

Republic and Post Republic Texas Records & Methodology

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The Republic of Texas declared independence from Mexico on March 2, 1836. What ensued was a challenging 9+ years as an independent country. On February 19, 1846 the state government took over as part of the United States. Researching an Ancestor in the time of 1835-1850 can be frustrating, challenging and down right difficult. To be successful the genealogical researcher has to go beyond looking at census and vital records.

To locate your Republic of Texas ancestor you have to be aware of the records available and how they may help you. Resources listed on the Bibliography as #1 thru #8 will give you an idea of how and what records might be available for your county. Some of the courthouses burned and the records were lost. For instance Shelby County, which is one of the original Republic of Texas counties, had a courthouse fire on May 31, 1882. The only early records now available are reconstructed land records and tax records that were sent to the state capital.

In trying to locate a Republic of Texas ancestor, examine all records you can find! No state census was taken and Vital Records did not begin until 1903 (compliance was lax until 1933ish). You have to move beyond the traditional starting point for genealogical research and examine deeds, surveys, court records, marriages, probate, and tax lists. The following is the order I recommend using when researching a Republic of Texas or early Texas ancestor.

I. LAND

The attraction of cheap land brought settlers into the Republic of Texas. The four major routes were:

1. From Fulton, Arkansas crossing the Red River into Clarksville.
2. The road from the South across the Sabine River at Gaines ferry.
3. From New Orleans into the ports of the coast (Galveston)
4. Across the Sabine into Nacogdoches

The primary routes were into Clarksville, Red River County and Nacogdoches, Nacogdoches County. These are the two cities where the land board first set up offices to issue land certificates for those that immigrated to the Republic. Even if your ancestor did not live in these counties, check for land related records in both of them! Look for minutes of the Land boards as well as conditional certificates. Later Texas General Land Office (TGLO) established boards in the counties. On the Bibliography in the online category, #40, #45, and #47 have information on locating specific county land records. Be sure to keep in mind county boundaries changed and new ones were added every year.

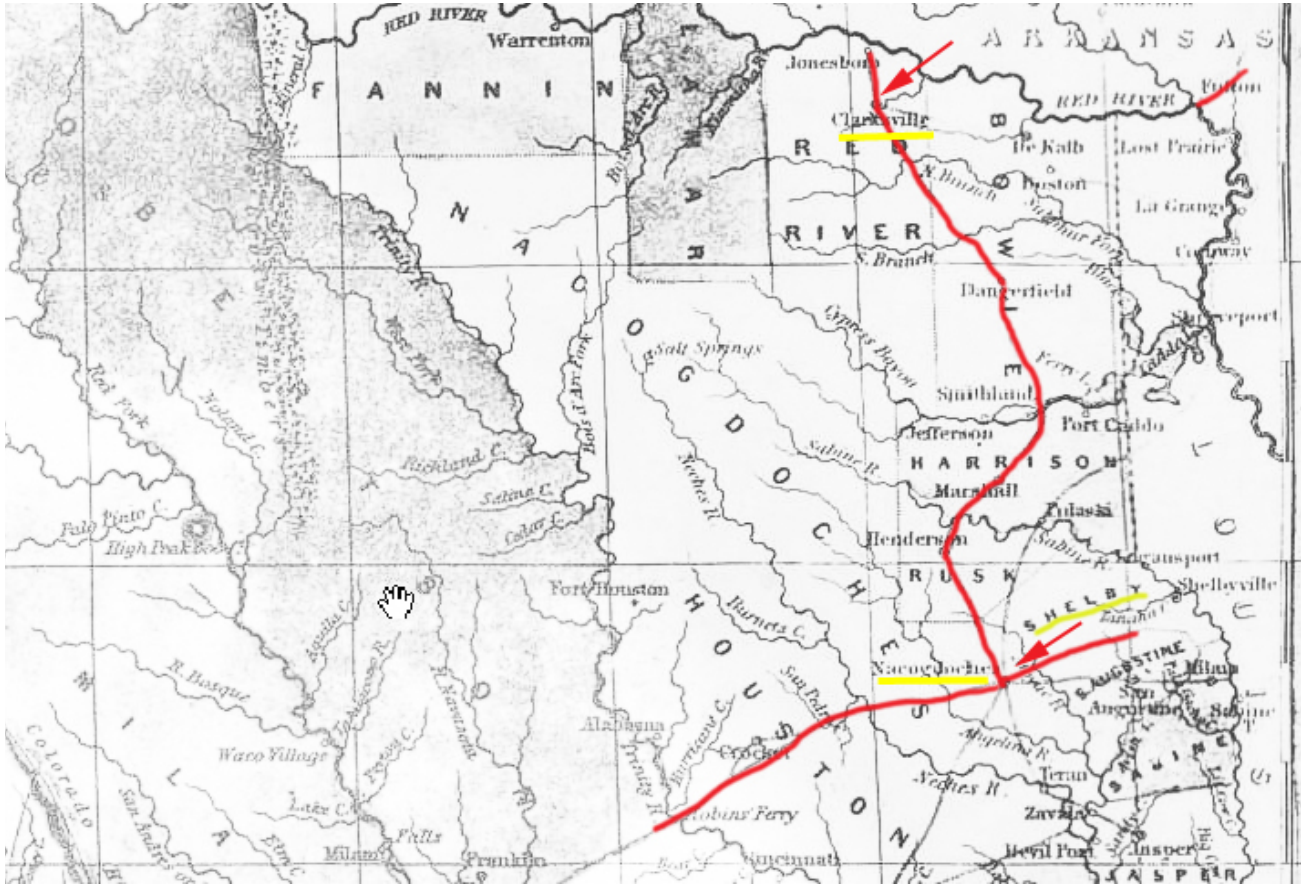


Figure 1 - East Texas Roads

Creuzbar, Robert, *De Cordova's Map of the State of Texas*. 1851, Houston, TX. From *Early Texas Maps, 1777-1899* accessed on the Internet 29 Apr 2011 from Digital Archives at <http://digital.sfasu.edu/u/?/Newton,2750>

Other Notes: In Texas records maybe microfilmed and labeled deeds when it clearly was the only book used by the county clerk! I have found probate, wills, marriages, and adoptions in the deed records. This was particularly true in Early Texas and during the civil war when paper was scarce. ALWAYS CHECK DEED RECORDS!

Another Note: Due to the destruction of records in the adjutant general's office when it burned in 1855, there was a court of claims held between 1856 and 1861 to hear cases on money or land relating to the Republic and early Texas. You may find some claims of land disallowed during this time.

USING LAND RECORDS

Since Texas was a Republic when it joined the United States, they have retained the land records. Don't expect to find records at the US General land office Texas has it's

own in Austin. Utilize all the different types of records at the Texas General Land Office. See <http://www.glo.texas.gov/cf/land-grant-search/index.cfm>. From land records you can find out the neighbors, glean inheritance information, and establish residence. In land surveys, look for neighbors names or relatives serving as the assistant to the county Surveyor. Read and analyze all land information you can find!

During the Republic of Texas pay attention to the amount of land and the date a person received land. For instance if your ancestor received 1280 acres of land he likely arrived between 2 March 1836 and 1 October 1837 and received a Second Class land grant. See the TXGLO website listed in the Bibliography, number 40 for specific dates and amounts. Also examine any land ledgers or Land Board minutes. Note the number of the person, the date they entered Texas and anyone else that registered their land the same day. If you don't recognize all the families, do more research on them. You may find they are the wife's family, cousins, or neighbors from where your ancestor moved.

II. TAX RECORDS

The 'Red Book' states, "Texas tax records constitute one of the most complete set of available records generated at the county level and maintained by the office of county tax assessor-collector." These were forwarded to Austin and the Texas State Library and Archives has many of these microfilmed.

Exemptions from taxes were granted to Native Americans and those over a certain age but these varied over time. Even if a man did not own land they paid a poll tax if he was over the age 21. The table below is information extracted from Red Book.¹ Note that 1838 and 1839 were not mentioned directly in the Red Book paragraph. It is not clear if one can assume that 1838 and 1839 were age 55 like 1837 or if there was no exemption since they are not documented in this source.

YEAR	AGE EXEMPTION BEGAN
1837	Age 55
1840	No Exemption
1841-1844	Age 45
1845	Age 50
1846-1847	Age 60
1848-1849	Age 55
1850-1861	Age 50
1862-1870	No Exemptions
1871	Age 60

USING TAX RECORDS

Tax records are often used as a substitute for census records in showing residency. By taking tax lists over a period of years and analyzing them carefully you can do much more with them. I have found the following by analyzing tax lists over a period of five to ten years: A persons full name whereas the census had initials, evidence that someone had become of age or were now too old to be paying taxes, as well as evidence of inheritance when multiple people owned the same land that was taxed to one person the year before. This becomes even more important in a burned county where records are missing in Texas.

OTHER NOTES

Take your extracted tax records and sort them different way such as by Abstract number, by surname, and by date. A new piece of information may be clearer that way. Write up any analysis and attach it to the tax lists in your files because years from now you may not remember what you saw in all the data shown!

III. Court Records

See page 655 of the Red Book or check online at #45 & 47 on the Bibliography for the Family History Library 'Learn' Wiki (A Web site developed collaboratively by users.) for specific court records and what dates they cover. The names courts used and their jurisdiction changed over time. See Kennedy & Kennedy #5 for a more extensive list or just search on your county name in the Family History Library Catalog or at the Texas State Library and Archives. Some of the names include: The Texas Supreme Court (1836), Court of Criminal Appeals (1891), County Commissioner's Court (1836), Justice of the Peace courts (after 1845) and District Courts. District courts are the court of appeal from commissioners court and for probate, but also have jurisdiction for felonies, divorce, land title, name changes, and adoptions (1931). Separate divorce records can be present after 1890 and in 1906 District Court started handling naturalization matters. Some areas of Texas are sparsely settled so the District Court boundaries do not always coincide with the counties.

USING COURT RECORDS

Check with the county clerk's office, many cases may have 'loose' court papers that can be retrieved. These are receipts, testimonies, etc. used in the court case. Many of the books of Court records are abstractions and they may have NOT extracted something of meaning for you. If possible see the original record if you find something in a book of abstracts.

EVERYTHING ELSE & ONLINE

Use Church, Cemeteries, Military service, Newspapers (especially obituaries), and Manuscripts (especially letters and diaries). Now, there are extensive collections of digitized images. If you have not checked an index in the last six months, do it again!