

A PHASE I ARCHAEOLOGICAL SURVEY OF A 14.125
ACRE TRACT: THE ARBORS OF SAM HOUSTON
HOUSING PROJECT
IN CENTRAL WALKER COUNTY, TEXAS

By

William E. Moore and Janet K. Wagner

Brazos Valley Research Associates

Contract Report Number 58

1998

A PHASE I ARCHAEOLOGICAL SURVEY OF A 14.125 ACRE TRACT:
THE ARBORS OF SAM HOUSTON HOUSING PROJECT
IN CENTRAL WALKER COUNTY, TEXAS

BVRA Project 98-04

Principal Investigator

William E. Moore

Prepared for

First Worthing Company
8144 Walnut Hill Lane
Dallas, Texas 75231

by

Brazos Valley Research Associates
813 Beck Street
Bryan, Texas 77803

ABSTRACT

A Phase I archeological assessment of a 14.125 acre tract in central Walker County, Texas was performed in March 1998 by Brazos Valley Research Associates (BVRA) of Bryan, Texas. This is a federal project regulated by the Housing and Urban Development (HUD) agency. The area examined is the site of a proposed apartment complex to be constructed by First Worthing Company of Dallas, Texas. An historic record search by J. K. Wagner & Company, Inc. revealed the presence of a 19th century farmstead that may have occupied part of the northern section of the current project area and two nearby cemeteries. No evidence of these sites was found during the field survey; and no prehistoric site was found within the boundaries of the current project area. It is recommended that construction be allowed to proceed as planned.

ACKNOWLEDGMENTS

The following individuals are thanked for their participation in this project. William J. Weaver participated in the survey. Janet K. Wagner of J. K. Wagner & Company, Inc. conducted the historic record search that appears as Appendix I of this report. Andrew T. Carnahan of First Worthing Company provided maps and was cooperative throughout the project. We are grateful to local informants Mr. Ed Sandhop, the trustee for the Gibbs Brothers & Company Estate, and Mrs. Opal Pace for sharing their knowledge of the project area with Ms. Wagner. Mark H. Denton of the Division of Antiquities Protection, Texas Historical Commission, served as the reviewer for the project. Carolyn Spock, Head of Records, at the Texas Archeological Research Laboratory (TARL) and her staff were very helpful during the site records investigation. Lili Lyddon of Lyddon Illustrations in College Station prepared the figures for publication in the main text of this report. All figures in Appendix I were prepared by staff members of J. & K. Wagner and Company, Inc.

CONTENTS

ABSTRACT	ii
ACKNOWLEDGMENTS	iii
CONTENTS	iv
INTRODUCTION	1
ENVIRONMENTAL SETTING.....	5
ARCHAEOLOGICAL BACKGROUND	7
FIELD METHODS.....	10
RESULTS AND CONCLUSIONS.....	11
RECOMMENDATIONS.....	13
REFERENCES CITED.....	14

Appendix I: Archival Rsearch (by Janet Wagner)

Appendix II: Shovel Test Log

Figures

Figure 1. General Location Map.....	2
Figure 2. Project Area on Topographic Map	3
Figure 3. Project Area	4

INTRODUCTION

This report documents the results of a Phase I archaeological survey of a 14.125 acre tract in central Walker County, Texas (Figure 1). This project is funded by the Housing and Urban Development Agency (HUD); therefore, an antiquities permit from the Division of Antiquities Protection was not required. The Principal Investigator for this project is William E. Moore. The project number assigned by BVRA is 98-04. It is the intention of First Worthing Company, Inc. to construct a HUD apartment complex on this site, The Arbors of Sam Houston. An historic record search by J. K. Wagner & Company, Inc. revealed the presence of a 19th century farmstead at the northern end of the project area and two historic cemeteries in the vicinity (Appendix I). Therefore, this site was subjected to a Phase I survey by Brazos Valley Research Associates. The project area is depicted on the Huntsville 7.5' topographic quadrangle dated 1963 and photorevised in 1976 (Figure 2). Figure 3 depicts the configuration of the project area.

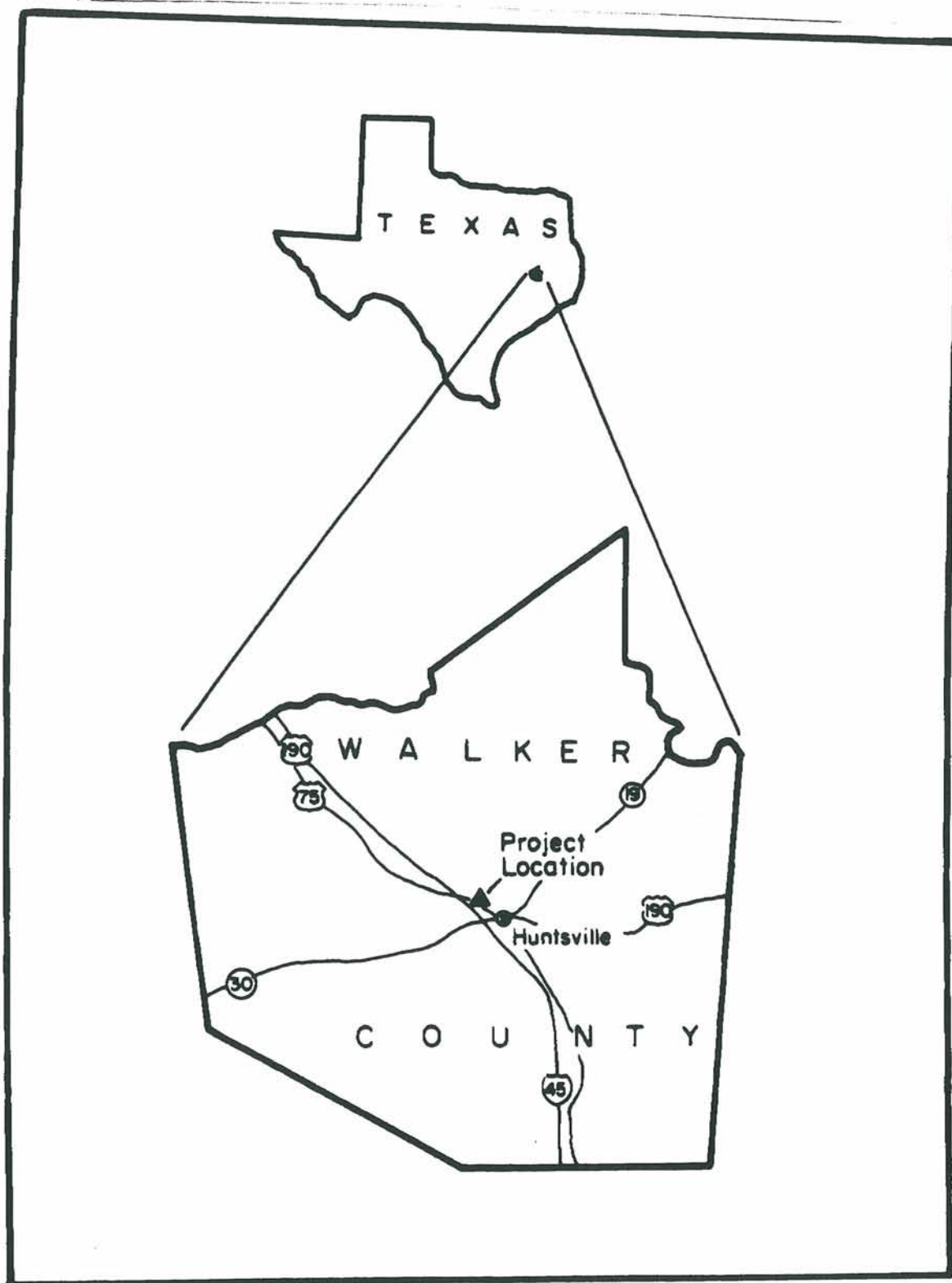


Figure 1. General Location Map.

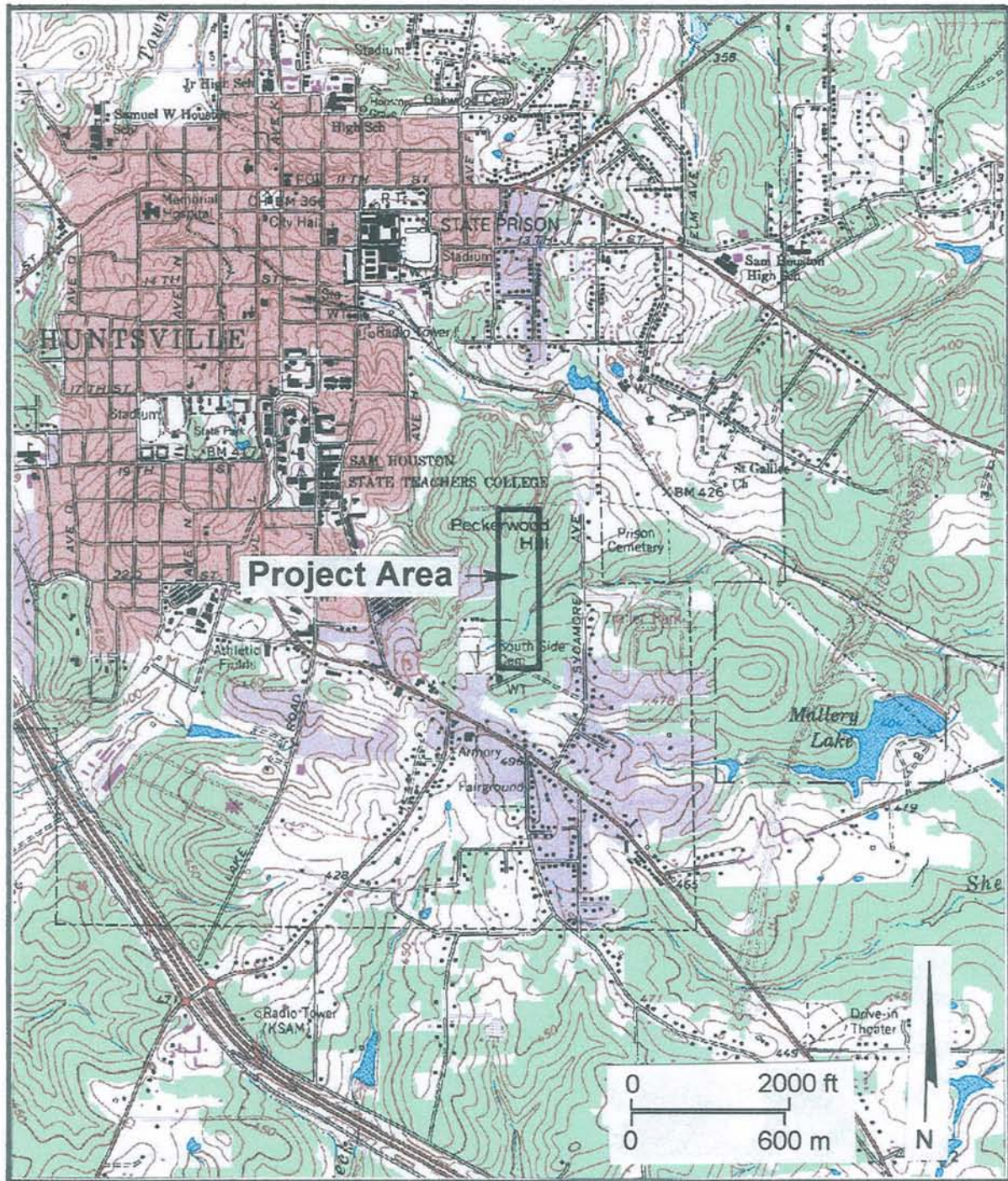


Figure 2. Project Area on Topographic Map

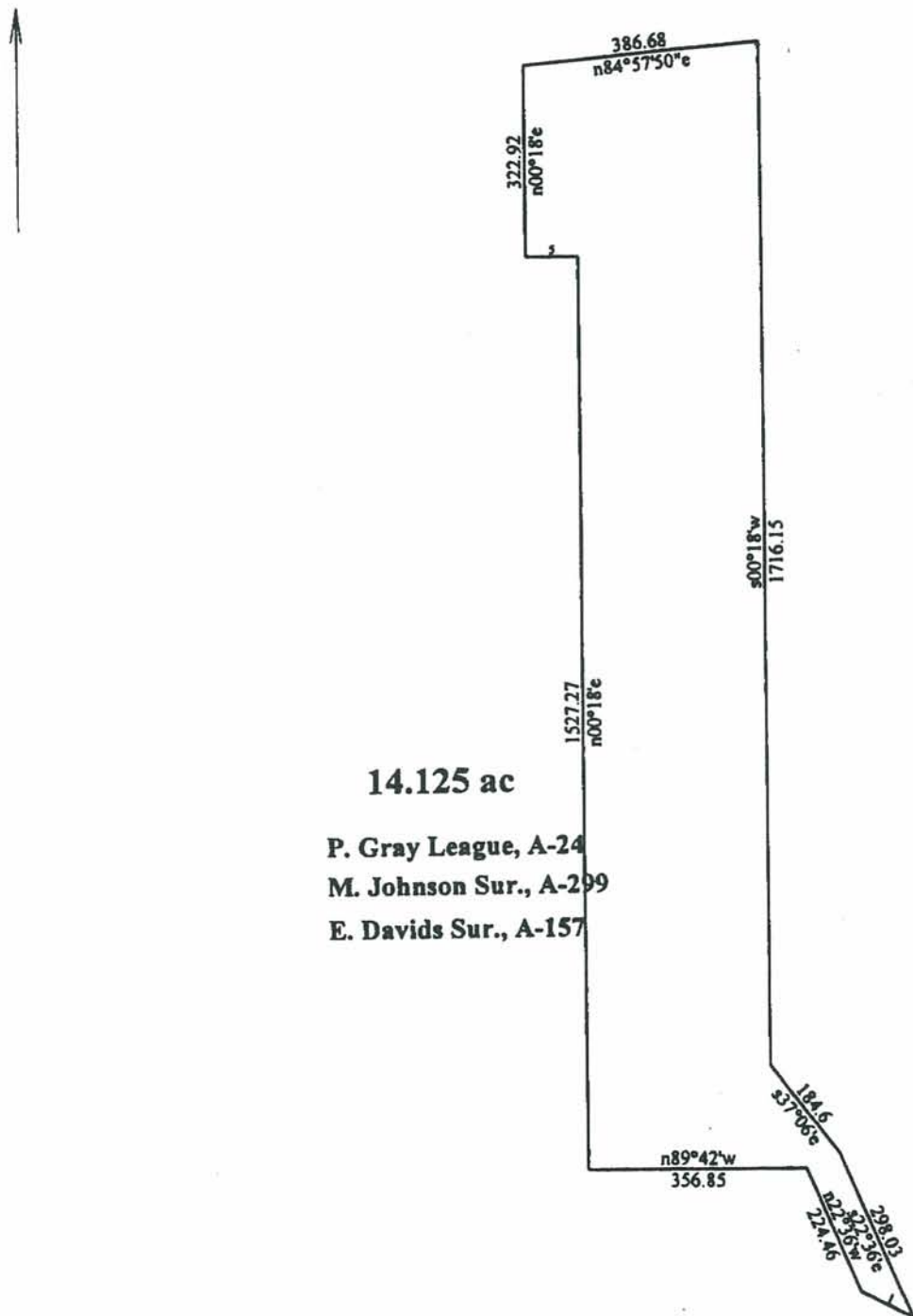


Figure 3. Project Area

ENVIRONMENTAL SETTING

General

Walker County is located within the Austroriparian biotic province as defined by Blair (1950) and includes the Gulf coastal plain from the Atlantic Ocean to eastern Texas. The western boundary of this province in Texas is approximated by a line running north from western Harris County to western Red River County. The western boundary of the Austroriparian is also the western boundary of the main body of the pine and hardwood forests of the eastern Gulf coastal plain (Blair 1950:99). According to Thornthwaite (1948), these forests are limited on the west by available moisture.

Flora

The Project Area is located within the loblolly pine, shortleaf pine, and upland hardwood plant community as defined by the United States Forest Service for the four National Forests in East Texas. According to Ippolito (1983:6-7), the major forest cover types in this community include loblolly pine, shortleaf pine, slash pine, post oak, southern red oak, white oak, black oak, blackjack oak, black gum, sweet gum, American elm, red maple, hickories, and beech. Approximately 70 percent of East Texas is currently occupied by the Piney Woods with Post Oak Savannah and Blackland Prairie in the rest of the region (Boyd and Howard 1988:4). Keller (1974:139-156) believes that deciduous trees may have been more numerous during most of the Holocene and were probably more important resources to prehistoric populations than the modern flora would suggest.

Fauna

The vertebrate fauna of the Austroriparian is considered typical of that to the east. Blair (1950:99) states that at least 47 species of mammals occur or have occurred there in recent times. Known types include at least 29 species of snakes, 10 lizards, 2 land turtles, 17 anurans, and 18 urodeles. Ippolito (1983:11) states that there is an inadequate sample of faunal material for the area in an archaeological context. Therefore, assumptions concerning prehistoric exploitation of animals must be based on historical accounts and current populations.

A study by Keller (1974:78-81) of the paleoecology of the middle Neches region lists those mammals most likely to have been hunted in the area. They are Whitetail deer, Cottontail rabbit, Swamp rabbit, Grey squirrel, Fox squirrel, Flying squirrel, Raccoon, Opossum, Red fox, Grey fox, Woodchuck, Bobcat, Spotted skunk, Striped skunk, Mink, Otter, Long-tailed weasel, and Muskrat. According to Ippolito (1983:11), this list excludes many species of birds, especially migratory fowl, and fish that can still be found in the area. Species not found in the area today include Black bear, beaver, and wild turkey. These were once numerous but were eradicated by uncontrolled hunting and timber harvesting that irreparably altered their habitats.

Climate

The following climatic data were taken from McClintock et al. (1979). The weather in Walker County consists of hot summers and cool winters. An occasional cold front may cause temperatures to drop below freezing, sometimes quite suddenly. The average winter temperature is 51 degrees Fahrenheit with an average daily minimum of 41 degrees. In summer, the average is 82 degrees with an average daily maximum of 94 degrees. The growing season has 234 days above freezing each year. Prevailing winds are from the south-southeast. Rainfall is uniformly distributed throughout the year and snowfall is rare.

Soils

According to the Soil Survey of Walker County (McClintock et al. 1979:Sheet 39), the Project Area is located within three soil units. These are Annona association, gently rolling (3), Depcor-Huntsburg association, gently undulating (9), and Gunter association, undulating (22). The Annona association consists of deep soils on the lower parts of slopes on uplands (McClintock et al. 1979:7-8). Slopes are 5 to 10 percent and are slightly convex. Areas are long and vary from 20 to 25 acres. Typically these soils have a surface layer of friable, slightly acid, grayish-brown fine sandy loam about 7 inches thick. From 7 to 12 inches is very firm, strongly acid red clay. This soil is somewhat poorly drained and has a high available water capacity. Permeability is very slow, and runoff is slow. This unit is used mainly for timber.

Depcor-Huntsburg association soils are found on upland interstream divides (McClintock et al. 1979:9-10). Slopes are 1 to 5 percent. Areas are irregularly shaped and vary from 15 to more than 1000 acres. Typically these soils have a surface layer of very friable, very strongly acid, brown loamy fine sand about 5 inches thick. Between 5 and 26 inches is very friable, very strongly acid, light yellowish-brown loamy fine sand. From 26 to 32 inches is firm, very strongly acid, yellowish-brown, dark red and light brownish-gray sandy clay loam.. This soil is moderately well drained. Permeability and runoff are slow. This unit is used mainly as woodland.

The Gunter association consists of deep soils on uplands. Slopes are 1 to 8 percent. Areas are irregularly shaped and range from 25 to 250 acres (McClintock et al. 1979:14-15). The surface layer is very friable, very strongly acid, dark grayish-brown loamy sand about 4 inches thick. Between 4 and 30 inches is very friable, slightly acid, pale brown loamy sand. From 30 to 48 inches is very friable, slightly acid, very pale brown loamy sand mottled with strong brown. Below 60 inches is a firm, very strongly acid, mottled dark red and white sandy clay. The Gunter soils is moderately well drained and has a low available water capacity. Permeability is rapid above the layer containing plinthite and moderately slow below. There is no runoff. This unit is used mainly as timberland.

ARCHAEOLOGICAL BACKGROUND

Although several significant studies involving prehistoric and historic sites have been conducted in Walker County, most of the site data are based on survey level studies with little or no subsurface testing. As a result, much of the information for Walker County is taken from projects in surrounding areas such as Lake Livingston in Polk and San Jacinto counties (McClurkan 1968; Ensor and Carlson 1988), Lake Conroe in Montgomery County (McNatt 1978; Shafer 1968; Shafer and Stearns 1975), and the Gibbons Creek Mine in Grimes County (Rogers 1993, 1994, 1995). Several overviews of the area provide valuable data for Walker County and vicinity. Some of the major works are discussed below.

More recently, five studies have been published which are worthy of mention. These are *Archeology in the Eastern Planning Region, Texas: A Planning Document* compiled by the Department of Antiquities Protection (Kenmotsu and Perttula 1993) Roger G. Moore's (1995) Ph.D. dissertation entitled *The Mossy Grove Model of Long-Term Forager-Collector Adaptations in Inland Southeast Texas*; Volume 66 of the *Bulletin of the Texas Archeological Society* which reviews the current state of Archeology in Texas and contains a chapter devoted to Southeast Texas (Patterson 1995); an archaeological study by the Texas Parks and Wildlife Department at the Huntsville Fish Hatchery (Davis et al. 1994:20-33); and a survey for the Trinity River Authority by Moore Archeological Consulting (Moore and Moore 1995:6-12).

The work by Moore Archeological Consulting is particularly noteworthy because of the database created from encoding site data for all known sites in Walker County at the time of this project. This data base was an attempt to define settlement rules specific to Walker County through the application of an empirical analysis cross-tabulating site data with environmental variables and was based, as stated above, on the computerization of data from all of the existing TARL site records for the county. A total of 181 sites was used for this study; however the analyses utilized only those sites with prehistoric components since the sample size for historic sites is inadequate and the settlement criteria for historic sites location are much different and currently more ambiguous than for prehistoric sites. This study found that prehistoric sites seem to be found throughout the county where suitable landforms (sandy ridges and knolls) exist in close proximity to dependable water sources. The only large concentrations of prehistoric sites are the result of large area surveys. Single sites along major drainages should not be interpreted as sparse use of an area; rather, these sites were most likely recorded by individuals with restricted access to larger areas. Chronometric dates for inland Southeast Texas are rare. Many sites in this area have been assigned to cultural periods by other means such as cross-dating artifacts with similar types from sites in other areas where absolute dates have been obtained.

The culture history of Southeast Texas begins with the Paleo-Indian period (circa 10,000 B.C. - 6000 B.C.). This is followed by the Archaic period (6000 B.C. - 2000 B.C.), the Early Ceramic period (200 B.C. - A.D. 700), the Late Ceramic period (A.D. 700 - A.D. 1700), and the Historic period which documents those events following contact with native Indian groups by European explorers and later settlers to the present.

The first Europeans to encounter native Indian groups in East Texas were Cabeza de Vaca and his explorers who visited the coast in 1528 and visits by the survivors of the De Soto expedition to the Caddoan region in 1542. In 1690, Spanish missionaries established a series of missions across East Texas and signaled the beginning of European and Indian interaction in the area. Mission San Francisco de los Tejas was located in Houston County on San Pedro Creek (Newcomb 1986). Early roads connected the missions and provided trade routes. Later, the Contraband Trace brought early settlers into Texas. This early road crossed the western edge of the Sam Houston National Forest in the vicinity of F.M. 149 (Bement et al. 1987:6-5).

Between 1700 and 1835 (when native groups had been removed from East Texas), Indians in the area underwent rapid and dramatic changes. The Spanish failed in their efforts to Christianize the Indians of East Texas, but the French were able to involve them in an extensive trade network (Griffith 1954:135- 152). By 1700, Caddoan and Atakapan groups began acquiring horses from the Spanish and Indian groups to the west. The horses were traded to the French or used for hunting deer and bear to acquire hides and oil which were also traded (Griffith 1954:144-152). In exchange, they received guns, glass beads, clothing, and alcohol. Griffith (1954:144-154) suggests that this trading economy upset the established sedentary, horticultural way of life, altered social systems, and destroyed the self-sufficiency of the East Texas Indians.

Ethnographic data for the Atakapan-speakers are sparse. All groups living between the Caddo and the Gulf Coast are considered to have been of the Atakapan linguistic stock (Shafer et al. 1975:22). Groups inhabiting the area near the Sam Houston National Forest were the Bidai, Deadose, and Patiri (Newcomb 1986). The Bidai spoke the Caddo language and interacted closely with the Hasinai Caddo in trade (Griffith 1954:142). The Bidai and Deadose are believed to have farmed in addition to hunting and gathering (Shafer et al. 1975:22-23; Sjoberg 1951:54- 55).

No historic sites of these groups have been recorded in Walker County. A possible exception is 41WA53. This site is situated on a terrace above the Trinity River in a location very close to an historic Indian village mentioned in a thesis by John W. Baldwin (1957) entitled *An Early History of Walker County, Texas*. This site was shovel tested by William E. Moore in the late 1960s but no historic or contact period artifacts were found. Virtually the entire site area had been destroyed by pothunters. The site is now inundated by Lake Livingston.

The town of Huntsville was founded in 1836 by Pleasant and Ephraim Gray as an Indian trading post and named for Huntsville, Alabama, the former home of the Gray family (Webb 1952:867). Among the first business enterprises was the Thomas and Sanford Gibbs general store, established in 1844. On July 18, 1846, Walker County was organized and Huntsville became the county seat. The Texas State Penitentiary, created in 1847 and established at Huntsville, received its first convict on October 1, 1849. In 1940, Huntsville was incorporated with 130 business establishments and a population of 5108. By 1950, population had increased to 9802.

FIELD METHODS

Prior to entering the field the Principal Investigator checked the site records at the Texas Archeological Research Laboratory (TARL) on the campus of The University of Texas at Austin for the presence of previously recorded sites in the project area. No sites were found to be present; however, a historic record search revealed a 19th century farmstead in the P. Gray patent which occupies 7.33 acres of the project area and the Malcolm Johnson patent which occupies 7 acres of the project area. In addition, two historic cemeteries were identified as being in the vicinity. Also, a Civilian Conservation Corps (CCC) camp and a World War I facility were mentioned by Mr. Ed Sandhop and Mrs. Opal Pace as being present in or near the project area. The latter facilities were not confirmed by the historic record search conducted by J. K. Wagner & Company, Inc. (Appendix I) or by the field survey conducted by BVRA.

The field survey was conducted on March 3, 1998 by BVRA with William E. Moore acting as Principal Investigator with assistance from William J. Weaver. The project area was not accurately marked in the field. Mr. Ed Sandhop visited the site and showed the Principal Investigator the western and eastern boundaries. The project area was thickly wooded, making survey transects difficult. Therefore, the survey crew wandered about the 14.125 acre tract excavating shovel tests in high probability areas where possible. Several tests had to be abandoned due to roots or ground water seepage. All tests were at least 30 cm in diameter and dug to clay, and all excavated earth was passed through one-quarter inch hardware cloth. In all, 29 tests were dug, and average of 2.03 tests per acre. A shovel test log was kept (Appendix II). Because of the dense woods and absence of cultural materials, no photographs were taken.

RESULTS AND CONCLUSIONS

The archival search at the Texas Archeological Research Laboratory revealed no previously recorded prehistoric sites in the project area or immediate area. No evidence of prehistoric utilization of the project area was found during the Phase I survey which was which was examined by surface inspection and shovel testing. The northern end is the highest point of the project area and is believed to be the highest probability area for a prehistoric site. Nine shovel tests were excavated in this area and each one was sterile. Overall, this high point contained shallow soils overlying a hard reddish clay. The depth of clay varied from 15 to 35 cm. Given the 5-10 cm of recent forest humus, the actual sandy mantle overlying the clay is only between 5 and 25 cm thick. Since prehistoric sites in Walker County are typically found on hills containing deeper sandy soils, it is hypothesized that this area was not considered a suitable location for a prehistoric site of any permanence. Therefore, the absence of prehistoric cultural materials is not surprising.

The historic record search (Appendix I) revealed the presence of a 19th century farmstead located in the P. Gray patent (7.33 acres) in the northern end of the project area. In all, there are three patents within the project area. These are P. Gray (7.33 acres) at the north end; Malcolm Johnson (7 acres) to the south; and E. Davids, a 60 foot easement on the east side. Unfortunately, the historic record search was conducted without current survey data; therefore, it is not known how much of these patents remain in the project area today.

The 19th century farmstead was occupied by John Buckley from 1854 until his death in 1870, and the disposition of the improvements after 1870 is unclear in the records. The Buckley's had three close neighbors to the west on seven and three acre tracts near Waverly Road. That part of the farmstead containing the improvements is believed to be at the extreme north end and may have been removed or reduced by the construction of Bowers Boulevard. The southern part of the Buckley homestead, in the Malcom Johnson patent, was used for livestock such as hogs, cattle, and horses.

No evidence of a farmstead or house site was found during the Phase I survey. This lack of cultural materials supports Ms. Wager's contention that the improvements were indeed affected by Bowers Boulevard. A careful surface inspection of the northern end of the project area did not produce any obvious features such as a well, cistern, trash dump, or artifact scatter. Not one of the shovel tests contained historic materials. It is believed that these historic sites were to the north of the current project area.

The historic records search also revealed the presence of two cemeteries in the vicinity. These are the Pine Grove (South End or South Side) and Huntsville Prison cemeteries. The South Side Cemetery is to the west of and adjacent to the project area at the southwest corner (see topographic map plotting; Figure 2). It is fenced and there is no reason to believe that graves from this cemetery are present in the project area.

The Huntsville Prison Cemetery is located about 800 feet east of the project area and contains graves dating to 1849 (when the prison was opened) to 1885. The historic record search has not found any evidence that it may extend onto the project area.

According to Ed Sandhop and Opal Pace, local informants, there were a Civilian Conservation Corps (CCC) camp and a World War I facility in the general vicinity of the project area. This information is hearsay, and can't be taken as fact. The Phase I survey did not locate any evidence of either of these two historic sites. Therefore, it is believed that they were not located in the current project area.

RECOMMENDATIONS

No evidence of a prehistoric or historic site was found in the 14.125 acre project area. It is believed that the 29 shovel tests adequately assessed the tract. Therefore, it is recommended that First Worthing Company, Inc. be allowed to proceed with construction as planned. Should, however, evidence of any site, prehistoric or historic, be encountered during construction, especially grave outlines, all work must cease until the situation can be resolved by the Division of Antiquities Protection, Texas Historical Commission in consultation with First Worthing Company, Inc. and Brazos Valley Research Associates.

REFERENCES CITED

- Baldwin, John W.
1957 *An Early History of Walker County, Texas*. Unpublished masters thesis, Sam Houston State Teachers College. Huntsville.
- Bement, Leland C., Rolfe D. Mandel, Jesus F. de la Teja, Dan K. Utley, and Solveig A. Turpin
1987 *Buried in the Bottoms: The Archeology of Lake Creek Reservoir, Montgomery County, Texas*. Texas Archeological Survey, Research Report 97.
- Blair, W. Frank
1950 *The Biotic Provinces of Texas*. *The Texas Journal of Science* 11(1):93-116.
- Bond, Clell L., and William E. Moore
1980 *Archeological Investigations in the Davy Crockett National Forest*. Texas A&M University, Cultural Resources Laboratory, Report Number 1.
- Boyd, Douglas K., and Margaret A. Howard
1988 *Archeological Testing at 41WA97, Sam Houston National Forest, Walker County, Texas*. Prewitt and Associates, Inc., Technical Reports, Number 3.
- Davis, Michael W., Jan Guy, Marybeth S. F. Tomka, and Daniel J. Crouch
1994 *Archeological Investigations at Huntsville Fish Hatchery, Walker County, Texas*. Texas Parks and Wildlife Department, Cultural Resources Program. Austin.
- Ensor, H. Blaine, and David L. Carlson
1988 *The Crawford Site, 41PK69, Central Trinity River Uplands, Polk County, Texas*. Texas State Department of Highways and Public Transportation, Highway Design Division, Contract Reports in Archeology Number 4.
- Fields, Ross C.
1979 *Cultural Resources of the Davy Crockett, Sam Houston, Angelina, and Sabine National Forests of Texas*. Report submitted under Contract No. 53-432P-8-00219 to the United States Department of Agriculture, United States Forest Service, by the Texas Archeological Research Laboratory, The University of Texas at Austin.

- Gadus, Eloise F.
1988 *An Archeological Survey of the Existing and Proposed Texas Eastman Pipeline Easement through Portions of the Sam Houston and Davy Crockett National Forests, Walker and Houston Counties, Texas.* Prewitt and Associates, Inc., Technical Reports, Number 1.
- Griffith, William J.
1954 *The Hasinai Indians of East Texas as Seen by Europeans, 1687-1772.* Reprinted from Middle American Research Institute, Tulane University Publication, Number 12, pp. 41-168. New Orleans Philological and Documentary Studies, Vol. II, No. 3.
- Ippolito, John E.
1983 *A Cultural Resource Overview of the National Forests in Texas.* United States Department of Agriculture, Forest Service, Lufkin, Texas.
- Johnson, LeRoy, Jr.
1962 The Yarbrough and Miller Sites of Northeastern Texas, with a Preliminary Definition of the La Harpe Aspect. *Bulletin of the Texas Archeological Society* 32:141-284.
- Keller, John Esten
1974 The Subsistence Paleoecology of the Middle Neches Region of East Texas. Unpublished Ph.D. Dissertation, The University of Texas at Austin.
- Kenmotsu, Nancy Adele, and Timothy K. Perttula (editors)
1993 *Archeology in the Eastern Planning Region, Texas: A Planning Document.* Department of Antiquities Protection, Cultural Resource Management Report 3. Texas Historical Commission.
- McClintock, William R., Jr., Joseph J. Castille, Michael Stewart, and L. E. Andrew
1979 Soil Survey of Walker County, Texas. United States Department of Agriculture, Soil Conservation Service and Forest Service in cooperation with the Texas Agricultural Experiment Station.
- McClurkan, Burney B.
1968 *Livingston Reservoir, 1965-66: Late Archaic and Neo-American Occupations.* Papers of the Texas Archeological Salvage Project, Number 12.
- McNatt, Logan D.
1978 *Archeological Investigations at the Kaygal Recreation Area Site (41WA82), Walker County, Texas.* Texas A&M University, Anthropology Laboratory, Report 44.

- Moore, Roger G.
1995 *The Mossy Grove Model of Long-Term Forager-Collector Adaptation in Inland Southeast Texas. Unpublished Ph.D. dissertation, Department of Anthropology, Rice University, Houston, Texas.*
- Moore, William E., and Roger G. Moore
1995 *An Archeological Survey of a Proposed Trinity River Authority Waterline Project, Walker County, Texas. Moore Archeological Consulting, Report of Investigations Number 171.*
- Newcomb, William W., Jr.
1986 *The Indians of Texas: From Prehistoric to Modern Times. The University of Texas Press. (Seventh Paperback Printing)*
- Patterson, Leland W.
1995 *The Archeology of Southeast Texas. Bulletin of the Texas Archeological Society 66:239-264.*
- Rogers, Robert
1993 *Data Recovery of Three Prehistoric Sites at the Gibbons Creek Third Five-Year Mine Permit Area, Grimes County, Texas. Espey, Huston & Associates, Inc. Document Number 910529.*
- 1994 *Excavations at Site 41GM224 in the Gibbons Creek Lignite Mine Permit 38A Area, Grimes County, Texas. Espey, Huston & Associates, Inc. Document Number 930476.*
- 1995 *Archeological Excavations at Prehistoric Sites 41GM166, 41GM281, and 41GM282 in the Gibbons Creek Lignite Mine, Grimes County, Texas. Espey, Huston & Associates, Inc. Document Number 940611.*
- Shafer, Harry J.
1968 *Archeological Investigations in the San Jacinto River Basin, Montgomery County, Texas. Papers of the Texas Archeological Salvage Project, Number 13.*
- 1975 *Comments on Woodland Cultures of East Texas. Bulletin of the Texas Archeological Society 46:249-254.*
- Shafer, Harry J., and Thomas B. Stearns
1975 *Archeological Investigations at the Scotts Ridge Site (41MQ41), Montgomery County, Texas. Texas A&M University, Anthropology Laboratory, Report 17.*

- Shafer, Harry J., Edward P. Baxter, Thomas B. Stearns, and James Phil Dering
1975 *An Archeological Assessment of the Big Thicket National Preserve.*
Texas A&M University, Anthropology Laboratory, Report 19.
- Sjoberg, Andree F.
1951 *The Bidai Indians of Southeastern Texas.* Unpublished Masters
thesis, The University of Texas at Austin.
- Story, Dee Ann
1981 *An Overview of the Archaeology of East Texas. Plains*
Anthropologist 26(92):139-156.
- n.d. *An Overview of the Archeology of East Texas.* Unpublished
manuscript of a paper given at the Plains Conference, November
1978. Denver.
- Thornthwaite, C. W.
1948 *An Approach Toward a Rational Classification of Climate.*
Geography Review 38:55-94.
- Webb, Walter Prescott (Editor-in-Chief)
1952 *The Handbook of Texas: A Dictionary of Essential Information.* The
State Historical Association, Austin.
- Wyckoff, Don G.
1971 *The Caddoan Culture Area: An Archaeological Perspective.*
Oklahoma Archeological Survey, Norman.

ARCHIVAL RESEARCH
ARBORS OF SAM HOUSTON
HUNTSVILLE, WALKER COUNTY, TEXAS

Prepared for

First Worthing Company
8144 Walnut Hill Lane, Suite 550, LB-6
Dallas, Texas 75231

Prepared by

J. K. Wagner & Company, Inc.
1700 West Loop South, Suite 975
Houston, Texas 77027

March 1998

TABLE OF CONTENTS

	PAGE
TABLE OF CONTENTS	i
INTRODUCTION	1
FINDINGS	2
SITE OCCUPATION AND LAND USE	6
As to Finding Number 1 - J. Buckley Homestead: 7.33 Acres in P. Gray Survey; 7 Acres in M. Johnson Survey	6
As to Finding Number 2 - Pine Grove (South End) Cemetery	12
As to Finding Number 3 - J. Gillaspie Farm	14
As to Finding Number 4 - Huntsville Prison Cemetery in the P. Gray Survey	20
BIBLIOGRAPHY	21
FIGURES	
Site Map	Figure 1
Aerial Photograph, 1932 Tobin	Figure 2
Walker County Tax Map: P. Gray	Figure 3
Walker County Tax Map: M. Johnson	Figure 4
Walker County Tax Map: Pine Grove/South End Cemetery	Figure 5
Prison Inventory 1849 to 1885	Figures 6, 7
Ownership Inventory: P. Gray	Figure 8
Ownership Inventory: M. Johnson	Figure 9
Ownership Inventory: E. Davids	Figure 10

J. K. Wagner & Company, Inc.
March, 1998
Project 9873

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

INTRODUCTION

First Worthing, Inc. commissioned J. K. Wagner & Company, Inc. to conduct a historic record search to determine previous land use and occupation on three tracts of land in Walker County, Texas to be developed as a HUD housing project. The site is presently located on a hill in the city limits of Huntsville identified as 'Peckerwood Hill' on United States Geological Survey maps. The north 7.33 acres falls in the P. Gray League, running on the south to the south line of the League.

The adjoining seven-plus acres on the south fall in the M. Johnson Patent. The east line of the M. Johnson Patent is contiguous with the east line of the southern seven-plus acre tract. A sixty-foot right of way extends southeast from the southeast portion of the seven acre Johnson tract into the adjoining E. Davids Patent. The land use for the tracts falls into two divisions - one comprising the P. Gray and M. Johnson tracts and the other in the right of way in the E. Davids tract.

The land use investigation also included the historic development of two cemeteries close to the three Hud tracts. The nearest is a five acre cemetery that adjoins the western property line of the study tracts which was known at various times as Pine Grove Cemetery (1920); South Side Cemetery (ca 1967); and South End Cemetery (1998) (See 1932 Tobin Aerial in Appendix). The second cemetery is a 20 to 22 acre property that is located approximately 800 feet eastward of the three tracts of land under study and known as the Huntsville Prison Cemetery, currently styled Joe Byrd Cemetery (See 1932 Tobin Aerial in Appendix).

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

FINDINGS

The findings of the 1835 to ca 1930 records search are as follows:

- 1a The P. Gray 7.33 acre portion of the HUD site was occupied by the John Buckley farmstead beginning in 1854 until the demise of Buckley in 1870. The disposition of the improvements after 1870 is unclear in the records. The Buckley's had three close neighbors westward on seven and three acre tracts near the Waverly Road. The apparent, early continuous occupation of the northern seven acres of the HUD property with close neighbors, precludes indiscriminate Prison burials.

- 1b The seven acres in the Malcolm Johnson Survey was part of the John Buckley farmstead being due south of the homestead improvements. between 1854 and 1870. There exists a continuous tax record for the Buckley farmland with no exclusions for Cemetery use as is the custom in Walker County. Walker County deletes the acreage dedicated to Cemetery use from the Tax Rolls, the year following the dedication and without further reference to the property. Cemeteries presently are represented on the Tax Appraisal District Maps without a tax code number for numerical reconciliation or identification on computerized listings of property within the County.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

FINDINGS (continued)

- 2 The Pine Grove (South End) Cemetery has been operated by several persons living in Huntsville since 1920, the same year a deed was made from the Gibbs Brothers to the Pine Grove Cemetery Association.

Burials have been conducted by the Cox Funeral Home since that time. The Cemetery is presently under fence (chain link) and was always under fence by barb wire, according to the caretaker, Mrs. Opal Pace. The historic entrance has been from the west on the old Waverly Road (now Willow street) and opposite of the proposed HUD Tracts.

The 1932 Tobin aerial (see copy in Appendix) shows the old Waverly Road (now Willow Street) running from the south-southeast and merging with the old Montgomery Road from the south. Both roads merge in the M. Johnson Survey with the old Waverly Road running along the western edge of the South End Cemetery. Fresh soil disturbance is visible on the Tobin 1932 Aerial photograph near the old Waverly Road (now Willow) in the Pine Grove/South End Cemetery area. No ground disturbance appears to the east of the Cemetery on the Tobin 1932 Aerial which is the area of the proposed project site.

The five-acre Cemetery appears as a 1872 sale from the Estate of the John Buckley farmstead to neighbor Peter Royal. Over fifty acres had been conveyed out of the John Buckley farmstead in 1872 to brickmason Peter Royal, after the death of Buckley. The property description matches the field notes of the present Pine Grove/South Side Cemetery, indicating that the five acres has been identified as such since 1872.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

FINDINGS (continued)

- 3 The sixty-foot easement falls east of the Buckley homestead being in a separate survey known as the E. Davids. The easement is out of a larger 160-acre farm operated by James Gillaspie and family, from 1849 through 1872. Between 1872 and 1889, 160-acre farm was part of a larger farming operation known as 'Grant's Colony' operated by George W. Grant. Grant managed the farm with Sharecropper labor, living partly in Huntsville and partly on the farm. The Gibbs family acquired the 160-acre farm and other lands from the Grant Estate.

- 4 The Huntsville Prison Cemetery burials from 1849 (opening of Prison) to 1885 (exchange deed and formal survey of the 20 acre Prison cemetery), appear to have been confined to the currently identified 20 acres located about 800 feet east of the property under study (see 1932 Tobin Aerial photograph in Appendix).

Of the approximately 1028 prisoners who demised between 1851 (first recorded deaths) to 1885, under the aegis of the Huntsville System, over 75% of these individuals died while outside of Walker County under work contract to farms in Brazoria and other Texas counties, leaving about two hundred potential burials in the Huntsville Prison Cemetery between 1851 and 1885. In 1963, over 900 graves were identified by Executioner Joe Byrd in the 20 acre site bounded on the North by Bowers street and west by Sycamore Street. Records estimate over 1700 graves are extant in the Prison Cemetery in 1998.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

FINDINGS (continued)

•-4 (continued)

The 1932 aerial photograph of the site shows The Prison Cemetery as a cleared space with few central tree groupings near the center. Heavy growth between 1932 and 1963 had covered many of the old graves, causing the area to be re-cleared by Captain Byrd in 1963, precipitating several newspaper articles about the burials.

- 5 The two seven acre tracts are reported by the Trustee of the Gibbs Brothers, Mr. Ed Sandhop, to have been occupied by the Civilian Conservation Corps known otherwise as a CCC camp in the 1930's. The 1932 aerial depicts a roadway running from a southern street, along the east property line, ending at the P. Gray South League Line, possibly for camp access. In a second interview, Mrs. Opal Pace, caretaker of the South End Cemetery, recalls the CCC camp and a World War I facility out of the proposed Hud projects area and near the City of Huntsville Recycling Facility.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

LAND USE AND OCCUPATION

As to the Findings in Numbers 1a and 1b:

The main portion of the 14.125-acre subject tract of land is comprised of 7.33 acres of land in the Pleasant Gray Survey A-24 and 7.511 acres in the Malcolm Johnson Survey A-299 in Huntsville, Walker County, Texas (See Figure 1). The subject 14.125 acres, to be known as The Arbors of Sam Houston, Walker County (HUD F2, F13), is presently bounded on the north by Bowers Boulevard, on the east by Sycamore Avenue¹, and on the south by Olive Street (See Tax Maps Figures 3 and 4).

On April 18, 1835, one League and one Labor of land was surveyed for Pleasant Gray (See Figure 8) by William Brooks in the Montgomery Land District, the land being patented to Gray by the Mexican Government (General Land Office [GLO] files). Nine years later, Pleasant Gray and his wife deeded a tract of 160 acres of land and a tract of 240 acres of land to G. W. Rogers and M. C. Rogers in a Warranty Deed dated February 12, 1844 (Walker County Deed Records [WCDR]: 2/253, F/777, 2/244: Correction Deed).

On December 16, 1847, Malcolm Johnson (See Figure 9) received a Patent for 640 acres of land, and he had A. McNeil survey 320 acres, located on the south line of Pleasant Gray's League in Montgomery Land District (GLO files: G/188, 189); Montgomery County Land Commissioners

¹ Sycamore Avenue was approved in 1879.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

had issued Johnson's 4th Class Certificate No. 16 for 640 acres on December 2, 1844. On July 14, 1847, Malcolm Johnson (See Figure 9) executed a Power-of-Attorney to Joseph G. Shepherd for Johnson's 320 acres, and the document was signed the following day by George Rogers, a Notary Public in Walker County (GLO files).

G. W. Rogers deeded 14.75 acres of land, running east and west, out of the Gray Survey to M. C. Rogers on September 4, 1850 (WCDR: B2/61). Four years later, John Buckley purchased 7.33 acres of land in the Gray Survey from G. W. Rogers and M. C. Rogers for \$73.33; the Warranty Deed was dated May 13, 1854, signed by M. C. Rogers, Attorney for G. W. Rogers, and witnessed by Jeremiah Randolph and B. L. Rogers (WCDR: C/390).

Prior to the 7 acre sale from Rogers, John Buckley secured a 3-acre tract in the Malcolm Johnson Survey from M. and J. Evans on December 28, 1853 for \$900 in a Warranty Deed (WCDR: C/278). M. and J. Evans sold a three acre tract in the Malcolm Johnson Survey on the same day to Josephine Faulkner, who owned the tract for one year before selling it to Ray Thomas in February, 1854 (WCDR: C/331, 332). The 3 acre tract was west of and adjoining the Buckley farm.

According to the Walker County Tax Records, in 1854, John Buckley was reported with 297 acres of land in the M. Johnson Survey (sometimes called the Burke) having a value of \$891 (\$3.00 per acre), 2 negroes, 4 horses, 4 cows, and \$250 in improvements, as well as part of the E. Davids Survey; the records did not show any other property. The Tax Records in 1855 indicated the same value of \$891 for the 297 acres in the M. Johnson Survey, and 7.3 acres in

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

the P. Gray Survey were valued at \$75.; Buckley was also reported with 2 negroes and improvements, valued at \$450 on the 7 acre portion of the P. Gray Survey in 1855.

The part of the Buckley farm comprising 297 acres in the M. Johnson Survey continued to hold a lower value, \$3.00 per acre, than the 7 acre tract in the P. Gray Survey which had a higher valuation of approximately \$10.00 per acre, according to the Tax Records in 1858, 1859, and 1861. In 1858, Buckley was reported with 2 negroes valued at \$1000, 4 horses at \$200, and 10 cattle at \$90 on the 7 acres in the P. Gray Survey. In 1859, Buckley had 3 negroes at \$2250 and 2 horses worth \$200, according to the Tax Records. In 1860, Buckley's 297 acres had a temporary increase in value of \$934, and he was additionally reported with 3 negroes at \$2000, 4 horses at \$370, 10 cattle at \$60, and 2 sheep at \$6.

In 1861, the 7 acre tract showed no change in value, and the 297 acres in the M. Johnson Survey were again valued at \$3.00 per acre, or a total worth of \$891; the same year (1861) Buckley had 5 negroes worth \$5100 and 3 horses valued at \$350.

John Buckley executed a Mortgage to J. H. Whitehead on February 12, 1862 (WCDR: C/146); Buckley promised to pay Mr. Whitehead a note for \$125 for 'a mule and mare 7 or 8 years old bought of Whitehead this day,' on March 1, 1860 (WCDR: E/735). The Tax Records reported Buckley in 1863 with 2 negroes valued at \$1300, 12 horses at \$1300, and 10 cattle at \$60; in 1866 he had 7 horses worth \$500 and 12 cattle at \$40. In 1867 the Tax Records indicated John Buckley's 7 acre tract had an increased value of \$280. By 1868, the 7 acres nearly doubled in value to \$500, and the

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

297 acres were listed at a decreased worth of \$149; Buckley listed 7 horses valued at \$680 and 10 cattle at \$59 in 1868. According to the Tax Records in 1870, Buckley was reported with the 7 acre tract in the P. Gray Survey, valued at \$1000, as well as one horse worth \$100.

On November 27, 1871, an Order for Sale of 137 acres in the M. Johnson Survey was executed in Probate Court of the Estate of John Buckley, by Administrator W. F. Baldwin (WC Probate Records: N/597). George W. Grant secured a total of 137.4 acres of land from the Estate of John Buckley, Deceased in an Administration Deed dated November 16, 1874 (WCDR: O/597). The conveyance included acreage out of Buckley lots: 14 acres in Lot 2; 34.5 acres in Lot 3; 25 acres in Lot 4; 37 acres in Lot 6; and 27 acres in Lot 7.

George W. Grant appeared earlier on the October 5, 1850 Census, where he was listed as a 36 year old Mail Contractor living with his wife, Mary, 27 years old, both from Alabama, and they did not name any children (#472, p. 2029). The census taker in 1850 enumerated the Grants living next to James Gillaspie, Farmer, and family, and Jesse Milliken, Farmer (#471/471, 473/473). Pleasant Gray's widow, Hannah Gray, 41 years old from North Carolina, was living near George W. Grant with her children John, 20, born in Tennessee; Oliver, 16; David, 12; Amanda, 10; Mary, 6; and Elizabeth, 4 (#477, p. 2029). The census taker enumerated the Grays next to Zina Palmer, a widow, and her family, and S. A. Moore, a Farmer (#476, 477).

George W. Grant remained on the Walker County Census of July 2, 1860, listed as a 45 year-old Trader from Alabama with wife Mary J., 37, and Sarah J., 15, born in

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

Texas; also living with the Grant family were Anna Tennison, 15 year-old from England, and Ultmon Jurgens, 80, of Germany, Lucy Jurgens, 53, from Tennessee, and William Jurgens, 6, born in Texas (Walker County: #281/275, p. 111). The census taker in 1860 enumerated the Grants living next to B. B. Perry, a Teamster, and A. G. W. McCulloch, a Farmer (#280/274, 282/276).

The Census of June 30, 1870 had George W. Grant and family listed in the Town of Huntsville (#207/207, p. 427-B); Grant was 56 years old, a Farmer, with his wife, Mary, 48 (both from Alabama). The Grants had others living with them: Willie Jergins, 17, of Texas, working as a Laborer; Emma and Tony B. Jergins, 14 and 12 years old, of Texas; Lizzie, T. P., and Willie Furgeson, 15, 13, and 5 years old, all of Scotland; and U. Jergins, 85 year old from Germany. The census taker enumerated the Grant household next to William Randolph (#207, Merchant; #206 illegible), and Mary Cline, keeping house (#208). The Grants appear to have divided their time between their town house in Huntsville and their country farm since he continued to list as a Farmer in 1880.

The Census of June 12, 1880 continued to include George W. Grant, 66, a Farmer, with wife, Mary J., 59, as well as their adopted son, James Ferguson, 16, of Scotland; an adopted daughter from Texas, Sallie Turnbull, 3; and a 17 year old servant Mollie Malone, (Walker County: E.D. No. 152, #235/235, p. 235-B). The census taker enumerated the Grants next to a Bookkeeper, John W. Cary (#234) and Francisco Raveina, a Huckster (#236).

George W. Grant executed a mortgage to Sandford E. Gibbs in the form of a Warranty Deed to G. A. Wynnes dated

J. K. Wagner & Company, Inc.
March, 1998
Project 9873

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

February 24, 1887; the Warranty Deed referred to the acreage sold in the Administration Deed to Grant in November, 1874, less a five-acre tract (WCDR: B/100, O/597, 6/456).

During May, 1898, the Probate of the Estate of George W. Grant was executed by Administrator W. F. Baldwin (No. 961). On December 20, 1900, Sallie E. Gibbs² acquired a Deed from the Estate of George W. Grant, Deceased (WCDR: 16/235). C. S. Gibbs was reported on the 1898 Walker County Tax Records with 76 acres valued at \$76., and the same acreage had an increased value of \$100 in 1899, according to the tax records.

The Gibbs family were included previously on the June 8, 1880 Census: Sandford Gibbs was a 60 year old Retail Merchant from South Carolina, living with his wife, Sallie, 34, also from South Carolina, and their children Lena, 21; Wilburn, 13; Alla, 11; Thomas C., 10; Sallie S., 6; James P., 5; Lutiola, 1; and a niece, Ella, 22 from Louisiana (Walker County: E.D. No. 152, #152/152, p. 231). The census taker enumerated the Gibbs' household living next to Fred Brown (#151, Retail Grocer) and Jeremiah Smith (#153, Minister).

² Estate of Sandford Gibbs to Sallie E. Gibbs, Probate No. 841, Probate K/572: December 6, 1886. Inventory: Probate L/23 to L/96, April 23, 1887.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

As to the Findings in Number 2:

During February, 1867 P. Gray deeded property north of Cedar Street, east of the town of Huntsville, to Peter Royal and his wife (WCDR: E/764, L/143, F/430; See Figure 2, Tobin Aerial).³ Peter Royal additionally secured 25.7 acres from George W. Grant on April 17, 1872 in an Administration Deed (WCDR: M/184). Two days later, George W. Grant deeded 35 acres of land in the southeast corner of the M. Johnson Survey to H. A. McAdams (WCDR: M/198). Peter Royal acquired a five-acre tract, the north part of J. Buckley Lot No. 3, from George W. Grant by November 21, 1872 (WCDR: M/557).

On February 24, 1887, when George W. Grant executed a mortgage to Sandford E. Gibbs in the form of a Warranty Deed to G. A. Wynnes, the Warranty Deed referred to 137 acres, 'less a five-acre tract,' sold in November, 1874 in an Administration Deed to George W. Grant, the 5-acre tract being the same that was sold to Peter Royal in 1872 (WCDR: B/100, O/597, 6/456).

Peter Royal previously appeared September 24, 1850 on the Census as a 32 year old Brickmason from Virginia, and living with him were Sterling Vaughn, 20, of Tennessee; David Connor, 58, of Georgia; and David Foreman, 19, from Alabama (Walker County: #364, p. 2021). Peter Royal remained on the July 11, 1870 Census, listed as a 53 year old Brickmason from Virginia, with his wife from Kentucky,

³ During the same year, from August 9 through October 19, 1867, one hundred and fifty people died in Huntsville from Yellow Fever (Walker County Scrapbook, CAR, Austin, Texas).

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

Martha, 29, and a son, Henry, 8; also living with Royal were Mattie and Bettie Reid, 16 and 12 years old, of Texas; and Ry Eafone, a 43 year old Carpenter from Tennessee with a two-year old son, William (Walker County: #290/290, p. 324-B). The census taker in 1870 enumerated the Royals living next to Frasier Brown, a Farmer (#289) and Sam Hall, a Farmer (#291).

At about this time, in 1860, Magnolia Street/Waverly Road/Willow Street ran to the north to Huntsville; Montgomery Road extended north towards Huntsville via Willow Street, intersecting Waverly Road in the M. Johnson Survey.

The five-acre tract, originally sold to Peter Royal in 1872, became the Pine Grove (South End) Cemetery Tract in 1920 (See Figures 2 and 5). The Pine Grove (South End) Cemetery has been operated by several persons living in Huntsville since 1920, the same year the deed was made by the Gibbs Brothers to the Pine Grove Cemetery Association. Burials have been conducted by the Cox Funeral Home since that time. The Cemetery is presently under fence (chain link) and was always under barb wire, according to the caretaker, Mrs. Opal Pace. Historic entrance has been from the west on the old Waverly Road (now Willow Street) and opposite of the proposed HUD Tracts.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

As to the Findings in Number 3:

Part of the subject tract, a 60-foot wide Easement, is situated within the Elisha Davids Survey A-157, Huntsville, Walker County, Texas, being on the east line of the Malcolm Johnson Survey and south of the P. Gray Survey (See Figure 10). The Elisha Davids one League and one Labor of land was Patented to Elisha Davids by his assignee Andrew J. Burke on July 6, 1849 (GLO files, Montgomery County Book: H/160). Davids' Headright land was originally surveyed by J. S. Collard on February 5, 1840; the land was resurveyed by John M. Wade on March 4, 1849 (Montgomery County Book H, p. 160, 161; GLO files).

On August 17, 1849, Andrew J. Burke, of Harris County, deeded 160 acres of land, being part of the Elisha Davids Survey that was granted to Burke by Patent on July 6, 1849 as assignee of Elisha Davids, to James Gillaspie, of Walker County, via a compromise following confusion over the location and patenting of certain lands lying south of Pleasant Gray's League in Walker County, for a consideration of the premises and for the further consideration of one dime (WCDR: A2/423). According to the deed, the 160 acre tract was located on the south line of P. Gray's Survey, being the same as the northeast corner of M. Johnson's Survey.

James Gillaspie was a 39 year-old Brickmason from Tennessee, according to the September 26, 1850 Census, and he lived with his wife, Susan, 21, also from Tennessee; additionally in the Gillaspie household were Charles Oliver, 21 year-old Blacksmith from Tennessee, Argyle C. Gillaspie, 21, Tanner from Tennessee, and Sam Reed, 30 years old, Brickmason from Pennsylvania (Walker County:

J. K. Wagner & Company, Inc.
March, 1998
Project 9873

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

#385, p. 2023). The 1850 census taker enumerated the Gillaspie household living next to Alfred Smith and Peter Johnson, both farmers (#384, 386).

According to the Walker County Tax Records, in 1852 James Gillaspie had one lot in the town of Huntsville with no improvements; he apparently constructed a house in town by 1854, valued at \$800, and decreasing to \$500 in 1862, according to the tax records.

James Gillaspie was reported on the Census of June 25, 1860, as a 54 year-old Farmer from Virginia, with his wife Susan, 30 from Tennessee, and their children William, 9; James, 7; Hezekiah, 5; and Mary A., 3, all born in Texas (Walker County: #208/204, p. 106). The census taker in 1860 reported the Gillaspie household living next to William Palmer, a Farmer, an unoccupied house (#207), and Hellen Thomas, a Farmer (#205/202, 209/205).

On February 10, 1862, James Gillaspie executed a Title Bond for the 160 acres to John Dormer for \$1000, \$400 paid in cash and the balance in notes, in order to pay off several notes to various individuals: \$40 to Thomas Curry dated December 8, 1861; \$57.35 to John Branch dated March 25, 1861; \$180 to John Rodgers dated January 1, 1862; \$132.35 to James Stewart dated February 1, 1862; and \$153.78 to John Thomas dated February 1, 1862 (WCDR: F/156).

During ownership by James Gillaspie, the Texas Penitentiary bought soap from the Gillaspie family. On February 5, 1862, James Gillaspie's son, Joe, delivered 264 pounds of soap to the Penitentiary for \$13.20 (Box 022-12, Folder 14, Tx Penit. Pps., TSLA, Austin). Three months

J. K. Wagner & Company, Inc.
March, 1998
Project 9873

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

later, on May 4, 1862, Joe Gillaspie made at least four additional deliveries of soap to the Texas Penitentiary (Box 022-12, Folder 19, Tx Penit. Pps., TSLA, Austin). A receipt dated August 14, 1862 indicated James Gillaspie supplied lard to the Texas Penitentiary in 1861 (Box 022-12, Folder 24, Tx Penit. Records from Secretary of State Papers, TSLA, Austin).

On January 1, 1867, James Gillaspie executed a Deed for Life for 50 acres of land to his sister, Serlina Rosenborough; the deed noted that the acreage was partly within the Thomas Scott League 'on which she now resides' two miles east of Huntsville, the same having been purchased by Gillaspie of H. Yoakum on April 1, 1853 (WC DR: C/110). The transfer further noted that the deed would revoke at the death of Serlina Rosenborough and would revert to the Gillaspie heirs (WC DR: F/612; land excepted in C/258).

On December 31, 1867, the Will of James Gillaspie, Deceased, was filed, having been signed by Gillaspie on October 18, 1861, and witnessed by Thomas Gibbs and J. H. Thomason (WC Probate Records: E/611). On January 3, 1868, John P. Bessor was appointed as guardian for the interests of the minors of Susan and James Gillaspie, being James, Mary Ann, Susan Emma, Elizabeth Mathilda. Susan Gillaspie's brother, James M. Farris was guardian of the minor heirs; O. B. Gillaspie was an heir over the age of 14 years. The Gillaspie minor heirs appeared on the August 20, 1870 Census living with the Farris family: J. M. Farris, 37, a Farmer from Tennessee, his 35 year old wife, Susan, Matilda, 9; W. H., 6; and William A., 3 years old; Mary, Susan, and Bettie Gillaspie were under age 13 (Walker County: Precinct No. 5, #116/116, p. 397-B). The census

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

taker enumerated the Farris household next to James Cox (#115, Farmer) and Nathan Sims (#117, Farmer).

The Estate of Susan Gillaspie was filed on January 3, 1868, by Administrator John Beeson, signed by J. A. Baker, H. Randolph, J. M. Maxey, and R. D. Hightower (WCPR: E/611). According to the Inventory of the Estate, a multitude of land was held by Gillaspie, including a 75 acre tract in the Elisha Davids headright survey, appraised at \$200. (WCPR: E/614). The extensive inventory included town lots and a house in town, with improvements on Block 6, Lots 189, 190, 193, valued at \$1000, and part of Block 38, valued at \$500. According to the Probate Records, Susan deceased without leaving a will; at the time of her death there remained a balance of \$496.26 due by the Estate to the State Penitentiary. However, Beeson subsequently overpaid the balance, leaving \$49.60 due to the Estate of Susan Gillaspie (WCPR: E/617).

Administrator John Beeson proceeded to sell property of Mrs. Gillaspie's Estate in December, 1868. Beeson applied to rent Gillaspie Estate property at a public sale, except for beds, bedding and bedsteads, to be held for the minor heirs, and a sale of hogs brought \$300.

The probate court authorized and approved the sale of 160 acres of land out of the Gillaspie Estate on March 22, 1872 (WCPR: H/109). The order for the sale of land was executed the next day (WCPR: H/66). On March 25, 1872, George W. Grant purchased 160 acres from the Gillaspie Estate for \$1000 in gold, the acreage being located in the northwest corner of the E. Davids Survey, originally conveyed to James Gillaspie by A. J. Burke (WCPR: M/295; A2/423; WCPR: H/66, 71).

J. K. Wagner & Company, Inc.
March, 1998
Project 9873

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

On March 29, 1872, George W. Grant executed two mortgages on 160 acres in the E. Davids Survey, 410 acres of W. Roark property, and other property (See section entitled As to the Findings of Numbers 1a and 1b for Census data on George W. Grant). The first mortgage was to J. M. Massey, Guardian of Florence Spottshead, for \$800 in gold; the mortgage was subsequently released (WCDR: M/127). The second mortgage was to Alston Oliphant for \$2080.21 in gold (WCDR: M/129).

George W. Grant secured a tract of 32 acres of land 'east of Waverly Road' in the E. Davids Survey from W. F. Baldwin, Administrator of the Estate of John Buckley, Deceased, on January 1, 1876 for \$3.00 per acre, or a sum of \$96. (WCDR: D/774; See Figures 2 and 5). The 32 acres was one of five tracts of land comprising 334 acres in the Davids Survey, according to the probate records.

The Walker County Tax Records reported Grant with the 160 acre tract in the E. Davids Survey, valued at \$250 from 1880 to 1894, and valued at \$160 in 1895 to 1896. On February 24, 1887, George W. Grant executed a Title Deed for the 160 acre tract in the Davids Survey, as well as other property, to G. A. Wynne, Trustee for Mrs. S. E. Gibbs (Ref. WCDR: B/100).

The Tax Records listed Grant in 1897 with 150 acres worth \$300.; the next year, in 1898, the tax records reported the G. W. Grant Estate with 150 acres valued at \$200. During May, 1898, the Probate of the Estate of George W. Grant was executed by Administrator W. F. Baldwin (No.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

961). On December 20, 1900, Sallie E. Gibbs¹ acquired a Deed from the Estate of George W. Grant, Deceased (WCDR: 16/235).

On September 21, 1906, the Delta Lumber Company secured a Warranty Deed from Gibbs for timber on acreage in the E. Davids Survey (WCDR: 23/352). Delta Lumber Company executed a deed for Pine timber on land owned by the company to T. S. Foster on March 3, 1911; Foster immediately turned over a deed to the Walker County Lumber Company for the sale of timber (WCDR: 33/437, 550).

¹ Estate of Sandford Gibbs to Sallie E. Gibbs, Probate No. 841, Probate K/572: December 6, 1886. Inventory: Probate L/23 to L/96, April 23, 1887.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

As to the Findings in Number 4:

Penitentiary Inmate Deaths 1851 to 1885

From 1851 to 1866, a total of 49 white males, 5 black males, and 11 Mexican males died at the State Penitentiary in Huntsville. From 1867 to 1876, the total number of deaths increased: 143 white males, 183 black males, and 23 Mexican males died in the State Penitentiary. More specifically, the total number of inmate deaths was 31 individuals in 1872; 50 in 1873; 54 in 1874; 101 in 1875; and 53 in 1876. Altogether, from 1850 to 1876, there were 192 white male inmates that died, 188 black male inmates that died, and 34 Mexican male inmates that died in the same time period.

From 1851 through 1885, the total number of recorded deaths totaled 809, with 220 estimated additional deaths during July, 1878 to April, 1881. The number of recorded deaths and estimated deaths combined together was 1029 possible deaths from 1851 through 1885.

CULTURAL ARCHIVAL STUDY for
FIRST WORTHING, INC.

14.25 acres out of the E. Davids, P. Gray and M. Johnson
Surveys, City of Huntsville, Walker County, Texas

BIBLIOGRAPHY

ARCHIVES

Archives of J. K. Wagner & Company, Houston.

Center for American Research, Austin, Texas.
Walker County Scrapbook.

Texas State Library Archives, Austin, Texas.
Texas Penitentiary Papers.

Texas.
General Land Office Records.

U. S. Population Census, Walker County, Texas.
1850, 1860, 1870, 1880.

Walker County, Texas.
Tax Records; Deed Records; Probate Records; Map
Records; Surveyors' Records.

APPENDIX II - SHOVEL TEST LOG

Test	Depth	Results
01	60 cm	sterile (yellow clay)
02	50 cm	sterile (yellow clay)
03	30 cm	sterile (red clay) 10YR 6/6
04	25 cm	sterile (red clay)
05	35 cm	sterile (red clay); top of hill
06	30 cm	sterile (red clay); top of hill
07	80 cm	sterile; south bank of tributary at southern end of project area
08	70 cm	sterile (discontinued due to roots)
09	40 cm	sterile (red clay)
10	60 cm	sterile (water table)
11	50 cm	sterile (yellow clay)
12	10 cm	sterile (red clay)
13	10 cm	sterile (red clay); at PT 11001 BPI in southwest corner of project area
14	65 cm	sterile (discontinued due to roots)
15	30 cm	sterile (yellow clay)
16	40 cm	sterile (red clay)
17	30 cm	sterile (red clay)
18	25 cm	sterile (red clay)
19	60 cm	sterile (yellow clay)

Test	Depth	Results
20	70 cm	sterile (discontinued due to roots)
21	30 cm	sterile (red clay); top of hill at north end of project area
22	25 cm	sterile (red clay); top of hill at north end of project area
23	25 cm	sterile (red clay); top of hill at north end of project area
24	25 cm	sterile (red clay); top of hill at north end of project area
25	25 cm	sterile (red clay); top of hill at north end of project area
26	15 cm	sterile (red clay); top of hill at north end of project area
27	20 cm	sterile (red clay); top of hill at north end of project area
28	35 cm	sterile (red clay); top of hill at north end of project area
29	30 cm	sterile (red clay); top of hill at north end of project area