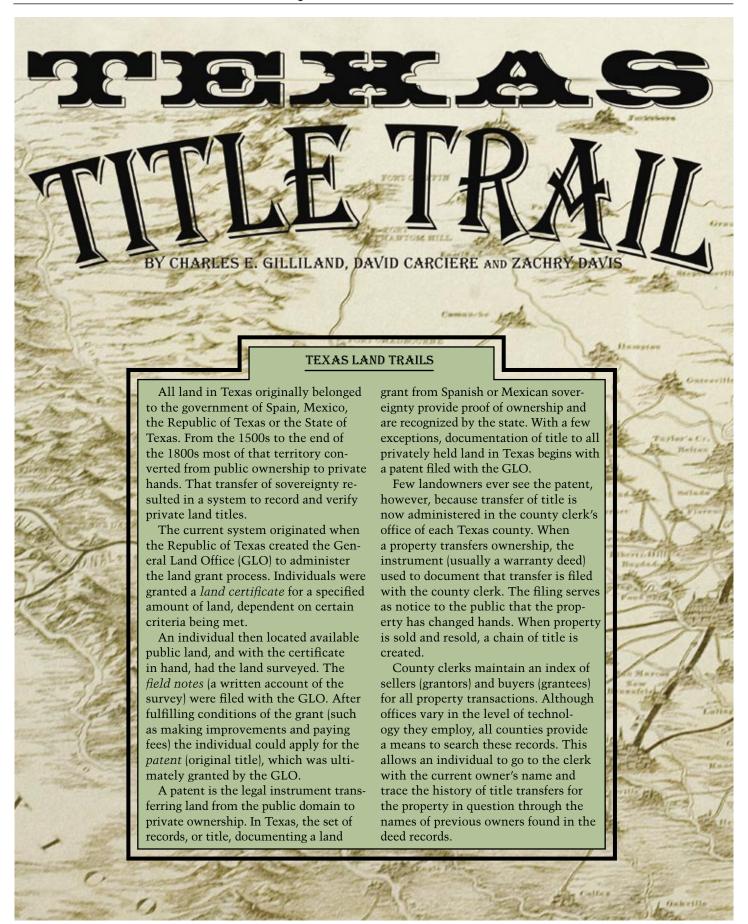
A Reprint from Tierra Grande



CORONADO'S CLAIM WAS FIRST

The history of land ownership in Texas dates to 1540, when Spain made the first formal claim on Texas lands. Coronado made the claim at the town of Ysleta on the Rio Grande. The first Spanish settlers arrived in 1716.

It is believed that the first land grant was made in 1731, somewhere near present-day San Antonio. Many land grants around this time were given to Native Americans on the condition that they maintain the land under cultivation and production. The largest of these Spanish land grants covered 939 square miles (600,960 acres) in Cameron County.

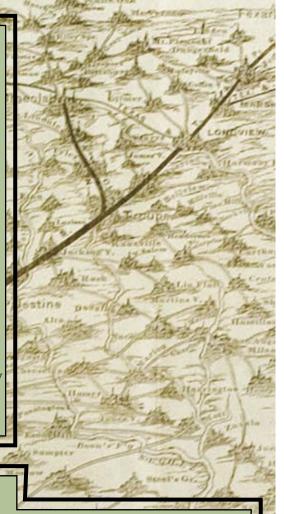
In 1821, Mexico overthrew Spain. Texas remained under Mexican control until 1835. Under Spanish and Mexican control, almost 26.3 million acres were granted to private owners. Mexico began to settle Texas with Anglo-American colonists. Over 9,000 families were attracted to Texas by *empresarios* (a Spanish

term for contractor), such as Stephen F. Austin.

In 1835, the Mexican government was overthrown and the Republic of Texas established. The Republic issued grants for 1,329,200 acres. During its initial offering, land certificates were sold at 50 cents per acre to people who had contributed to Texas' fight for freedom. In 1836, the GLO was established. In 1846, Texas was annexed by the United States.

After annexation, a dispute arose over Texas' boundaries. The United States subsequently paid \$15.5 million to settle the dispute involving claims to land that today are in New Mexico and Colorado. This settlement delineated Texas' boundaries, which enclose nearly 172.7 million acres.

The state of Texas retained title to all vacant and unappropriated lands. Along with the land, the state retained liability for its sizable public debt. Public lands were the only asset the state had to address these substantial obligations.



CLASSES OF LAND GRANTS

Texas Republic land grants were called *headrights*, probably a reference to the colonial practice of granting so many acres to heads of families. Initially they were given to private individuals to further public goals, such as rewarding individuals for military service or promoting settlement.

First-class headrights were extended to settlers who had arrived in Texas before March 2, 1836. These grants allowed qualifying heads of families to claim one league and one labor, which equaled 4,605 acres. Single men were limited to 1,476.1 acres.

Second-class headrights were available to settlers arriving after March 2, 1836, but before September 30, 1837. Head-of-family claimants of second-class headrights could take 1,280 acres while single men were limited to 640 acres. Those taking land under the second-class headright were required to live on the land; first-class

headright owners had no residency requirements.

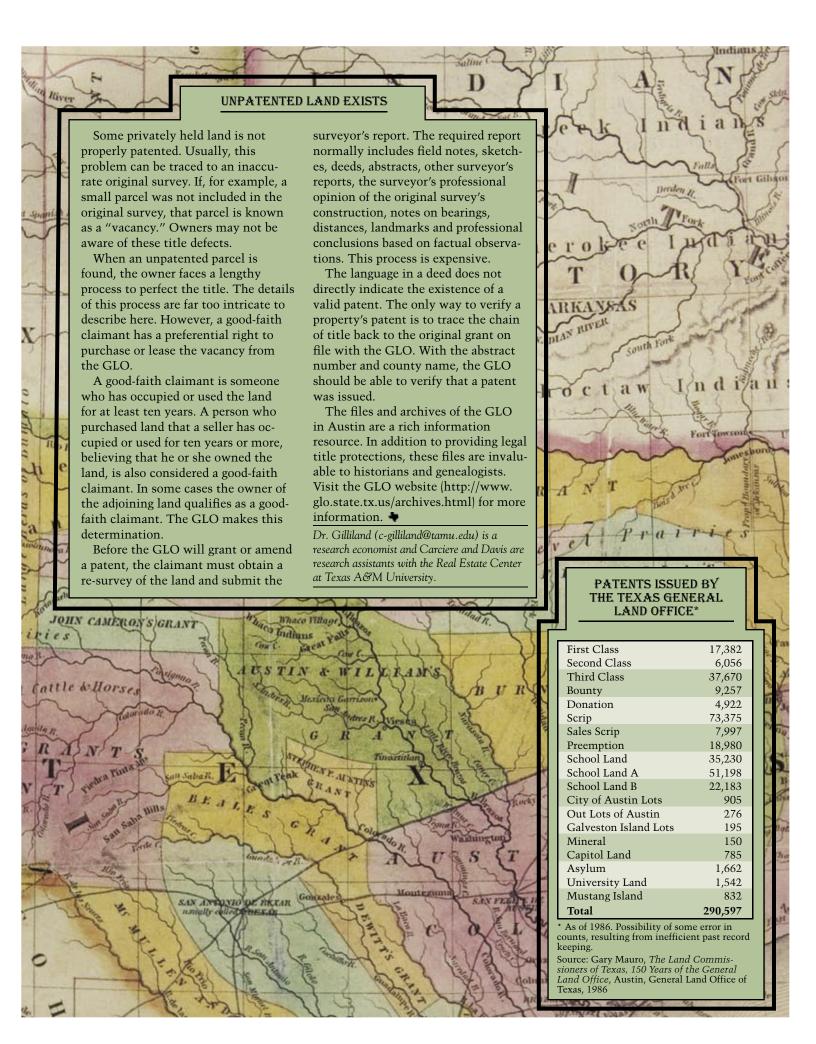
Headrights became less generous as time passed. Third-class headrights extended ownership of 640 acres of land to heads of families (320 acres for single men) arriving in Texas between October 1, 1837, and December 31, 1839. The same amount of acreage was given for fourth-class headrights, which applied to those who arrived between January 1, 1840, and January 1, 1842. In addition to the residency requirement, fourth-class rights stipulated that ten acres had to be cultivated to obtain the patent.

Preemption grants were similar to headright grants, but were made after Texas became a state. They were issued to natives already occupying the land rather than people relocating to Texas. Between 1845 and 1854, homesteaders could claim up to 320 acres.

From 1854 to 1856 and then again from 1866 until 1898, homesteaders could claim as many as 160 acres. To qualify for the grant, homesteaders were required to live on the land and make improvements to the property, such as perimeter fencing, barns or residences.

The Republic granted a new wave of *empresarios* land in several colonies following the struggle for independence. Within these colonies, heads of families were issued up to 640 acres while single men could apply for 320 acres. Fifteen acres were required to be cultivated to receive a patent.

During the remainder of the 19th century, Texas created many land-grant programs, each with a specific purpose and requirements. By 1898, no more public lands were available. The table catalogs the grant programs and numbers of patents issued by the GLO.





MAYS BUSINESS SCHOOL

Texas A&M University 2115 TAMU College Station, TX 77843-2115 http://recenter.tamu.edu 979-845-2031

Director, Dr. R. Malcolm Richards; Associate Director, Gary Maler; Chief Economist, Dr. Mark G. Dotzour; Communications Director, David S. Jones; Associate Editor, Nancy McQuistion; Assistant Editor, Kammy Baumann; Assistant Editor, Ellissa Brewster; Art Director, Robert P. Beals II; Graphic Designer, JP Beato III; Circulation Manager, Mark Baumann; Typography, Real Estate Center.

Advisory Committee

Tom H. Gann, Lufkin, chairman; Douglas A. Schwartz, El Paso, vice chairman; Joseph A. Adame, Corpus Christi; David E. Dalzell, Abilene; Celia Goode-Haddock, College Station; Joe Bob McCartt, Amarillo; Catherine Miller, Fort Worth; Nick Nicholas, Dallas; Jerry L. Schaffner, Dallas; and Larry Jokl, Brownsville, ex-officio representing the Texas Real Estate Commission.

Tierra Grande (ISSN 1070-0234) is published quarterly by the Real Estate Center at Texas A&M University, College Station, Texas 77843-2115. Subscriptions are free to Texas real estate licensees. Other subscribers, \$20 per year. Views expressed are those of the authors and do not imply endorsement by the Real Estate Center, Mays Business School or Texas A&M University. The Texas A&M University System serves people of all ages, regardless of socioeconomic level, race, color, sex, religion, disability or national origin. Photography/Illustrations: Texas Department of Transportation, pp. 1, 2;

Courtesy of the Barker Texas History Center, p. 3.