>). The entire land grant packets are being digitized and are available online free of charge. If the record you are seeking is not yet digitized, it can be viewed onsite at the Texas General Land Office in Austin, Texas.

The FamilySearch Catalog is another source for locating various materials relating to the Texas Land Grants. Search by Keyword > Texas Land Grants; or search by Place > Texas and select “Land.”

The Ancestry collection “Texas, Land Title Abstracts, 1700-2008,” contains abstracts of the original land titles located at the Texas General Land Office. If an ancestor is located here, be sure to use the Land Grant database to view the original record. <https://www.ancestry.com/search/collections/5112/>.

After the original land grant was issued, further land transactions took place at the county courthouse. Many of these have been digitized by FamilySearch. Use the FamilySearch Catalog to locate them. <https://www.familysearch.org/search/catalog>. Use the Place field: United States, Texas, [county]. Do not use the word “county” in the search. Under the topic “land and property” select “deeds.” Many of these records are available to view at a Family History Center or the Family History Library.

Using the Land Records as Evidence

Some of the details that could be revealed in a land record are the place of emigration, the date of arrival in Texas, evidence of a wife and children, residence, associates, and military service. Take the time to transcribe the entire land file. See <https://familylocket.com/4-tips-for-transcribing-a-multi-page-document-file-in-google-docs/> for suggestions.

Using land records in conjunction with census, tax, court, and other records, a more complete picture of an ancestor’s life can be formed. Create a timeline of the life events and records of the ancestor to

discover additional avenues for research and separate him from men of the same name. Study the laws and acts that resulted in the ancestor receiving land.

Take advantage of historic maps to learn more about the land. The Texas General Land Office website hosts a Land/Lease Mapping Viewer. This application displays original Texas land survey boundaries and more. <https://gisweb.glo.texas.gov/glomapis/index.html>

For Further Study

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2. FamilySearch Research Wiki. "Texas Land and Property." *FamilySearch* https://www.familysearch.org/wiki/en/Texas_Land_and_Property.
3. Greaser, Galen D. *New Guide to Spanish and Mexican Land Grants in South Texas*. 3rd Ed. Austin: Texas. General Land Office, 2014.
4. "History of Texas Public Lands," PDF, Texas General Land Office <https://www.glo.texas.gov/history/archives/forms/files/history-of-texas-public-lands.pdf>.
5. "History of Texas Public Lands – Appendices," PDF, Texas General Land Office <https://www.glo.texas.gov/history/archives/forms/files/appendices-history-of-texas-public-lands.pdf>
6. "Land Grants for Immigration to Texas." TXGLP. <https://www.glo.texas.gov/history/archives/forms/files/glo-headright-military-land-grants.pdf>.
7. Lang, Aldon S. and Berte R. Haigh. "Public Lands." *Handbook of Texas Online*. modified 9 August 2017. TSHA. <https://tshaonline.org/handbook/online/articles/gzp02>
8. McKeehan, Wallace L. "Empresario Contracts in the Colonization of Texas 1825-1834" *Sons of Dewitt Colony Texas*. 1997-2002. <http://www.sonsofdewittcolony.org//empresarios.htm>.
9. Spain, Charles A. Jr. "Flags of Texas." *Handbook of Texas Online*. Modified 4 June 2020. <https://tshaonline.org/handbook/online/articles/msf01>
10. Texas General Land Office. "GLO filing System Land Districts of Texas." https://www.glo.texas.gov/history/archives/forms/files/land_district_map.pdf
11. Texas General Land Office. "Organizing the Archives: The Land Districts of Texas." 23 May 2019. <https://medium.com/save-texas-history/organizing-the-archives-the-land-districts-of-texas-59dfad961698>.