

THE OWNERSHIP AND EARLY CULTURAL HISTORIES OF MUSTANG ISLAND

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A colleague at the Nueces County Historical Commission recently directed me to a valuable historical work. It is the 1997 study of Mustang Island State Park conducted by Texas Parks and Wildlife Department. Although the park, located on south Mustang Island, was the TPW focus, the paper provided information on a broader scale; namely, ☆ history of the ownership of all Mustang Island up to circa 1900,¹ and ☆ archeological findings from south and north areas of the Island. Here is my overview of this study.

I. Ownership of Mustang Island

Mustang was initially a hunting and gathering place for prehistoric peoples, and possession of the Island was a matter of the territorial imperatives practiced by these people. The Island next became the sovereign domain of national entities, and the first of these was Spain. In deciding when Mustang came into Spain's New World hegemony, the Pineda 1519 map mission on the Texas coast seemed reasonable.

The Spanish showed scant interest in the Texas coast until the French began sniffing around in the late 1600s. Spain sent military missions to shoo them away, and on one such mission our Island was referred to as Bar of San Miguel—to my knowledge Mustang's first name.

Mustang Island became Mexican land in 1821 (independence from Spain).² The Mexicans understood the strategic importance of the coast—a lesson learned from the historical French incursions. Recognizing that losing the coast to a foreign power would threaten all of Texas, the Mexican government decreed that the barrier islands, and anywhere within 10 leagues (about 30 miles) of the coast, could not be colonized without special permission.

The remaining entities to possess Mustang Island were the Republic of Texas and the State of Texas. The Island was Republic land from 1836-1845 and State land from 1845-1869 (private ownership of the Island began in 1869).

The Empresario Era. To make Texas productive enough to tax, Mexico encouraged American and European colonization. Immigration was overseen by men serving as agents for Mexico. Called empresarios, they orchestrated the finding, arrival, and dispersal of colonists—Stephen Austin was the foremost Texas empresario.

In 1828, James Power and James Hewetson became empresarios for Irish colonists. The land—the empresa—that Mexico contracted to them was between the Guadalupe and Lavaca rivers; but that was too

small for these enterprising individuals. From 1829 to 1835 they increased the empresa by acquiring land from the local provincial government and individuals. Among the lands Power and Hewetson acquired were *the islands of Mustang, Hog, Matagorda, and San José*.³

(In the 1829-35 range, the year pertinent to Mustang was not specified, so I split the difference at 1832. Also, for economy's sake I will not always type out the full Matagorda, Hog, San José, and Mustang complex; but know that in general, aspects of Mustang ownership also applied to this larger group.)

As colonial empresarios of Mustang Island, does that make Power and Hewetson the first individuals to own the Island?⁴ No. An empresa was not granted land. An empresario had nothing more than a contract with the Mexican government to oversee colonization. Mexico could take back her colonial empresas at the drop of a sombrero...or flutter of a military ensign.

James Power: Functional Owner. After winning independence in 1836, Texas understandably nullified the Mexican empresas, incorporating all those lands into the Republic. However, those who had been colonial empresarios were not left entirely in the cold: they had the right to claim and argue for ownership of their former empresas in the new legislative and judicial halls of Texas.

James Power, Hewetson was out of the picture, made such a claim for Mustang Island soon after the Republic was declared. Although Power was never able to seal the ownership deal with the Republic, or later the State, he did manage to keep his name in the running throughout the 1830s and '40s. Eventually though, Power's ownership claim was struck down on a technicality by the Texas Supreme Court in 1851.

Does James Power qualify as the first person to own Mustang Island? On the basis of *functional* ownership, he just might. In his long fight for title to the Island, Power was the Island authority, even to the extent of leasing Mustang as to a cattleman from 1838-1850. I leave it to the reader to decide whether to regard James Power was the first individual to own Mustang Island.

Henry Kinney: First to Settle Mustang Island? Here is a bit of Island history from the James Power era. Henry Kinney, the founder of Corpus Christi, was an entrepreneur always looking for a deal. He made one with Power in 1838 by establishing a cattle ranch on Mustang Island. Leasing the Island from Power, which he did until 1850, Kinney built assets (close to Corpus Christi Pass) that included a house; and while Kinney did not live there, an employee, W. Stewart, did.

Note that Kinney on Mustang Island in 1838 predates Robert Mercer's celebrated arrival by 17 years. So if a historian declared that Mustang Island was initially settled by Henry Kinney and not Robert

Mercer, how might one respond? I believe the Mercer landmark is defensible on conceptual grounds. There is no evidence, for example, that Kinney, or his Mr. Stewart, launched a true settlement enterprise; for example, there is no evidence that they developed a familial homestead. Henry Kinney's south Mustang ranch was a satellite of his commercial operation at Corpus Christi (e.g., the trading post). Contrariwise, Robert Mercer's motive was to establish a family centered homestead promising generational continuity—which did occur. And of course the Mercers' El Mar Rancho and related chattel were personal (not commercial) in nature and function.

The Henry Kinney piece of history did teach me two things. Firstly, we history types typically associate the start of the great cattle period with the Rockport/Fulton packery period (ca. 1867). But given that the Kinney ranch was operating three decades earlier, perhaps we should adjust the "cattle" start date (or at least acknowledge Kinney's Mustang operation).

The other thing the Kinney piece brought home was how I orient to Mustang history. With rare exception, my focus is on the head of the Island: El Mar Rancho, lighthouse, jetties, etc. The Kinney piece, and the TPW study in general, raised the specter of a larger historical picture.

William Little and the Scrip Group. Some men in New Orleans helped to finance the Texians in their revolt against Mexico. In exchange for that war chest, these contributors were given scrip that, once victory had been achieved, would allow them the right to acquire Republic of Texas land at low cost.

After the Texas Republic was declared in 1836, the N.O. people sought to exercise their land scrip. Seeing maritime potential in the Texas barrier islands, one group of scrip holders chose to exchange their scrip for Mustang island. This group engaged William Little to represent their interests (in exchange for part of the land pie) in the bureaucratic maze at the Texas capitol. The scrip process for Little and his people would prove convoluted and very lengthy (over three decades), but the goal never changed: secure ownership of Mustang Island.

As Little was going about his Mustang business during the 1840s, he repeatedly found his opponent was James Power, who was simultaneously pressing his ownership claim for the Island. Little was a dogged fighter, and in 1851 he momentarily saw the issue turn his way: the Texas Supreme Court threw out the Power ownership claim. The long running saga, 1832-1851, of James Power and Mustang Island had ended.

While that lofty legal decision cleared the Power roadblock for Wm. Little and his scrip holders, the same court quickly followed with a decision unfriendly to them: the New Orleans scrip claim was denied.

The state had functionally wiped the slate clean of parties aspiring to own Mustang Island.

However, being a persistent man, Wm. Little refused to accept that decision. He spent the remainder of the 1850s pursuing the ownership of Mustang Island in a variety of lobbyist ways, to include evoking guilt in members of the legislature by stressing how Texas was denying the very New Orleans people who helped Texans secure freedom from the tyranny under Santa Anna's rule.

Little's lobbying efforts, and about everything else in the state, came to a halt when the world turned upside down in the spring of 1861: The issue of the ownership of Mustang Island became lost in the swirling wake of Texas joining the Confederacy.

Civil War Era. What was the status of Mustang ownership when the war began? Although James Power was out of the picture in 1851, the Wm. Little New Orleans people had not succeeded in filling that void. The ownership of Mustang Island was in limbo, and would continue so throughout the war.

As things turned out, it functionally made not a whit of difference whether Mustang Island was or was not privately owned during the Civil War. No owner would have stopped the Federals from bombarding and torching homesteads—nor could an owner have stopped the Islanders from abandoning Mustang in 1862. No owner would have stopped the Confederates from building Fort Semmes, nor could an owner have turned back the U.S. infantry that marched up the Island in 1863 to capture the fort and leave a garrison detail on Mustang until July 1864.

Wm. Little and His Nephew. At war's end, persistent Wm. Little was still in the hunt to acquire ownership of Mustang Island for himself and his New Orleans consortium. In 1869, a legal decision finally turned the tide for these men: they were declared owners of 8,160 of the 10,400 acres that constituted Mustang Island. (The other acres were still under conflict, so their ownership was not declared.)

Determined to increase his Mustang holdings, Wm. Little spent the 1870s buying out the other Island owners. He also signed lease agreements with parties prominent in Mustang history: John and Edward Mercer (Robert's sons) and Frank Stephenson (first Tarpon Inn owner); also, W.R. Roberts, G.M. Roberts, and J.P. Brundrett. By 1881 the buyouts were done, and at long last, Wm. Little was the owner of most all of Mustang Island.

Little's health failed in 1883, and he sold his Island holdings to his nephew John Little.

The Ropes Interlude. John Little sold Mustang Island to an entrepreneur circa 1889 for \$25,000. (Elihu Ropes aspired to cut a pass through the Island as a maritime link to Corpus.) The plan failed, and Ropes left Texas in financial straits. In 1897, Ropes defaulted on

his note to the Little family (John had died in 1895), and the family re-assumed possession of Mustang Island.

The Little Family. The family matriarch was John's widow Henrietta. In 1898, she sold the northeast end of Mustang Island to the Aransas Pass Harbor Co. for a large profit. (That sale would have been in conjunction with that company's aspiration to establish a seaport on nearby Harbor Island.)

Henrietta died in 1920, and the Little's Mustang holdings passed to her daughters. These women were less committed owners than had been their parents and great-uncle William. A Corpus Christi man who had been eyeing the Island approached the sisters, and in 1944 they sold their approximately 7,000 acres—70% of Mustang Island—to Sam E. Wilson for a bit less than \$105,000. The long running (1869-1944) Little ownership tradition had come to an end.

Sam Wilson. Wilson was a latter day Ropes, a man seeing great commercial potential in Mustang Island. Tourism was Wilson's game, and to attract people he planned a modern causeway: "the Million Dollar Mustang Causeway" from Flour Bluff to north Padre, connecting to a roadway to Port Aransas. He planned an airport, golf course, residential sites, and hotels. And in advertising Mustang and Port A, Sam Wilson's hyperbole knew no bounds: "the European Riviera will have to take a back seat to us." (As he was planning his tourist mecca, Wilson joined the long standing tradition of running cattle on the Island.)

Sam's grand plans never materialized, and he expired in 1957. His Mustang holdings passed to his wife Ada.

Focus on the State Park. At the landmark of Sam Wilson's death, the TPW study began to focus on Mustang Island ownership specifically pertinent to Mustang Island State Park. In 1972, Ada Wilson sold her south Mustang holdings to the state for the purpose of preserving the primitiveness of Mustang Island. The park opened in June 1979.

The TPW study ended its review of ownership history with the acquisition of the state park land. After describing Henrietta Little's 1898 sale of northeast Mustang to the Aransas Pass Harbor Co., the study provided no further information about north Mustang Island. That leaves us with a partial history of the ownership of Mustang Island.

II. Ownership Timeline (Partial)

The following national entities, individuals, groups, and families had possession of either all of Mustang Island or the majority of it. Because the TPW study focused on the state park (i.e., south Mustang), it gave scant coverage of the ownership of north Mustang, and hence the following timeline is a partial one ending with the 1972 state park entry. It appears to me that the complex record of north ownership began to accumulate rapidly after 1900.

1519—1821. Spain.
1821—1836. Mexico. Mustang Island part of Power & Hewetson empresa.
1836—1845. Republic of Texas. James Power and the Wm. Little New Orleans scrip group compete for Island ownership. Litigation begins.
1845—1869. State of Texas (Union & Confederacy). Power withdraws in 1851. Little lobbies for the scrip group.
1869—1881. Wm. Little and scrip group.
1881—1883. Wm. Little.
1883—1889. John Little.
1889—1897. Elihu Ropes.
1897—1920. Henrietta Little (John's widow).
1920—1944. John & Henrietta's daughters.
1944—1957. Sam and Ada Wilson.
1957—1972. Ada Wilson.
1972—now. Mustang Island State Park accounts for approximately 33% of total Island acreage and 28% of Gulf beach frontage.

III. Early Cultural History

The 1997 TPW paper described archeological evidence of early human cultures on south and north Mustang Island. "Early" is operationally defined as cultural artifacts from the Late Prehistoric Period (A.D. 1000-1700) and subsequent times up to the early 20th century.

South Mustang Island. Late Prehistoric and 19th century artifacts were found on park lands on the west side of the Island, close to Corpus Christi Pass. Some of the 19th century artifacts were fragments of bottle glass in the colors of amber, purple, aqua, olive, and light green. The glass came from manufacturing processes ranging from the early 19th to early 20th century. Also found were shards of ceramic objects (e.g., table ware) and structural artifacts. The ceramics were traceable to 19th century earthen-ware works in the Midwest and East. The structural artifacts were a piece of flat window glass and two brick fragments. Glass thickness conformed to 1859 industry standards. One brick could not be dated, and the other was traced to the 1920s. These artifacts correspond to the Anglo habitation of south Mustang during the mid-1800s to early 1900s (e.g., ranching operations).

This same area produced the following Late Prehistoric (A.D. 1000-1700) artifacts. There were ceramic shards with shapes corresponding to curved vessels. So interesting is the description of these artifacts that I gave it verbatim (blue font).

The ceramics are made of clay paste containing fine to very fine sand. Paste colors vary between the exteriors, cores, and interiors of the shards, and range from very pale brown to red, reddish yellow, pink, and gray. One shard is tempered with burned and unburned shell fragments, and could have been made from lagoonal clay....The shards

are from vessel bodies and show varying degrees of curvature....Two shards bear traces of asphaltum on the exterior, and one retains a thin film of asphaltum or another dark material on the interior. The intact surfaces of the shards appear to have been smoothed but not burnished. One shard that is extremely exfoliated on the interior shows the remnants of four welded coils....All shards are identified as Rockport ware, which first appeared on the Texas coast around A.D. 1250 or possibly earlier.

In other words, humans, most likely Karankawa natives, could have drunk water from these clay vessels 242 years before the Columbus voyage and 605 years before the Mercers.

There were Late Prehistoric shell and stone tools and middens (piles) of manually opened shells, suggesting food procurement. The predominant midden shells were oysters, signaling [this species was the focus of prehistoric harvesting efforts](#).

And lastly, a human mandible from the Late Prehistoric Period was found close to the Fish Pass jetties. [Tooth wear was moderately severe and consistent with a high-grit aboriginal diet. The square lower margin of the mental protuberance suggests that the mandible is from a male.](#) (The lay person who found the bone claimed it was on the beach, but the condition of the artifact suggested that it had been buried in the dunes or interior flat land.)

North Mustang Island.⁵ Late Prehistoric (A.D. 1000-1700) artifacts were found at two sites on the bay side—west side—of the Island. These artifacts were shell middens of perforated conch shells, bone needles and awls, burials, and ceramic shards. The shards were of the same type—Rockport ware—found on south Mustang.

A 19th century artifact was found behind the foredunes. It was a Civil War anti-mine raft used by the U.S. Navy. This object was discovered in 1980 and archeologically described in 1987.

The Islands of Padre and San José. A pipeline project allowed fortuitous sampling on Mud Island and the contiguous segment of San José. No cultural objects were found. (Mid-19th century Anglo habitation of San José Island is well documented.)

The National Seashore on Padre Island has been surveyed. A 1963 study involved 15 sites, most containing Archaic (5500 B.C. to 1000 A.D.) and Late Prehistoric projectile points. One site contained a number of disturbed human burials. The 19th century artifacts related to shipwrecks, ranching operations, and a Mexican War campsite. Locales of these PINS sites were the sides of ancient passes, the Laguna Madre shoreline, and the area behind large foredunes.

Maps from the 1940s give us a 70 year-old snapshot of modern culture at extreme north Padre and south Mustang: on the Mustang side of the C.C. Pass, a store and 2 houses; on the Padre side, 15 houses, a wind-mill, and ferryboat operation.

IV. Overall Summary

Information about the ownership and early habitation of Mustang Island was reported in a 1997 Texas Parks and Wildlife paper.

The Island was initially possessed by Spain (1519-1821) and Mexico (1821-1836) as part of their sovereign domains. Individuals began to show interest in owning the Island soon after the Republic of Texas was declared in 1836. The early history of the individual ownership of Mustang Island is characterized by complex and lengthy litigation, caused partly, I believe, by confusing and changing criteria, as well as self-aggrandizing motives and strategies.

The "Little" name stands out in Mustang ownership history. William Little began the mission to acquire Mustang Island circa 1836. And while finally acquiring some of the Island in 1869, William and his heirs continued the ownership quest until the Little name was associated with the great bulk of the Island. The Littles sold their Mustang interests in 1944.

The TPW study described non-modern archeological artifacts from sites on south and north Mustang Island. Artifacts from the 19th century support the record of an Anglo presence on south Mustang beginning in 1838. Late Prehistoric artifacts were found on both south and north Mustang. These artifacts point to a human presence, most certainly Karankawan, on Mustang Island as early as 1250 A.D.

Endnotes

¹In terms of the ownership factor, the historical tendency was for Mustang Island to be owned as a whole entity rather than in piecemeal fashion. It was the turn of the 20th century when the ownership picture began becoming complex and separated into distinct south Mustang and north Mustang frames.

²No Spanish or Mexican land grant pertaining to Mustang Island has yet been found.

³The principal part of the Power and Hewetson empresa was inland, extending up to the Refugio area.

⁴There is no record of Mustang Island being colonized by Power and Hewetson (or any other empresarios). Most historians accept that permanent Mustang settlement began in 1855.

⁵Erosion of the north tip of the Island was not arrested until about 1888. Before then, artifacts on the tip were inundated and lost.

Howard, Margaret (et al.). *Archeological Survey and History of Mustang Island State Park, Nueces County, Texas*. Austin: Texas Parks and Wildlife Department, 1997.