

**ARCHAEOLOGICAL INVESTIGATIONS AT DE ZAVALA POINT
FOR THE PROPOSED PENN-TEXAS
SHORELINE IMPROVEMENT PROJECT,
HARRIS COUNTY, TEXAS**

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With an Appendix by Anne A. Fox

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ABSTRACT

In May 1990, archaeologists for the Center of Archaeological Research, The University of Texas at San Antonio, conducted a surface survey and subsurface testing program on De Zavala Point, a small tongue of land sticking out into the Houston ship channel in Harris County. The locality has been selected for the construction of a large-vessel docking facility. Survey and testing activities were performed in order to evaluate known archaeological sites and to locate any additional archaeological remains which might be affected by dock construction and operation. In addition, the state of preservation of the important De Zavala historic cemetery (41 HR 487), located within the property, was evaluated. This site has been completely submerged and eroded. Extensive prehistoric archaeological remains were encountered along the shoreline of the study area. Surface and subsurface evaluation of these remains revealed that these archaeological beach deposits are not in situ, being redeposited from inundated ancient land surfaces within the modern ship channel. No significant damage to these archaeological resources is expected with the establishment of the docking facility. In fact, the proposed dock construction will likely halt further subsidence-related degradation to this important historic area. While no further archaeological research is recommended at present, careful monitoring of the initial phases of dredging and dock construction are strongly recommended to insure that any remnants of the original De Zavala home site are not destroyed. The location of this important historic building and any possible associated structures has not been established accurately.

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INTRODUCTION

In March 1990, Mr. William E. Bayne of Bayne Investment Company requested that archaeological investigations be carried out by the Center for Archaeological Research (CAR) at The University of Texas at San Antonio (UTSA) in order to evaluate and report on any archaeological resources which might be affected by the development of a docking facility for the Penn-Texas proposed shoreline improvement project on the Houston ship channel in Harris County, Texas. At that time several sites were recorded for the general area. Sites 41 HR 487 and 41 HR 567 were within the project area and were to be evaluated for possible inclusion on the National Register of Historic Places. Site 41 HR 39, located on adjacent property, had been previously evaluated and rejected for National Register status by CAR-UTSA personnel (Taylor 1985).

Of particular interest to the present study was the evaluation of two known sites within the project area: 41 HR 487, the De Zavala cemetery, and 41 HR 567, an eroded prehistoric site located between the De Zavala cemetery and the current De

Zavala historical marker. The De Zavala cemetery once held the remains of Lorenzo de Zavala, signer of the Texas Declaration of Independence and first vice-president of the Republic of Texas, as well as a number of De Zavala family members.

A total of two days of field work was accomplished in May 1990. Field work included a complete surface examination of nonflooded areas, with shovel testing in areas of surficial cultural materials. Daniel Potter served as coprincipal investigator and project field director, and Jack D. Eaton, acting director of the CAR, was principal investigator. The work crew consisted of three archaeologists. All recovered materials, field notes, photographs, and other information related to this project are curated at the CAR-UTSA.

ENVIRONMENTAL SETTING AND HISTORY

The project area occupies an east-pointing projection of land on the western shore of Buffalo Bayou (Fig. 1). Immediately south of De Zavala Point is Carpenters Bayou, while the north side of the point is on the San Jacinto River, or Old River.

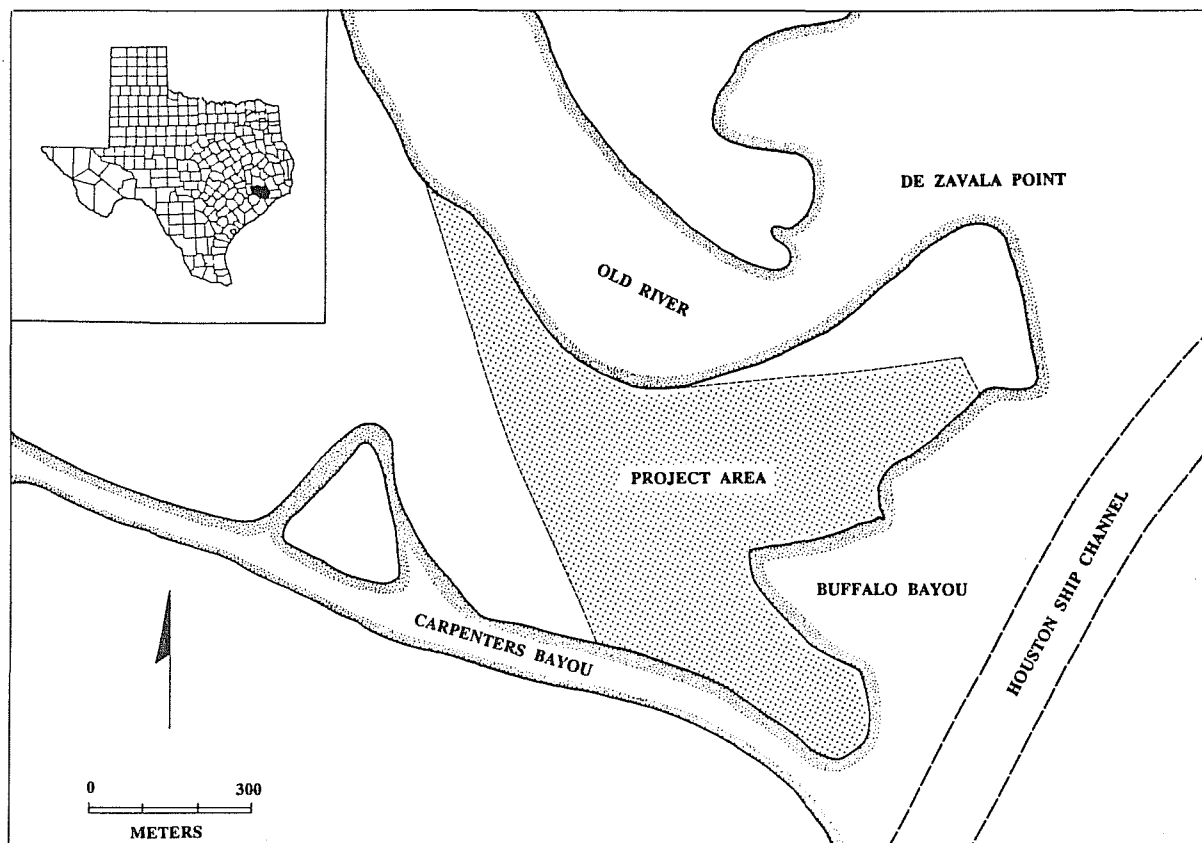


Figure 1. *De Zavala Point Project Area Location.*

The point is directly across Buffalo Bayou from San Jacinto State Park.

Much of the project area is in very dense secondary vegetation, composed mainly of elm (*Ulmus americana*) and pine (*Pinus taeda*) with an understory of honeysuckle (*Lonicera japonica*), other vines, including *Parthenocissus quinquefolia*, and thorn brush. During the survey, much of this area was flooded, presumably due to unusually high rainfall experienced in this region previous to the project.

Soils in the project area are of the Aldine series, with an A horizon of dark, clay/sand loam overlying a B horizon of clay or sandy clay (USDA 1976). There continues to be great uncertainty concerning the degree of preservation of natural soils and general topography at De Zavala Point. The field observations suggested a greatly modified land surface due to various factors, including regional subsidence, man-induced deposition of channel-dredged deposits, tidal and wave erosion, and modern construction and development. Local inhabitants of this area had also indicated that the surface relief of De Zavala Point had changed dramatically over the past 50 years. Finally, in evaluation of excavations at 41 HR 39, Taylor (1985:67) noted that historic and prehistoric

materials exhibited complete vertical mixing at that site, indicating substantial disturbance. While our own testing in the present project supports Taylor's findings, Aronow (1982) has stated that while some modification is present, the bulk of the soil profiles he observed in Day's (1982) excavations on De Zavala Point were in place and relatively undisturbed. Thus it would appear that the degree to which modern disturbance has altered the archaeological record across De Zavala Point will probably not be clarified until systematic and extensive investigations by a trained geomorphologist can be completed.

One natural factor that without doubt has affected the local archaeological record is that of regional subsidence, which has claimed a substantial portion of De Zavala Point and the surrounding Houston-Galveston region in the recent past. Between 1906 and 1973, subsidence was responsible for an estimated 6.6-foot-drop in land-surface elevation at De Zavala Point (Gabrysch and Bonnet 1974; USDI n.d.). In addition, USGS figures indicate the rate of subsidence was rapidly increasing during that time, with De Zavala Point sinking at a rate of about one-third of a foot per year from 1964 to 1973 (Fig. 2).

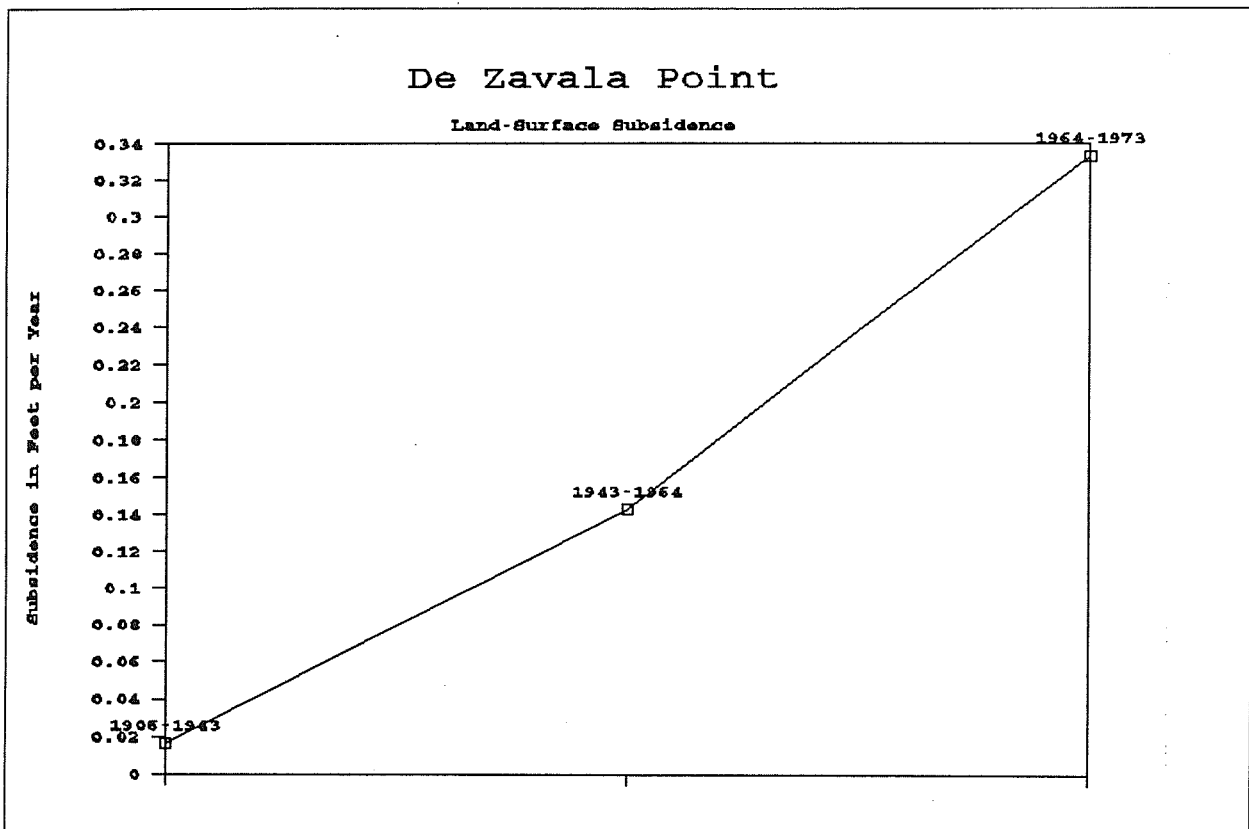


Figure 2. Land Subsidence Rates for the De Zavala Point Area.

The rate of subsidence can also be measured through oral and written accounts of people who have witnessed the changes taking place in the area. Ms. Ella Williams, who lived as a girl on De Zavala Point sometime after 1915, remembers Buffalo Bayou as a "narrow stream" which she rowed across every day to go to school at San Jacinto (Williams 1982, cited in Vollinger 1982; during this time, subsidence was substantially less than one inch per year). By the 1970s, this picture had changed drastically, due not only to the dredging of the Buffalo Bayou/Houston ship channel, but also to the accelerating rate of subsidence, with its associated water encroachment and wave erosion. Although I have no published data past 1973, Day (1982) reports that local residents have estimated subsidence of 2.7 to 3 m during the last 20 years. This equals a subsidence rate of 3.5 to 5 inches per year. This data, if correct, suggests that eastern De Zavala Point has lost at least 300 to 600 linear feet (110 to 220 m) of land to Buffalo Bayou since 1906, and that the rate of loss is accelerating with time (cf. Day 1982 for additional information). A final illustration of the subsidence rate in more recent times can be seen in Vollinger's (1982:14) recent account of an early 1970s newspaper article (*Houston Post* n.d.) which documents the De Zavala home site historical marker having been twice rescued from the Houston ship channel during a three-year period. Needless to say, if this marker did in fact accurately reflect the location of the De Zavala house (a matter of considerable uncertainty), presumably much or all of that important site has been, or is being, destroyed. We would expect that prehistoric sites, many of which would have been in close proximity to prehistoric shorelines, would be in similar, or worse straits. Thus, it seems inescapable that many of the early historic and prehistoric landscape features of De Zavala Point and the surrounding area are now most certainly submerged and lost.

ARCHAEOLOGICAL BACKGROUND AND PREVIOUS RESEARCH

Several research projects have focused on the history and prehistory of De Zavala Point and its environs, and a number of archaeological sites have been recorded in or near the project area. Many of the sites in this area were first recorded in 1956-1957 by local archaeologists W. B. Neyland and R. B. Worthington (41 HR 37, 41 HR 38, 41 HR 39, 41 HR 40, 41 HR 41, 41 HR 42, 41 HR 43, and 41 HR 44). Since that time, a few additional sites have been recorded, including

41 HR 424, a 20th-century navy ordnance depot; 41 HR 487, the De Zavala cemetery; and 41 HR 567, a prehistoric shell midden. Some of these sites have been the subject of further research due to recent development of De Zavala Point. In 1973, McGuff and Ford (1974) reviewed some of the sites on De Zavala Point, and noted that while some had apparently maintained a good state of preservation, such as 41 HR 39 (this later turned out not to be the case; the site is in fact badly disturbed), others had been completely lost, sinking beneath the waters of the Houston ship channel (included here would be sites 41 HR 40 and 41 HR 41).

In 1982, several workers completed research on the history and prehistory of the project area. Espey, Huston & Associates conducted archaeological and archival research in connection with the construction of the Falcon Cement Company terminal, north of and adjacent to the present project area (Vollinger 1982). Their research focused on 41 HR 39, a shell midden, and historic sites 41 HR 424 and 41 HR 32, the former being the naval depot mentioned previously, and the latter the supposed, but not demonstrated, location of the Lorenzo de Zavala home. Site 41 HR 32 possessed a prehistoric shell midden component in addition to its historic component. The Espey, Huston & Associates study revealed that while cultural materials were plentiful on De Zavala Point, they occurred in somewhat ambiguous contexts.

In the same year Anne Fox of the CAR-UTSA prepared a study for the TERA Corporation, Dallas, in which she reviewed the history of the De Zavala cemetery and other sites in the area (her findings are included as an appendix to this report). Fox's report is primarily concerned with the eventful history of the De Zavala cemetery itself, but also discusses various possible locations of the first De Zavala home site as well. As with an earlier study by Brandimarte (1982), Fox could not fix the location of the house with any certainty. This lack of a precise locus for such an important historical site remains an important factor in any consideration for development of De Zavala Point. Those interested in a detailed account of the history of De Zavala Point and specifically the possible location of the De Zavala home are referred to Vollinger (1982) and Fox (see the appendix to this report).

In 1984, A. J. Taylor of the CAR-UTSA directed investigations at 41 HR 39 located near the current project area. The site was characterized as multicomponent, with prehistoric ceramic material, lithics, shell, and bone, as well as historic ceramics,

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first recorded as a shell midden, located between the De Zavala cemetery and the grounds of the Falcon Cement Company. Two additional scatters (labeled Scatter 1 and Scatter 2 on Fig. 3) are located southwest and west of the De Zavala cemetery, respectively. All three of these scatters are identical in context and internal structure. They consist of cultural materials in a loose, soft beach-sand matrix. In all three contexts, prehistoric materials (primarily shell fragments and ceramics) are completely intermixed with modern flotsam and jetsam from the ship channel (including glass, metal, wood, and plastic items). Also present is a small quantity of 19th- and early 20th-century ceramic material. It is clear from our investigations that all three localities are secondary deposits, and are not of great historic or archaeological value in and of themselves. It is not as clear where the archaeological material noted in these scatters is being transported from. It is my opinion that the most likely origin for the beach material is within the ship channel itself. Due largely to the subsidence described earlier in this report, it can be expected that many sites on De Zavala Point which were once located on or near old (lower) shorelines have sunk underwater. Due to existing currents, tides, and ship channel traffic, materials from these sites are washing up on shore in specific places, creating secondary beach deposits. This would explain the total intermixture of prehistoric, historic, and modern material we observed within these deposits. Table 1 summarizes all materials recovered from surface collection and shovel testing within 41 HR 567 and Scatters 1 and 2. Because the concentrations we observed are not in fact sites but secondary deposits, there is little utility in describing them as undisturbed individual sites. Instead, all recovered materials from the project area will be described as material class.

THE ARTIFACTS

PREHISTORIC CERAMICS

Of the 53 prehistoric ceramic sherds from the project area (Table 1), all are of the type *Goose Creek Plain*, associated with the "Galveston Bay Focus" of Suhm, Krieger, and Jelks (1954:128-130) and conforming to ceramics described by Taylor (1985) for site 41 HR 39, just north of the present project area. Sandy paste ceramics are most common in the small sample, followed by grog and shell-tempered paste sherds. The single rim sherd within the assemblage is weathered, but possesses a

straight vessel wall and direct, thin, rounded rim. Incision was not noted within the assemblage, with all sherds apparently being completely smooth, or more likely, so eroded that such decoration is no longer visible. However, asphaltum streaks or a thin, eroded red film were seen on several sherds, as was noted by Taylor (1985:32-37) at 41 HR 39.

LITHICS

Of the 21 chert objects recovered from the project area (Table 1), three projectile point fragments and five possible cores are most significant. The cores are all somewhat problematical in terms of identification. All are small pebbles (the largest measures 4.5 x 4 x 1.5 cm), each with several small multidirectional flake removals. It may be that these are informal flake cores, although the possibility exists that natural fracturing or recent development activities have been a factor here as well.

Of the three projectile points, all are possibly very small dart points, but only one is complete enough to allow identification, and it does not readily fit into any recognized point style. Collected from the surface of Scatter 2, it is a small point, with its base broken off. The length is 4.5 cm; width is 1.7, and thickness is 0.78 cm. The point possesses a thick, narrow blade with slightly pronounced shoulders, narrowing to a straight stem. Basal morphology is unknown. The two unclassified fragments originated from Scatter 1 and 41 HR 567, respectively. The presence of dart points in these deposits may indicate a nearby Archaic period site, but it is important to note that small dart points were also used into the Late Prehistoric period in the Galveston Bay region and thus these may be contemporaneous with the *Goose Creek* ceramics also found here (Suhm, Krieger, and Jelks 1954).

HISTORIC CERAMICS

Maureen Brown (CAR-UTSA) has examined all historic materials recovered during the project, with particular attention to ceramics, as these are often the best indicators of the age of a site. Numerically dominant within the historic artifact assemblage is glass, predominantly modern window glass. Also present is modern metal scrap, plastic, and a small amount of water-rolled bone (Table 1).

The historic ceramic assemblage (41 sherds) includes whitewares, porcelain, and stoneware (see Table 2). With the exception of five sherds, all Historic period ceramics were recovered from

TABLE 1. INVENTORY OF COLLECTED MATERIALS FROM THE DE ZAVALA PROJECT SITE

PROVENIENCE	PROJECTILE POINT	CHERT DEBITAGE			CHIPS	CORES	PREHISTORIC CERAMICS	HISTORIC CERAMICS	BONE	METAL	GLASS	BRICK	SLATE	DRILLED STONE	PLASTIC	TOTAL
		PRIMARY	SECONDARY	TERTIARY												
41 HR 567																
ST-1-1					1		3	6	1	10						21
ST-1-2										16						16
ST-2-1							2	5	1	12					1	21
ST-2-2						1				2						3
ST-3-1				2	1	2	2	4	14	31						56
ST-3-2						1				4					1	6
ST-3-3						4		4		6						14
ST-4-SURF.	1					1	1									3
ST-4-1				1		6		2		28		1				38
ST-4-2					1	1		4	1	30					2	39
ST-4-3								1		4						5
ST-4-4					1					4					1	6
ST-4-5							1			1						2
SCATTER 1																
ST-5-1					1	3		2		17					1	24
ST-5-2										1						1
ST-5-3								1								1
SURFACE COLLECTION																
41 HR 567				1		1	23	27	10	1	5	4				72
SCATTER 1	1		3	1			7	4	1	1	18		1	4		41
SCATTER 2	1				1	4	4	1								11
TOTAL	3	0	3	5	6	5	53	41	40	19	189	5	1	4	6	380

41 HR 567. The earliest sherds in the assemblage consist of decorated whiteware, including transfer printed, hand decorated, and flown blue, all popular during the early to mid-19th century. Within this earliest group of ceramics are several sherds of blue transfer-printed ware with an identical design pattern. Two vessel forms are represented, probably indicating the existence of a matched set.

Undecorated whiteware, ironstone, and stoneware make up a second class of ceramics, dating from the mid to late 19th century. Also present are ceramics which were typical of the late 19th and early 20th centuries.

Considered in general, the ceramic assemblage includes a range of domestic forms, such as dinnerware, storage vessels, as well as one fragment each of a washing basin and pitcher.

The earliest historic ceramics collected within the project area may be associated with the original De Zavala home site, first occupied by the family in 1835 (see appendix). The ceramics of more recent date may be associated either with the De Zavala family, or other occupants of De Zavala Point.

SUMMARY AND RECOMMENDATIONS

The research and investigations have failed to reveal any significant intact historical and/or archaeological resources within the project area. As was the case in Taylor's (1985) study of nearby site 41 HR 39, cultural materials within the project area at De Zavala Point are plentiful, but occur in disturbed contexts which nullify what would otherwise have been a very valuable archaeological zone. Of the four loci described in this report, Scatters 1 and 2 and sites 41 HR 567 and 41 HR 487, none would be adversely affected by the proposed construction within the project area. Indeed, the proposed elevation of De Zavala Point by dredging, filling, and construction would actually help matters somewhat by reducing subsidence-related erosional damage to the present land surface.

However, it must be kept in mind that there is still no precise fix on the location of the Lorenzo de Zavala house. Although our research, and that of previous projects, suggests that the house may well have been located somewhere in the 41 HR 32 and 41 HR 567 area, these are little more than educated guesses. Until such historic structures can be located precisely, all of De Zavala Point should be viewed as a very sensitive archaeological area.

TABLE 2. CLASSIFICATION OF HISTORIC PERIOD CERAMICS FROM DE ZAVALA POINT

	41 HR 567	Scatter 1	Scatter 2	Total
Undecorated Whiteware	5	1		6
Ironstone	6			6
Transfer	12			12
Hand-Painted	2			2
Flown Blue	3			3
Porcelain	3			3
Stoneware	5	3	1	9
TOTAL	36	4	1	41

It is therefore strongly recommended that archaeological monitoring be required during the initial stages of development of the entire project area. This recommendation is advanced for two reasons. First, land clearing and other preparations for construction within the project area may reveal historic remains which can finally establish without question the exact site of the De Zavala house and add to our knowledge of that important structure and the family that lived in it. Second, during CAR-UTSA investigations within the project area, poor surface conditions and limited visibility prevented full coverage of certain parts of De Zavala Point. With the clearing of these areas in preparation for construction and dredging, these portions of the project area can be thoroughly examined and recorded.

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APPENDIX

THE HISTORY OF THE LORENZO DE ZAVALA CEMETERY AND ASSESSMENT OF ASSOCIATED ARCHAEOLOGICAL SITES

Anne A. Fox

NOTE: This research paper was written in January 1982 for the TERA Corporation of Dallas.

INTRODUCTION

The property under discussion encompasses most of the original labor (177 acres) acquired by Lorenzo de Zavala in 1835 (Kemp 1944:374). It includes a point of land on which the original home and subsequent structures were located, and a one-acre cemetery which has belonged to the State of Texas since 1934 (Fig. 4). Severe subsidence and channel dredging in the area have caused a large percentage of the cemetery to be permanently inundated by the waters of the Houston ship channel. A small portion remains above water, and a section of a chainlink fence installed by the U. S. Government ca. 1940 currently delineates the northern boundary of the plot.

HISTORY OF THE DE ZAVALA CEMETERY

Manuel Lorenzo Justiniano de Zavala was born October 3, 1789, near Merida in Yucatan. After an active political career as a Mexican liberal, he became disillusioned with the government of Santa Anna in 1835. He moved to Texas, bought a home on Buffalo Bayou, and brought his wife and children to live there. He became a delegate from Harrisburg to the Consultation at Washington on the Brazos in 1835, and to the Convention of 1836, where he signed the Texas Declaration of Independence. Zavala was elected *ad interim* vice president of the Republic of Texas on March 17 of the same year.

The Zavala home was used as a hospital for the wounded after the battle of San Jacinto, which took place across the bayou. Zavala resigned as vice president in October 1836, and died the following month. He was buried on his property, a short distance from his home.

The earliest burial believed to have been made in the cemetery, was that of General Manuel Fernandez Castrillon, who was killed during the battle of San Jacinto. According to family tradition, Lorenzo de Zavala went to the battlefield and found

the body of General Castrillon, an old friend from his days in Mexico. He arranged to have the general buried near his homestead. In October of the same year, Zavala died and was buried near Castrillon (Webb Vol. I 1952:498).

From this time, the cemetery was used as a burial place for numerous members of the Zavala family. There were a number of other people buried there as well (Table 3). A marker erected by the State of Texas in 1932 stated that David Thomas, *ad interim* attorney general and acting secretary of war of the Republic, died in the Zavala house and was buried there in 1836.

The location of Thomas' grave is based on family tradition. There are several different theories as to where he actually died (Webb Vol. II 1952:771). There was also a marker bearing four names of men supposedly lost at sea (*Baytown Sun* 1969). A stone erected in 1936 by the State of Texas marked the grave of Peter Jefferson Duncan, who fought in the Texas Revolution. Duncan apparently lived in Harris County until his death in 1870. He was a neighbor of the Zavala family (Zavala 1838).

In addition to those mentioned previously, the people of the local community were accustomed to burying in the Zavala cemetery. According to Mrs. Eppie Gertrude Higginbotham, granddaughter of Lorenzo de Zavala, the local sawmill shut down when there was a death in the community. They made a casket and held a funeral (*Baytown Sun* 1968). Her son, Floyd, stated in 1969 that the cemetery had been virtually a community one for over a hundred years, that no records were kept, and that the most recent burial was in 1955 (Quick 1968).

In 1900 the idea of properly identifying Lorenzo de Zavala's grave and moving it across the bayou to the battlefield was proposed to the Daughters of the Republic of Texas Convention, and a committee was appointed to look into it (*Houston Post* 1900). Inspired, perhaps, by the resulting publicity, a feature article about the Zavala home and cemetery appeared in the *Houston Chronicle* (1921) the following January. The planned removal of Zavala

This page has been redacted because it contains restricted information.

TABLE 3. PERSONS BELIEVED TO HAVE BEEN BURIED IN DE ZAVALA CEMETERY

FAMILY

Lorenzo de Zavala	1789-1836
Emily West de Zavala	1811-1883
Richardo de Zavala	1835-1906
Minna Wadzick de Zavala	
Darwin de Zavala	1872-1881
Edward Theodore de Zavala	1863-1882
Emma Singleton de Zavala	1870-1938
Katherine E. de Zavala	1911-1914
Leroy de Zavala	1905-1954
Lorenzo de Zavala III	
Sidney de Zavala	1870-1906
Henry de Zavala	1877-1942
Willa Folk	1850-1871
Amy Inez Higginbotham	1904-1907
Jess Higginbotham	1878-1915
Lillian Marie Higginbotham	1901-1903
Emily de Zavala Jenkins	
Thomas Jenkins	
Ethel K. Joyner	1909-1912
Katherine S. Joyner	1887-1911
James Singleton	1881-1912
Emily C. de Zavala Weaver	1861-1892
Ethel Gertrude Weaver Martin	-1955

OTHERS

Gen. Manuel Fernandez Castrillon	Died 1836
Frederick Dulitz	1873-1876
Peter Jefferson Duncan	1799-1870
Doctor Dunlap	
Frederick Nitsche	1794-1863
William Nitsche	
David Thomas	1809-1836
Charles E. Wilcox	1873-1909

Numerous unknown local individuals whose burials are unrecorded.

to the San Jacinto Battlefield was mentioned briefly in this article.

The next indication that things were under way, was a flurry of letters exchanged between Miss Adina de Zavala, granddaughter of Lorenzo, and historian Charles H. Wharton and others discussing the proper time and setting for the ceremony of reburial (Wharton 1925a, 1925b, 1925c; Atkinson 1925). The result was the appointment of Adina de Zavala and her sister, Mary, to represent the Texas Historical and Landmarks Association on the occasion of the reburial to take place April 21, 1925 (Texas Historical and Landmarks Association 1925). By this time, the plans included the moving not only of Lorenzo de Zavala but his wife and General Castrillon as well.

The Houston newspaper of April 19, 1925, carried articles about the coming event (*Houston Post-Dispatch* 1925a; *Houston Chronicle* 1925). The *Houston Chronicle* article, replete with photographs of participating dignitaries, included biographies of Zavala and Castrillon. The list of those due to participate in the "quiet, unofficial burial ceremony" to take place at sunrise was an impressive one. The ceremony was to be under the direction of Clarence R. Wharton, prominent Houston attorney and Texas historian, and with Monsignor J. M. Kirwin of Galveston officiating. Other participants were to include C. H. Milby of the San Jacinto Park Board; Miss Adina de Zavala; Mrs. Concepcion R. Castrillon Gibler, relation of General Castrillon; J. B. Fernandez, Mexican consul; Major Calvin Garwood and Colonel J. S. Hoover, unofficial military representatives. The Sons and Daughters of the Republic of Texas, it was announced, would place suitable monuments of the Zavalas' graves.

From this time onward, there was nothing further about the reburial ceremony in the press. Detailed articles about the San Jacinto Day celebrations in the Houston and Galveston papers on April 22 (*Houston Press* 1925; *Houston-Post Dispatch* 1925b; *Galveston Daily News* 1925) contain no mention of the Zavalas or of the planned ceremony. There is nothing in the minutes of the Texas Historical and Landmarks Association or the accounts of the next meeting of the Daughters of the Republic of Texas. Surprisingly, Miss Adina de Zavala's voluminous papers contain no hint about what transpired, and no mention is ever again made of the ceremony so long in the planning, and it would seem, so dear to her heart.

Not until an interview in 1968 with members of the family who were present at the 1925 ceremony, do we find any further information. Evidently funeral home employees removed what were

believed to be the burials of Lorenzo de Zavala, his wife, and General Castrillon, loaded them into a wagon and transported them across to the battleground. The ceremony was under way when Victor de Zavala interrupted the proceedings demanding that the burials be replaced in the cemetery. He had apparently promised his father, Ricardo de Zavala, that his grandparent's graves would never be moved (*Sentinel* 1968; *Baytown Sun* 1968). One would expect that at this point the ceremony dissolved in confusion, and there is no reason to believe that the remains were not taken back and reburied in the Zavala cemetery, under Victor's personal supervision. However, no written record of this event has been found. The Settegast Funeral Home (now Settegast & Kops) claims no records exist in their files, and no one has been found still surviving who was present at the ceremony.

Other than the installation of markers at the cemetery and home site in 1928 by the Texas Historical and Landmark Association (*Houston Post-Dispatch* 1928), and on the Lorenzo de Zavala and David Thomas grave sites by the State of Texas in 1931, no further action was taken toward recognizing the Zavala cemetery. The 43rd Legislature accepted title to the cemetery in 1933 (Texas House of Representatives 1933), and in 1934 Adina de Zavala and Lulu D. Hurst legally conveyed the cemetery to the state (*Deed Records* 1934 Vol. 949:423-424), its care then becoming the responsibility of the Board of Control. In 1936 the Texas Centennial Commission erected a marker to Peter Jefferson Duncan at the cemetery, and a commemorative marker at the home site. When the land surrounding the cemetery was purchased by the U. S. Government for an Ordnance Depot in 1939, the cemetery was surrounded by a protective chainlink fence (*Houston Chronicle* 1941). Judging from newspaper photographs at that time, it was still intact and above water level. There then ensued a 25-year period of comparative peace and quiet in which the plot was bypassed and forgotten except by the family and older members of the community.

Interest in the cemetery was revived in 1964 by the sale of the Zavala portion of the government property to the Milray Corporation (*Houston Post* 1966). Considerable subsidence in the area had brought the water up to and over portions of the cemetery at high tide (*ibid.*). The Milray Corporation inquired into the possibility of having the cemetery designation removed so that they could purchase the one-acre plot from the State. Various legal opinions were advanced, the final conclusion being that this could only be

accomplished by a legislative enactment (Texas Attorney General's Office 1964).

While this discussion was going on, the battleground and cemetery were transferred to the jurisdiction of the State Parks and Wildlife Department as part of a general reorganization. After a visit to the area in 1966, Attorney General Crawford Martin became concerned over the state of the cemetery. In 1967 he recommended that the Legislature take action to move it to a better location (*Houston Post* 1968). On July 2, 1968, the Texas House of Representatives (1968) adopted a resolution, H. S. R. 103, requesting the Parks and Wildlife Department to move the cemetery to the San Jacinto Battleground Park (*Sentinel* 1968). Local sentiment, as reflected in interviews published in the Channelview and Baytown newspapers, was not in favor of moving the graves. Family members recalled the 1925 incident (incorrectly reported as happening in 1928, by this time) and the fact that there were numerous unidentified burials there. Mrs. Eppie Higginbotham, granddaughter of Lorenzo de Zavala, is quoted as remarking, "They would never be sure they had the right bodies" (*Sentinel* 1968; *Baytown Sun* 1968).

In response to the Legislative directive, the Parks and Wildlife Department contacted a number of local funeral directors in an attempt to arrange for moving the burials. In each case, the professional opinion was expressed that there would be little use in going to the trouble and expense of attempting the transfer, since there would be nothing left in the graves to be moved, due to the saturated condition of the site (W. M. Gosdin, personal communication). The amount of family and community disapproval was also becoming evident. Permission was then obtained from the family descendants to move only the markers to the battleground park (Quick 1969; Gosdin 1980).

By this time, the cemetery was suffering from vandalism as well as flooding. The fence was disappearing beneath the water, and debris from the channel was scattered over the surface. On July 18, 1968, the Schlitzberger Memorials Company of Channelview moved all the markers and monuments (Table 4) to the San Jacinto Battleground Park (Muriel Hart, personal communication). An area was set aside as the De Zavala Memorial Plaza, and the descendants of the family have been given the right to inter additional family members there (J. C. Martin, personal communication).

TABLE 4. MARKERS INSTALLED AT SAN JACINTO BATTLEGROUND

Emma S. de Zavala	
Sidney de Zavala	
David Thomas	1931 State Marker
Frederick Dulitz	
Fred Nitsche	Single Marker
William Nitsche	
Dr. Dunlap	
Ricardo de Zavala	
Lorenzo de Zavala	1931 State Marker
Jesse Higginbotham	
Peter Jefferson Duncan	1936 State Marker
Charles Wilcox	
Willa Folk (Mrs. L. T.)	
Amy Inex Higginbotham	
Louis Victor de Zavala	1975
Louis B. de Zavala	1980

ADDITIONAL SITES

Whitsell Cemetery. To the right of the road which traverses the property northwest to southeast, just beyond the houses at the gate, is a small area surrounded by a chainlink fence (Thompson 1981). This is apparently referred to as the Whitsell Cemetery (*Sentinel* 1968), the private cemetery of a family who once lived on the property. The fencing is the same as that which delimited the Zavala cemetery and was undoubtedly also installed by the U. S. Government when they owned the property.

Zavala Home Site. Registered at the Texas Archeological Research Laboratory in Austin as site 41 HR 32, this has been described as a clam shell beach. This badly eroded prehistoric midden site was once also the location of one or more 19th- to 20th-centuries structures. Artifacts recently collected from the site by W. L. Fullen, date the historic occupation from the first half of the 19th century well into the 20th century (author's personal observation). This general area has traditionally been considered to be the location of Lorenzo de Zavala's home, and historical markers have been erected on and near the site.

It seems to be undisputable fact that the original log house acquired by Lorenzo de Zavala (it was already standing when he bought the property) was

located somewhere on the Point. Adina de Zavala wrote several descriptions of the house as she saw it when a child. She remembered it as a story-and-a-half house with a porch across the front. It sat on top of a rise, "commanding a fine view in every direction" (Zavala 1934). The old house burned sometime in the 1860-1870 period, and Mrs. Zavala, who by this time was Mrs. Zavala Folk Hand, evidently built a new home somewhere nearby. Adina de Zavala remembered that many flowers in the garden at the second house were "brought down from the old one" (*ibid.*), implying that this house was located at a lower elevation from the original one. It is distinctly possible that the first house was located at the highest elevation of the Point, still well out of reach of the water. The site may have been removed or seriously impacted by later construction of buildings in that area which are shown on early maps. There seems to be considerable confusion about the actual location of the first house, and the later location of historical markers were more than likely inaccurate. An intensive historical records search and archaeological survey could probably clear up the confusion and determine which sites are still preserved and what finally became of the later house. Until this is done, the entire Point should be considered a sensitive area and left as much unaltered as possible. There are numerous remains of old house structures scattered over the area which have not been identified or examined.

Sites 41 HR 40 and 41 HR 41. These prehistoric shell midden sites at the very tip of the point, were first recorded by Worthington and Neyland in 1956-1957. By 1973, no trace was left above the water line (McGuff and Ford 1974:65).

Sites 41 HR 37, 41 HR 38, 41 HR 39, 41 HR 42, 41 HR 43, 41 HR 44. These six sites have not been examined or archaeologically assessed since 1956-1957. Fullen (personal communication) believes that several of these sites warrant testing to determine their potential for yielding important information on the prehistory of the Galveston Bay area.

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PEOPLE CONSULTED

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Muril Hart, Channelview, newspaper woman
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LaVerne Herrington, Texas Historical
Commission, Austin
Patricia Patterson, Texas Historical
Commission, Austin
Henry Guerra, Angelus Funeral Home, San
Antonio
Porter Loring, Jr., Porter Loring, San Antonio
Settegast & Kops, Houston
Catholic Chancery Office, San Antonio
J. C. Martin, San Jacinto Monument
Ernest Connally, National Park Service,
Washington D. C.

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