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On The Rio Grande: A Struggle for Land and Citizenship in San Vicente del Llano Grande, 1749-1930

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ON THE RIO GRANDE: A STRUGGLE FOR LAND AND CITIZENSHIP IN SAN
VICENTE DEL LLANO GRANDE, 1749-1930

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Doctoral Program in Borderlands History

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Dedication

To my husband, David, you have been the pillar of support that I needed to complete this dissertation. Thank you for your love and support. This work is also a dedication to my parents, Ramiro and Lupe, who have served as my greatest inspiration. Because of your sacrifices, your hard work in the fields, and your love, I am where I am today. This is for you.

ON THE RIO GRANDE: A STRUGGLE FOR LAND AND CITIZENSHIP IN SAN VICENTE
DEL LLANO GRANDE, 1749-1930

by

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DISSERTATION

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Abstract

“On the Rio Grande: A Struggle for Land and Citizenship in San Vicente del Llano Grande, 1749-1910” is a case study that evaluates the shifting patterns of land ownership and citizenship in the Llano Grande land grant from the Spanish, Mexican, Texan, and American eras. This time allows for an analysis of the changes and strategies used by its owners, Juan José Hinojosa, Rosa María Hinojosa de Ballí, and their descendants, to expand their land holdings and maintain them through the shifts in sovereignty. This dissertation argues that the Ballí and Hinojosa families were active participants in the land tenure history of the Llano Grande, who used their connections to the state and their status as Spanish elite, Mexican and American citizens to preserve their property for a considerable time. As such, the history of swift dispossession and displacement of the Southwest Mexican landowners, or its inevitability, had a different outcome in the Llano Grande. The land not only shaped identity but gave social, cultural, and economic meaning to its citizens, and this study centers on examining the relationship between landowners and the imperial or nation-states. At its core, this work is an examination of citizenship. Race, class, and gender conditioned access to citizenship, and it a lens used to examine citizens, identity, and land use in the Llano Grande grant.

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Introduction

On November 28, 1934, the front page of the *McAllen Daily Monitor* informed the public of Ysidro Ballí's death and details on his funeral services. The "Descendant of Early Grantee of Much of the Valley Buried at Donna—Romance of Family" article revisited not only the Spanish history but also the legacy of the Ballí family lineage to the Lower Rio Grande Valley.

Moreover, it carried an air of nostalgia and amazement of the days gone by. Born in the Llano Grande grant in February 1877, Ysidro was the great-grandson of José Antonio Ballí, the Chief Justice of Reynosa, during the Spanish colonial era, and the descendant of Padre Nicolas Ballí who acquired Padre Island. His extended family, collectively, claimed a large portion of the Lower Rio Grande Valley territory in Spanish land grants.¹ Ysidro's life, overall, was shaped by inheritance practices, land ownership, and a Spanish legacy that decades later continued to be exalted.²

Although the newspaper waxed poetic about a romanticized Spanish past, life for the descendants of those original land grant owners had become increasingly difficult and precarious in the twentieth century. Similar to western stories of the purportedly "empty landscape" ready to be claimed, tamed, and transformed, the newspaper article on Ysidro Ballí appeals to popular tropes about the Spanish colonization of a region untouched by human hands. According to the popular lore trafficked by the newspaper, Padre Ballí had gathered his horses and supplies and "rode forth, a cowhide trailing his saddle, and from the exact junction of the river and the gulf he galloped north. Changing from horse to horse he rode day and night for 72 hours returning to claim millions of acres of fertile prairie and brush land and hot sand dunes."³ According to the

¹ "Descendant of Early Grantee of Much of the Valley Buried at Donna—Romance of Family," *McAllen Daily Monitor*, November 28, 1934, 1-2.

² *Ibid.*

³ *Ibid.*

article, the region was vast enough that it required three days to explore. Padre Ballí took the land, and as the Ballí's "multiplied" they "enjoyed their rights" and used the land throughout the nineteenth century.⁴ The rhetoric and connection to the early Spanish days resonated in the article, and the Ballí's inhabited and uneasy space in popular representations of borderlands history: at once pioneers of European heritage, they brought whiteness and civilization to the wilderness. Nevertheless, their efforts seemed doomed to American expansion into the region.

The widely-read article in the *McAllen Daily Monitor* offers a view of the romanticism of the Ballí family and its connection to Rio Grande Valley history. The epic story that it conveys symbolizes the ambivalence that many Anglos, such as newspaper editors, businessmen, and regional elites, had about the Spanish upper class. The article reflects their paternalistic yet reluctant admiration for the Ballí family as pioneers who, despite their best efforts, would never be their peers. The piece is also useful for what it does not say about the main protagonist: Ysidro Ballí. Ysidro's life, similar to the article, gets overshadowed by the broader history of the Ballí family, even as both interconnect with the complex history of Spanish land grants, inheritance practices, and the ranching economy of the region. The article barely hints that Ysidro became a deputy sheriff for A.Y. Baker of Hidalgo County, for instance, as an example of the many avenues of class and power available to the Ballí family.⁵ Despite its silences, the article nonetheless sheds some light on the life of Ysidro Ballí, and it encapsulates the life of many landowners and Spanish grantees in South Texas.

The newspaper article about the Ballí family illustrates a broader history of land grants, Spanish colonization, social and cultural transformation, economic and political competition, and intergenerational struggles for citizenship and status under the flags of multiple empires and

⁴ *Ibid.*, 1-2.

⁵ *Ibid.*, 2.

nations. Despite these considerable changes over the centuries, land grants continue to be an integral part of Rio Grande Valley culture and history in the twenty-first century. Moreover, many descendants of original land grant owners continue to fight for mineral rights, inheritance claims, or possession of many grants within Texas courts. As Ysidro's article articulated, land grants continued to be a part of the history and life of the Lower Rio Grande Valley, have political and legal repercussions in this region as well as impact the Southwest from California, New Mexico, and Texas.

Often the value and the importance of the land itself as a historical character is ignored or overlooked, yet they are integral to understanding the shift from Spanish to American legal, political, and economic systems in the Lower Rio Grande Valley. Land can be considered a historical agent that has a socially and culturally constructed identity and a politically contested meaning. For the indigenous people, Spanish, and Americans, the land was used differently and carried distinct connotations, ranging from a place of origin, cultural inheritance, or a commodity within a system of private property. David Chang argued that land was not only racialized, but it was a "form of wealth, a source of power, and an object of contention."⁶ As is often ignored, land and its history has been a contributor to conflict along the borderlands and is a symbol of status, power, and identity.

This dissertation explores patterns of land ownership and land use through the Spanish, Mexican, Texan, and U.S. eras. By using a case-study methodology, this study seeks to evaluate change over time, how the Hinojosa and Ballí families, the grantees of the San Vicente del Llano Grande, and La Feria grants respectively, navigated the changes in national sovereignty and its effect on their land and status. Furthermore, it investigates how these two families acquired their

⁶ David A. Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832-1929* (Chapel Hill: University of North Carolina Press, 2010), 1-2.

grant, gave it social, cultural, economic, and political meaning over time, and how the possession of this large tract of land offered them status under multiple imperial and national flags. This story considers the crucial relationship and kinship networks that developed between Juan José Hinojosa and José María Ballí. Although the focus is on the Hinojosa family, it also integrates the Ballí family, who were major landholders in the Lower Rio Grande Valley borderlands. Analyzing this vital relationship helps us understand the shifting and mercurial nature of class and racial status over time. Moreover, we learn a lot about the unpredictable elements of borderlands history more broadly, as these families expanded their landholdings, moved into positions of power vis a vis multiple nation-states, and alternately, faced challenges to their privileged status when the Republic of Texas and the United States imposed new racial hierarchies and economic systems upon them.

Concentrating on a few land grants and the families associated with them opens an avenue to evaluate the changes in land use and its value, the role of the state as grantors, and the connections between land and identity over time. Beginning in the sixteenth century, the Spanish sought to encourage its citizens to move to the northern frontier and colonize the sparse region by offering them large tracts of land at a relatively low cost. Many military soldiers were rewarded, as agents of the state, with land ownership.⁷ In the northern frontier, ranching was the principal economic activity of the region, and owning more land typically allowed colonists to expand their grazing lands and increase their wealth and status. This practice continued well into the nineteenth century, yet by the early 1900s ranching transitioned into commercial agriculture that reshaped the land tenure of the Llano Grande in its entirety. Land and irrigation companies came to control land in the Lower Rio Grande Valley and reshaped the infrastructure to grow

⁷ María E. Montoya, *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Lawrence: University Press of Kansas, 2005), 165.

crops and create reliable sources of irrigation from the Rio Grande. It is essential to examine the nuances and changes in land tenure in the Llano Grande from the beginning of Spanish colonization, in 1749, to the rise of commercial agriculture in the 1920s and 1930s.

The vast timeframe under study provides an opportunity to examine how citizenship and identity were shaped throughout the Spanish, Mexican, Texan, and American periods. Historian Andres Reséndez claims that the creation of identity was shaped by various factors, particularly by the nation-state and individuals, and adapted to specific situations.⁸ Changes in identity affected the daily lives of residents of the frontier who experienced the shift in sovereignty from Spanish, Mexican, Texan to American citizens within a short lifetime. Identity is important to examine because, as Reséndez articulates, it is integral not only for survival but for the creation of networks, businesses, and political power, amongst others.⁹ This dissertation examines a land grant through this vast timeframe to analyze the fluidity of identity and requirements for citizenship. Omar Valerio-Jiménez, also, articulates borderland residents adapted to the categories and national policies created by the nation-state in solidifying the parameters of citizenship, which were fluid in nature. Despite this change, borderland residents created their identity and spaces.¹⁰ Furthermore, the shift in sovereignty, as María E. Montoya argues, created conflicting ideas of “property systems” between Mexico and the United States that led to conflict.¹¹ Land grant owners had to adapt to the change from empires to nation-states, and

⁸ Andrés Reséndez, *Changing National Identities at the Frontier: Texas and Mexico, 1800-1850* (New York: Cambridge University Press, 2004), 3.

⁹ Reséndez, *Changing National Identities at the Frontier*, 1-2.

¹⁰ Omar Valerio-Jiménez, *River of Hope: Forging Identity and Nation in the Rio Grande Borderlands* (Durham: Duke University Press, 2013), 2-3

¹¹ María E. Montoya, *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Lawrence, KS: University Press of Kansas, 2005), 2.

Reséndez, Valerio-Jiménez, and Montoya speak to the shifts of identity and power in the borderlands.

Additionally, citizenship can be considered a fluid construct that has specific requirements and meanings for membership within a nation, that are shaped by various factors, including race, class, and gender. Civic participation and belonging carried different connotations from the Spanish empire to the U.S. government. As Spanish subjects of the crown, *hombres de bien* were Spanish subjects, as Cheryl Martin argues, were men who fulfilled their obligations, were honorable, and held the respect of their community.¹² Under the Mexican government, these elite families became citizens of Mexico who removed race as a legal category, of which Ballí and Hinojosa previously benefited in the Spanish empire. Hinojosa's military service and *calidad* were not accessible under the Republic of Texas after the U.S. – Mexico War. After the Treaty of Guadalupe Hidalgo, the U.S. legal system hypothetically offered a new avenue for citizenship tied to private property. Historian Mark Sturges argued that Thomas Jefferson saw land ownership as the basis for the United States' economic and political stability.¹³ Spanish land grant holders and their descendants identified this principle as the foundation for their continued status as citizens and rightful participation in the new nation. They saw themselves as private property landholders who should enjoy all the rights and privileges of Anglo-American property holders, and as such, made claims to citizenship. A new system of racial categorization built upon whiteness, however, threatened their class status and undermined

¹² Cheryl English Martin, *Governance and Society in Colonial Mexico: Chihuahua in the Eighteenth Century* (Stanford: Stanford University Press, 1996), 125-128.

¹³ Mark Sturges, "Enclosing the Commons: Thomas Jefferson, Agrarian Independence, and Early American Policy, 1774-1789," *The Virginia Magazine of History and Biography* 119, no. 1 (2011): 45, <http://www.jstor.org/stable/41059479> (accessed March 20, 2017).

their equal citizenship. Thus, change over time, offers a view of the shifting views of citizenship, identity, and how residents of the Rio Grande Valley used the land.

The Llano Grande grant, also known as San Vicente del Llano Grande, offers a sophisticated and rich history that is an essential contribution to borderlands history by analyzing how race, class, gender, and citizenship played an integral role in land ownership through the Spanish, Mexican, Texan, and U.S. eras. As mentioned earlier, this work evaluates the shifting patterns of land ownership, identity, community, and the role of the state in the Lower Rio Grande Valley. Land policies and treaties created at the center of power reverberated in the Rio Grande. However, Omar Valerio-Jiménez articulates that the border residents adapted to “multiple processes of conquest while their interest developed apart and in response to their central government goals.”¹⁴ The Rio Grande is a unique place to evaluate the relationship between the state and the periphery in how they shaped the citizenship of residents. Using this case study as a framework, will place land as the center focus and see its impact on various facets of the Lower Rio Grande Valley history.

The Ballí and Hinojosa family, as this work argues, were active participants in the development of land tenure in the Lower Rio Grande Valley and adapted to the shifts from empire to nation-states. As subjects of the crown, both families used their service, elite status, honor, and place as españoles as a means to perform their civic duty and acquire land.¹⁵ With knowledge of Spanish land policies, both families used royal lands and submitted a claim for the Llano Grande. Their relationship with the state was beneficial, and not much changed under the Mexican government. The transition from Spanish subjects to Mexican citizenship altered the state power, but the Hinojosa and Ballí continued to enjoy their lands, livestock, and their

¹⁴ Valerio-Jiménez, *River of Hope*, 3.

¹⁵ Martin, *Governance and Society in Colonial Mexico*, 97-98.

political and social connections. The radical shift from the Mexican to the American nation-state highlighted their adaptability to a foreign government. Even without the knowledge of the legal and political systems in place after 1848, they used their wealth and business, political, and kinship connections with the new agents of the state to preserve their land. Gender, race, class, and gender played an integral role in citizenship and land tenure, yet they were aware of the political climates and its effect on their land. Paying attention to the unique circumstances of the Rio Grande region, Llano Grande and its owner does not follow the history of swift dispossession and displacement as characterized by the Spanish land grant history in the American southwest. It is a chronology of how the Hinojosa and Ballí descendants used the resources available to preserve their ownership of the San Vicente del Llano Grande along the Rio Grande.

Historically, indigenous peoples such as the Coahuiltecan lived hundreds of years around the Rio Grande, and for a considerable time, the Spanish had not ventured or taken any interest in the region until the mid-eighteenth century. According to historian Patricia Osante, this place was a refuge for indigenous peoples, many of whom were fleeing Nuevo León's missions and the impact of Spanish colonialism. The steep terrain, part of the Sierra Madre Oriental and the Tamaulipa Occidental mountain ranges, and isolation from other Spanish settlements created an opportunity for many to avoid the Spanish and its mission institution.¹⁶ Considering the difficulty and exorbitant costs in settling and farming the region and the lack of sources for mineral wealth, in direct contrast to Coahuila, Spain did not actively seek to colonize

¹⁶ Patricia Osante, *Orígenes del Nuevo Santander, 1748-1772* (México: Universidad Nacional Autónoma de México, Universidad Autónoma de Tamaulipas, 1997), 24; Armando C. Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900* (Albuquerque: University of New Mexico Press, 1998), 24.

this region. The present-day Tamaulipas and South Texas, which was to become Nuevo Santander, was not colonized until 1748-1749, which was in contrast to the foundation of Nuevo León in 1579-1580, which was a nearby colony with land more conducive to farming and ranching.¹⁷

Due to the pressure of foreign threats to Spain's territorial possessions, Spain set out to explore and colonize the region that became Nuevo Santander. Spain also sought to strengthen communication networks with the surrounding colonies of Nuevo León, San Luis Potosí, and the colony of Tejas with the creation of Nuevo Santander. The Spanish presence in this region began with the first *entradas* and settlements in the 1740s. By March 1749, the villas del Norte along the Rio Grande were established, which included the villas of Camargo and Reynosa.¹⁸ Settlers migrated from surrounding colonies, most specifically that of Nuevo León, which was where Juan José Hinojosa's family derived. For the northern portion of the colony along the Rio Grande, ranching was the livelihood of Spanish citizens along the Rio Grande that shaped their daily lives.

Spain struggled to control the region, supply it, and acquire revenue from Nuevo Santander, yet by the 1800s, Spain lost control of the region to the new republic of Mexico who continued to struggle to exert its influence and power in the northern territories. The fight for Mexican independence, won in 1821, affected this colony more so in terms of resources than military or physical damage. The *villas del Norte* were forced to provide money and supplies.¹⁹

¹⁷ Osante, *Orígenes del Nuevo Santander*, 9; Alonzo, *Tejano Legacy*, 44, 57.

¹⁸ Patricia Osante and Rosalba Alcaraz Cienfuegos, *Nuevo Santander, 1748-1766: Un Acercamiento Al Origen de Tamaulipas* (México: Universidad Nacional Autónoma de México Instituto Tamaulipeco para la Cultura y las Artes Gobierno Municipal de Victoria, Tamaulipas, 2014), 93, 113.

¹⁹ Galen D. Greaser, *New Guide to Spanish and Mexican Land Grants in South Texas* (Austin: Texas General Land Office, 2009), 94; Valerio-Jiménez, *River of Hope*, 99; David J. Weber, *The Mexican Frontier, 1821-1846: The American Southwest under Mexico* (Albuquerque, University of New Mexico Press, 1982), 8,-11, 31-35, 110-115.

Moreover, Mexico, as a young republic, struggled to maintain its control over its northern states and territory. It continued the policy of granting land to its citizens, a tradition that derived from the Spanish. The Tamaulipas state constitution, adopted in 1825, upheld the validity of Spanish grants that included the Llano Grande.²⁰

The decades between Texas Independence and the U.S.-Mexico war brought significant changes to the Rio Grande Borderlands. Colonization laws designed to populate states, such as Coahuila y Tejas, backfired, and ushered in a flood of immigrants from the United States to Mexican territory.²¹ Disputes between landholders in the north and centralists in Mexico created conflict and led to the rise of the Republic of Texas in 1836. Nine years later, the United States acquired the state and led to the U.S.-Mexico War, which ended with Mexico losing half of its territory to the United States upon its conclusion. The land became a crucial issue in the shifting of sovereignty and its implications on Tejano landowners in the Lower Rio Grande Valley.

Land grants were an integral institution that shaped the Northern frontier, and Spain provided land grants throughout Tamaulipas, Texas, Chihuahua, New Mexico, Colorado, Arizona, and California, amongst others. Land grants were a way to reward “citizen-soldiers” who created an “ever-widening periphery around the original settlements.”²² Spain believed that land grants would entice its citizens to move to regions of the empire that were less attractive than the urban core, and that, over time, land grants would create a stable population of settler-colonists who would engage in ranching, farming, mining, and commercial trade. In effect, the

²⁰ Leroy P. Graf, “Colonizing Projects in Texas South of the Nueces, 1820-1845,” *The Southwestern Historical Quarterly* 50, no. 4 (April): 27-28, <http://www.jstor.org/stable/30237489> (accessed June 6, 2012).

²¹ Weber, *Mexican Frontier*, 159, 162-178.

²² Victor Westphall, *Mercedes Reales: Hispanic Land Grants in the Upper Rio Grande Region* (Albuquerque: University of New Mexico Press, 1983), 3.

system of offering land grants promised to create physical spaces of territorial conquest with individuals expanding the Spanish crown.

In Spain's northern frontier, land grants were a key feature of colonies that sought to entice settlers to move north. New Mexican land grants have been the focus of land grant history where land grants were given to residents as early as the early 1600s. The first land grants in the region occurred in 1693.²³ Some land grants, such as the Piedra Lumbre and Polvadera, were extensive due to the landscape, environment, and access to water.²⁴ However, someone's political influence and status were crucial in the acquisition of property. California, as well, was another critical region that provided its settlers with extensive land grants throughout the eighteenth century. The mission system dominated life in California, and the priests running the missions decided who received land grants.²⁵ It was the Mexican government that provided the most significant number of land grants in the region.²⁶ Spanish policy rewarded its subject's land, which was evident in its distribution in a variety of colonies.

Nuevo Santander, as previously mentioned, was one of the last colonies in the northern frontier to grant land to its residents. Unlike other colonies, such as California, it was not a mission or presidio colony, and it had little mineral wealth or arable land for farming.²⁷ Porciones, little slivers of land, not only granted land to colonial residents but also provided access to all residents to the Rio Grande's water. Larger land grants, such as the Llano Grande,

²³ Westphall, *Mercedes Reales*, 17.

²⁴ Van Ness, *Land, Water, and Culture*, 167.

²⁵ Yvette J. Saavedra, *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890* (Tucson: The University of Arizona Press, 2018), 43.

²⁶ M. M. Livingston, "The Earliest Spanish Land Grants in California," in *Annual Publication of the Historical Society of Southern California* 9, no.3 (1914): 199, [https://www.jstor.org/stable.41168705](https://www.jstor.org/stable/41168705), (accessed February 1, 2020).

²⁷ Alonzo, *Tejano Legacy*, 44.

were some of the most significant grants that had the Rio Grande as its southern boundary. Other grants located above the Rio Grande were more abundant in size as compensation because there was no river access and used water mills.²⁸ The Lower Rio Grande Valley had many similarities to other regions, but it is an integral region to study the changes in land tenure throughout the Spanish colonial, Mexican, Texan, and American eras. For many families, especially in Lower Rio Grande Valley, the land grants serve as a vital connection to their past, their sense of place, and their cultural identity. The legacy of land grants, especially for South Texas, continues to have practical implications that garner interest on the subject.

Scholarship on the history of land grants began in the early twentieth century and focused on the legal, bureaucratic, and administrative elements of this Spanish institution. Scholars, lawyers, land and title companies, and descendants of land grantees have added to the literature on land grants. In 1926, Lawrence Hill wrote one of the first monographs on the Spanish colony of Nuevo Santander with *José de Escandón and the Founding of Nuevo Santander: A Study in Spanish Colonization*. The monograph only presents a general history of Nuevo Santander through a euro-centric lens that focused on the institutions, such as missions, settlements, and governor, that created Spanish Texas. The master's thesis of Florence J. Scott, an educator in South Texas, titled "Spanish Land Grants in the Lower Rio Grande Valley," was one of the first works that centered on the Rio Grande settlements and discussed, in detail, the founding of Nuevo Santander and the distribution of porciones.²⁹ Additionally, Scott's *Royal Land Grants North of the Río Grande, 1777-1821: Early History of Large Grants made by Spain to Families in Jurisdiction of Reynosa Which Became a Part of Texas After the Treaty of Guadalupe*

²⁸ Greaser, *New Guide to Spanish and Mexican Land Grants*, 25-27.

²⁹ Handbook of Texas Online, Alicia A. Garza, "SCOTT, FLORENCE JOHNSON," accessed October 14, 2018, <http://www.tshaonline.org/handbook/online/articles/fsc46>. Uploaded on June 15, 2010. Published by the Texas State Historical Association.

Hidalgo, 1848, published in 1969, delved more in-depth in the royal edicts, regulations, that allowed for settlers to apply and receive extensive grants in South Texas. These works created a pathway to land tenure history in the Lower Rio Grande Valley.

By the 1980s, scholars expanded the literature of Spanish land grants in New Mexico by moving beyond merely the acquisition of land grants to evaluating the ecology, environment, litigation, and water rights. Victor Westphall's *Mercedes Reales* analyzed the land system that shaped New Mexico, particularly the Rio Grande region. The anthology, *Land, Water, and Culture: New Perspectives on Hispanic Land Grants*, published in 1987, examined the history of land grants through an interdisciplinary lens that moved beyond the scholarship that focused on the land grant litigation.³⁰ G. Emlen Hall, trained as a lawyer and historian, analyzed the Pueblo land grants and water rights and evaluated the implications of land ownership and the United States indigenous policy.³¹ Land tenure history was expanded and analyzed in new and innovative ways.

History on land grants has grown to incorporate new interpretations, angles, and methodologies that provide an excellent history of what it meant to be a Hispanic landowner throughout the Southwest. The scope expanded beyond the Spanish colonial era, but many have addressed the changes in land tenure and identity into the American period after 1848. Methodologies expanded to integrate gender, identity, citizenship, and the law into the narrative. However, within the evolution and growth of this subfield, this work sets out to evaluate how race, class, gender, and citizenship play into land ownership in South Texas. This work sets out

³⁰ Charles L. Briggs and John R. Van Ness, eds., *Land, Water, and Culture: New Perspectives on Hispanic Land Grants* (Albuquerque: University of New Mexico, 1987), 6.

³¹ *Ibid.*

to create a more nuanced history of land grants that places land at the forefront of the conflict, change, and identity throughout the Rio Grande Valley.

As Hall previously argued, lawyers have looked at the history of land grants in their litigation, but scholar María E. Montoya expanded and connected litigation, laws, and land tenure to national policies. Using a case study, similar to this work, she evaluates a single land grant, known as the Maxwell grant, from the Mexican through the American period. Her main argument centers on evaluating the Mexican and American property systems creating conflict over the lack of understanding of each system in the incorporation of land grants to the United States. *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* presents the idea that land or national policies were not part of a vacuum but intertwined with the local economy, issues of race, labor, and the different strategies over the use of the natural resources and the land.³² Not only is the law at the forefront of this work, but its methodology and arguments also create a more nuanced understanding of land grants in New Mexico. This dissertation also seeks to use this framework of nation-state and citizen relations, land tenure, and the shifts that emerged after the change in sovereignty in 1848.

Research and monographs on land grants in South Texas are not as thorough as in California and New Mexico, yet certain publications have sought to fill that void throughout the 1990s and 2000s. *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900*, published in 1998 by Armando C. Alonzo, is a study that centers on issues of identity and land tenure. It is an intricate study of tax and government records that delineate the power and impact of Tejano landowners in the region. Alonzo centers his analysis on families who settled in the Lower Rio Grande Valley in what became Hidalgo County, their rise to prominence throughout the Spanish

³² Montoya, *Translating Property*, 5.

era, through the loss of property during the American period. His work examines the issues of identity, dispossession, and power dynamics both during the Spanish, Mexican, and American periods. Alonzo's work analyzed the growth of the county and the displacement of Tejanos as landowners that occurred in a systematic and slow process throughout the late nineteenth and twentieth centuries.

The *New Guide to Spanish and Mexican Land Grants in South Texas*, published in 2003 and 2009, is one of the monographs that focuses on a similar timeframe than Alonzo, from the 1740s to 1900. Galen D. Greaser not only presents a detailed history of the establishment of Nuevo Santander and the changes that ensued after 1848 yet integrates an extensive index with every land grant given in the Rio Grande Valley throughout the Spanish and Mexican era. This work is unique because it is a publication by the Texas General Land Office that made use of their documents and databases. As one of the most comprehensive works of the Lower Rio Grande Valley's land grant, it is valuable for scholars working in the region.

While Greaser sought to integrate and examine the history of individual land grants throughout South Texas, scholars have also examined the role of national citizenship and identity in connection to property or belonging to the borderlands. David Montejano's *Anglos and Mexicans in the Making of Texas, 1836-1986*, analyzes the history of South Texas and the development of class and racial systems that developed in the borderlands from the Mexican and American periods. It examined Anglo and Mexican relations through the economic (wage labor), political, and social life of South Texas, and Montejano argued that the early Anglos managed a peace structure, and Mexican-American land loss was not as rampant as in other regions of the Southwest. The connections, nonetheless, were altered and changed by the late nineteenth century with the changes in the political, cultural, and economic life in the region.

By the early twenty-first century, scholars, such as Maria E. Montoya, Omar Valerio-Jimenez, David A. Chang, expanded studies on legal systems, identity, and citizenship. Montoya's work examined the conflict between the legal system and views of what land meant for the Jicarilla, Mexican, and American residents. Omar Valerio-Jimenez's *River of Hope: Forging Identity and Nation on the Rio Grande Valley Borderlands*, published in 2013, is one of the most recent monographs on South Texas history that analyzes the social and political identities of South Texas residents from the Spanish, Mexican, and American governments. In creating a borderland identity, Valerio-Jimenez also examined the issues of race, class, citizenship, gender throughout the monograph. David A. Chang, also, offers a sophisticated interpretation of nation, identity, race in its association with land ownership in Oklahoma. Chang analyzes land tenure in the Creek Nation in Oklahoma through the changing ideas of race, land, and nation, arguing that land was an integral historical character.³³ So, by seeing who controlled and used the land, Chang argues that land was an integral component of how people viewed themselves and shaped their identity. These scholars cover different geographical regions, yet their methodology and research with land tenure, race, and nation that are essential components to engage and examine within the Llano Grande.

Women as integral characters to land tenure have become a component of historical monographs in recent decades. Even though grantees were primarily men, women helped to shape the life of land ownership, and they served as active participants in the historical narrative. Recent publications have highlighted the prominent history of women in the borderlands.

Miroslava Chávez-García, in *Negotiating Conquest: Gender and Power in California, the 1770s*

³³ David A. Chang, *The Color of the Land: Race, Nation, and Politics of Landownership in Oklahoma* (Chapel Hill: University of North Carolina Press, 2010), 4, 6.

to 1880s examines how Spanish and indigenous women navigated “patriarchal institutions and ideologies” especially during the transition from Spanish through American eras.³⁴ Jean A. Stuntz’s work, *Hers, His, and Thiers: Community Property Law in Spain and Early Texas*, investigates the role of Spanish civil law and English common law in Texas through the prism of gender. She argues that gender roles and their significance for property rights are integral to understanding land ownership and the legacy of civil law in Texas law.³⁵ María Raquel Casas, in *Married to a Daughter of the Land*, examines the effects of intermarriage in social and legal implications from Mexican to American periods. Gender is an integral lens that is necessary to see the shifting ideas of land tenure and its implications for property owners.

In the last few years, new scholarship has set out to examine the role of race, class, gender, and culture on specific land grants as is the case of Yvette J. Saavedra’s book *Pasadena Before the Roses: Race, Identity, and Land Use in Southern California, 1771-1890*. This work sets out to examine the power dynamics on the San Gabriel Mission lands in southern California, examining the shifts between mission, rancho, and the creation of the city of Pasadena.³⁶ Saavedra’s theoretical framework is critical to examine a land grant over a considerable time frame. Competing visions, as she terms it, examined the expectations and “optimal land use” that “missionaries, rancheros, and American farmers” perceived and valued the land in the San Gabriel Mission property.³⁷ Dynamic continuities, on the other hand, were the commonalities these groups had when maintaining their power concerning “Indians and the landless classes.”³⁸

³⁴ Miroslava Chávez-García, *Negotiating Conquest: Gender and Power in California, 1770s to 1880s* (Tucson: The University of Arizona Press, 2004), xiv.

³⁵ Stuntz, *Hers, His, and Thiers*, 12-13.

³⁶ Saavedra, *Pasadena Before the Roses*, 4.

³⁷ *Ibid.*

³⁸ *Ibid.*

She creates a more nuanced and complex history of land grants in California and interconnects race, gender, culture, and land use as a means of providing the history of land tenure.

While scholars have added valuable sources to the history of South Texas, this work seeks to engage and evaluate all within a single land grant to see not only the relationship between the state and its local citizens but also the conditions that shaped citizenship and land ownership in the region. It is essential to evaluate and understand the meaning behind land and its legacy in Texas. Spanish land grants have their origins in the colonial era but continue to garner interest across the southwest for lawyers, scholars, and descendants. For many families, especially in South Texas, land grants serve as a vital connection to their past, their sense of place, and their cultural identity. Spanish land grants provide a glimpse into the evolution of land ownership yet examining the Llano Grande grant creates a better understanding of change, and continuity, conflict, and cultural accommodation from the eighteenth through the early twentieth century. The historiography of land tenure throughout the southwest has expanded to incorporate more complex interpretations and distinct methodologies, yet this work seeks to fill a gap in South Texas.

Even though examinations of land tenure through different lenses and methodologies have occurred, this work sets out to articulate how land and citizenship are interconnected. Wealth, status, identity, and honor are integral to land ownership, yet these constructs fluctuate and change through time, especially as empires fell, and new nations emerged and redefined the relationship between the people and the land. Landowners, as well, were active agents that strove not only to acquire land but maintain it through different shifts in sovereignty. Each nation sought to “legitimize their rule and to shape the citizenry’s loyalty” through the development of “rituals, social categories,” and laws to encourage citizens to create a single vision and

connection to the nation-state, as Omar Valerio-Jimenez articulated.³⁹ Also, Chang articulates that property was vital in which “land was the foundational form of wealth, a source of power, and an object of contention in that society.”⁴⁰ This study seeks to add to the previous historical work by examining how race, class, and gender defined citizenship and land tenure within a single land grant.

The concept of citizenship, in its basic definition, reflects and symbolizes membership in a community, yet this is a nation-state concept that does not adequately reflect the requirements and expectations between the Spanish empire and the Mexican and American governments. During the colonial era, citizenship was a foreign concept. However, the rights and obligations related more to an individual's service, *calidad*, and honor. Nuevo Santander settlers were subjects of the Spanish crown, which they served not only as a duty but to acquire land and other benefits. Mexico maintained many practices and traditions from its predecessor, which included procuring land grants to its members. Citizenship, under the American government, was tied to whiteness and land ownership that informed civic participation. The study of citizenship, what were the requirements, obligations, participation, and expectations for the Lower Rio Grande Valley residents is vital to see how the Hinojosa and Ballí navigated these shifting ideas throughout Spanish, Mexican, and American periods.

However, these ideas of belonging are fluid constructions altered by notions of gender, class, and race. Analyzing citizenship and its evolution in South Texas throughout the Spanish to American eras is a crucial component of this work because it reveals how different each rule defines it in relationship with land ownership, class, gender, and racial and ethnic identities. A

³⁹ Valerio-Jimenez, *River of Hope*, 2.

⁴⁰ Chang, *The Color of the Land*, 1-2.

case study approach helps us understand how, for instance, land ownership under Spain and Mexico afforded the Ballí and Hinojosa families considerable social, economic, and political status; yet under Texas and the U.S., land ownership could not adequately protect these families from powerful racial hierarchies and white supremacy. Although families such as the Ballí and Hinojosa might assert citizenship rights and social status in the U.S. through their land grants, their claims to whiteness were tenuous and unpredictable.

Shifting national sovereignty created inconsistent classifications and relationships between the state and its subjects under the Spanish empire. Individuals had a wide-ranging relationship with the state, with military service representing one of the most extreme forms of commitment and sacrifice. Primarily based on gendered notions of honor, patriarchy, and violence in service of the state, many Spanish men served in the military.⁴¹ Whether anchored in the sense of duty and tradition or resulting from demands from the representatives of the state, many men from the Hinojosa and Ballí served in the military. As compensation for the exercise of the performance of this very gendered role in Spanish society, the men received land grants from the Crown. As *hombres de calidad*, respect, morality, and reason, and agents of the state, they acquired land grants that extended European imperialism into the borderlands.

The transition between the Spanish to the Mexican governments offered little changes to landowners in the Rio Grande Valley. Mexico, as a new nation, honored the Spanish land grants and even continued to grant land to its citizens. Mexico had good reason to honor the land grants from its successor as it provided stability and continuity in the population, and its relationships with the new nation-state. Peter Guardino argued that, under the Mexican government, the act of

⁴¹ Martin, *Governance and Society in Colonial Mexico*, 125.

being a citizen was “informed by constitutions and laws, [and] it also had more amorphous roots in older cultural understandings of what it meant to be honorable and committed member of the community, a vecino or neighbor.”⁴² Honor and community played an integral role as citizens or members of a community, and in Mexico, at least on paper, the issue of race was removed from the equation. As landowners, the Llano Grande descendants did not face dire changes, because their possession of the land grant ensured a degree of economic stability, political influence, and social status under the new government.

Under the United States, land ownership was one of the prerequisites to participate in politics and being a productive citizen. Private property tied to American citizenship where the “American republic” maintained its democratic characteristics by “equal citizenship only so long as citizens maintained their independence through ownership of productive resources such as land.”⁴³ Thomas Jefferson articulated that land ownership was vital because it was the basis for the economic and political stability of the country.⁴⁴ Hinojosa and Ballí families were landowners, yet their race restricted their full access to the benefits of American citizenship because prevalent views in the country doubted the whiteness of Mexicans in the U.S. Indeed, citizenship was conditioned for Mexican residents by their race, class, and gender.

Citizenship, conditioned by race, religion, class status, and gender, is the core of this work, as this work examines how belonging was shaped and altered throughout the eighteenth into the early twentieth century. From the Spanish through the American governments, the ideas of belonging, as shaped by gendered and racialized notions of citizenship, were shifting and

⁴² Peter Guardino, “Gender, Soldering, and Citizenship in the Mexican-American war of 1846-1848,” *American Historical Review* 119, no. 1 (Feb. 2014): 27-28, doi: 10.1093/ahr/119.1.23 (accessed October 15, 2018).

⁴³ Montoya, *Translating Property*, 166.

⁴⁴ Mark Sturges, “Enclosing the Commons: Thomas Jefferson, Agrarian Independence, and Early American Policy, 1774-1789,” *The Virginia Magazine of History and Biography* 119, no. 1 (2011): 45, <http://www.jstor.org/stable/41059479> (accessed March 20, 2017).

fluid. There was no consistent definition or set of characteristics that made a citizen in each governmental entity, and it is essential to analyze how this fluid construction affected residents along the Rio Grande. Furthermore, race, gender, and class are factors that also affected how individuals came to be considered a member of a specific community and nation. It is not enough to analyze or understand land tenure through the legal policies and their effects, but citizenship and land need to be a significant presence in its analysis and examination. From a persons' conduct, morals, property, civic participation, gender, race, and class, each sovereign power held different benefits and responsibilities. This work focuses on elite families in South Texas and their process of becoming, Spanish, Mexican, and American citizens, and does not fully incorporate the lives and experiences of the ranch hands, cowboys, peons, and servants that also lived these experiences. However, the door needs to be open to examine ideas and constructs of land and citizenship in the Rio Grande Valley.

Specifically, gender is vital to examine an individual's access to the rights and responsibilities within a sovereign state. *Calidad*, a legal distinction under the Spanish crown, derived from a variety of things such as birthplace, occupation, conduct, and honor affected one's standing in the community.⁴⁵ As *hombres de bien*, or good men, the criteria for respect within a community derived from a variety of factors including prowess, character, and wealth. As military individuals, they had the opportunity to prove their worth and benefit from their connection to the state. The patriarchal society of New Spain limited women's opportunity to express their *calidad* or respect, yet they had avenues to buy, sell, and inherit the land. With the transition to the American nation-state, women navigated a legal system that merged the civil and common law legal codes, which created an opportunity to continue their legal participation

⁴⁵ Martin, *Governance and Society in Colonial Mexico*, 128.

in the county courts of Texas. Stuntz, in particular, analyzed the legal history of women's land ownership in Texas and has offered an insight into the role of women in the legal system.

Women are part of the narrative and history of land tenure, through land transactions and deeds, and gender is a critical framework that is to be part of every fiber of the Llano Grande history.

Race played a central role in shaping the relationship between federal and state laws as well as local on-the-ground policies. Cheryl Martin argues that race determined the qualifications for elite status in local communities, which was the case with the villas del norte. Juan José Hinojosa and José María Ballí exulted their status as españoles in Spanish bureaucratic records, and political power and social standing derived not only from their wealth but who they were.⁴⁶ While Mexican residents had the same rights and benefits, to those who stayed in American territory after 1848, put into practice these advantages were constrained by the ideas of Manifest Destiny, prevailing notions of racial superiority, and southern social mores and class structures. Mexican residents had citizenship, yet because they did not have access to whiteness, its benefits were limited. Historian Mathew Frye Jacobson argued racial categories were “fluid and changed from time to time, no single construction of race remained the same or its terminology.”⁴⁷ An examination of how the Hinojosa and Ballí families race changed from the Spanish to the American period is vital to analyze the nuances of land and citizenship on the local scale.

An individual's class affected how they benefited or were limited by citizenship in their specific community. The Ballí and Hinojosa families were elite members of Spanish society whose wealth allowed them to acquire land and establish themselves as ranchers in the region. Being agents of the state, created an avenue for growth and political power in the region. Their

⁴⁶ Martin, *Governance and Society in Colonial Mexico*, 125, 39-40.

⁴⁷ Matthew F. Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1998), 9.

influence shifted after the Treaty of Guadalupe Hidalgo was signed in 1848, which displaced the foundation of power that Hinojosa and Ballí once enjoyed. The Hinojosa and Ballí families, because of their wealth and their extensive land holdings, used the courts and lawyers to maintain their property. Some Hinojosa maintained political power and belonging, but it began to fade throughout the late nineteenth into the early twentieth century. Few families gained positions of leadership, with only a small number of surnames having positions, such as County Clerk.⁴⁸ Ultimately, the rise of commercial agriculture and political control of Anglo Americans led to the displacement of Hinojosa and Ballí's amongst other families. They, unlike other regions of Texas, maintained the land for a considerable time and, at times, with exceptions, sold their property for a considerable profit. These two family's class was an essential factor in the outcome of their lives after 1848, and the same cannot be said for those with limited resources or lack of land wealth.

This work sets out to examine how citizenship and land ownership interconnect and how race, class, and gender determined its limits and obligations of the Hinojosa and Ballí families, yet it is crucial to integrate the methodology of core versus periphery. This framework originally derived from Immanuel Wallerstein, arguing that by the sixteenth century, the modern world created "a global division of labor emerged as Europe expanded into Asia, Africa, and the Americas."⁴⁹ The core and periphery are the frameworks that Wallerstein viewed the modern world, and scholars have expanded and complicated the views of the center of power and the outlying areas. Many scholars have examined the core and periphery relations that were often

⁴⁸ J. Lee Stambaugh, *History of Hidalgo County Elected Officials 1852 to 1963* (Pharr, Tx: The Pharr Press, 1963), 1-8.

⁴⁹ Donna J. Guy and Thomas E. Sheridan, "On Frontiers: The Northern and Southern Edges of the Spanish Empire in the Americas," in *Contested Ground: Comparative Frontiers on the Northern and Southern Edges of the Spanish Empire* (Tucson: The University of Arizona Press, 1998), 10-11.

tense and often volatile. Adelman and Aron, in their publication “From Borderlands to Borders,” stated that borderlands became bordered lands when empires, such as the French and Spanish, did not have control of their borders and upon falling were replaced by nation-states that created defined borders and garnered greater state control.⁵⁰ Others, such as Ana Maria Alonso and Paul Vanderwood, have added more nuanced and complex definitions to the relationship between the state and the residents. However, the borderlands or the fringes of an empire was a region that “carved spaces of resistance,” created their own identity, and resisted the governmental body at the time, as Valerio-Jimenez articulates.⁵¹ Along the Rio Grande, its residents often lacked the control from the metropolis of power, whether Mexico City, Austin, or Washington D.C. The relationship between the core and periphery is integral to understand how national and international policies affected the Rio Grande and their resistance toward them and their property.

An investigation of the Llano Grande land grant offers an integral study of citizenship and land tenure in the Rio Grande Valley. The time scope of this dissertation is from 1749 to 1930 and examines the Spanish, Mexican, Texas, and American eras. Chapter one not only provides a history of Nuevo Santander but evaluates the power dynamics and relationships between the state and its citizens, the role of honor, and women in the colony. Additionally, this chapter examines the land policies and political influences that allowed the Hinojosa and Ballí families to acquire extensive land grants, and how national policies and affected the political and economic power of these two families.

⁵⁰ This is a reference to the article published in the *American Historical Review* by Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the People in between North American History.” (June 1999) (accessed August 25, 2015).

⁵¹ Valerio-Jimenez, *River of Hope*, 3.

The second chapter analyzes the evolution of land use in the *villas del norte* and the implications on land tenure. It examines the role of citizenship in the acquisition of royal lands and the interactions with the Spanish state for private property. Furthermore, chapter three examines the shift in national sovereignty from the Spanish empire to the Mexican nation-state. It analyzes the Mexican national project that sought to integrate and expand its role on the frontier settlements. Moreover, it offers a gendered analysis on the role of women landowners, paying close attention to Spanish civil law that allowed women to own, sell, and inherit the land. Lastly, this chapter examines the effects of the U.S-Mexico war on the Llano Grande landowners, and the strategies used to maintain their property in the face of change.

Paying close attention to the Treaty of Guadalupe Hidalgo, the fourth chapter studies the shift in the jurisdiction from Mexican to the American nation-state and its implications on the Hinojosa and Ballí families. Specifically, this chapter analyzes the definitions and parameters of citizenship in the Treaty of Guadalupe Hidalgo and the relationship between the federal, state, and local governments concerning land tenure. It also pays close attention to the confirmation of land grants with the state of Texas. Moreover, the fifth chapter narrows its scope to examine the effects of these laws at the county level. It examines the strategies used by the Llano Grande landowners to maintain their property from dispossession while at the same time having to navigate the Anglo controlled political system. They were no longer the agents of the state and the privileged citizens of such, as they had been under the Spanish government, yet their class and wealth offered them an opportunity to maintain their property holdings for a considerable number of decades.

Lastly, chapter six pays attention to the modernization of the region in the early twentieth century. The focus of this chapter is on the shift from ranching to commercial agriculture that

dispossessed a large percentage of Hinojosa and Ballí families. With the arrival of the railroad and the creation of land and irrigation companies, the Llano Grande was purchased by Anglos, who saw the land as a commodity for profit. Much of the Llano Grande became part of the American Rio Grande Land and Irrigation Company that created small farming plots sold to incoming Anglos.⁵² Advertisements created a romanticism of the Spanish land grants past and articulated the bountiful farming opportunities with the purchase of the land and an irrigation contract. Additionally, it examines the relationships between the Ballí and Hinojosa families and Anglos, paying attention to the constructs of citizenship and race.

Although the Ballí and Hinojosa families are the focus of this work, the land, race, class, and gender are at the forefront of this historical analysis. Ysidro Ballí's obituary in 1934 is a reminder of the legacy of land ownership and the era of Spanish land grants in the Valley. His life was an example of the romanticism that existed for early Spanish land grant owners, such as Padre Ballí and other family members. The land is not an innocuous entity but one that had political, legal, social, and economic repercussions. By the 1930s, in the shift between ranching to agriculture, the Ballí and Hinojosa became part of the allure and romanticism of a land that once belonged to them.

This case study on the Hinojosa family illuminates significant ideas and constructions of race, citizenship, and class. As an elite family during the Spanish period, the Hinojosa amassed extensive amounts of property under their name. They were politically and economically influential in the Villas del Norte, but this changed when the United States annexed the northern boundary of the Rio Grande. Under the United States, Mexican Americans who remained on the northern banks of the Rio Grande had to engage in a different legal, political, social, and

⁵² Alicia M. Dewey, *Pesos and Dollars: Entrepreneurship in the Texas-Borderlands, 1880-1940* (College Station: Texas A&M University Press, 2014), 59.

economic system that emerged after the Mexican American War. This research has sought to evaluate this shift between Spanish and Mexican traditions, where the Hinojosa family flourished as the dominant elite class, to the Anglo American legal and property traditions that excluded this class due to class, race, and citizenship. After the Treaty of Guadalupe Hidalgo was signed, as individuals and groups, Mexican Americans faced new obligations as citizens of a new nation-state. Race, taxes, property deeds, and legislation were some of the main issues that attacked the Hinojosa's land ownership. Lastly, this research evaluated the limits and opportunities of the Hinojosa as subjects and citizens of Spain, Mexico, and the United States.

Chapter 1: Creating Nuevo Santander: Colonial Policies, Development, and Land Tenure in the Northern Frontier, 1730-1770.

In the 1780s, Juan José Hinojosa and Rosa María Ballí were about to lose the property they had used for generations. Father and daughter, widow of José María Ballí, fought to retain their land against completing claims by Don Domingo Guerra. To make matters worse, the joint application on July 4, 1776 did not garner them official title to the property they claimed as their own. Without official title, and considering the rapacious behavior of Don Domingo Guerra, they stood to lose thousands of acres of land they claimed to have used for over a period of ten years. Considering their status as elite members of Reynosa's society, military, and political life, the fight for their land represented a conflict over Guerra and Ballí and Hinojosa's respect and *calidad*.

While the fate of both Hinojosa and Ballí land hung in the balance, Juan José Hinojosa was confronted with questions about his property and status. In a written statement presented by Lieutenant of Infantry of the Provincial Legion Don José de Arzua, Juan José argues that Guerra's fantastical claims were false as he was the first to use the land. Moreover, Juan José used his service to the crown, in terms of the royal treasury and as a judicial and military leader, to state he was worthy of being an agent of the state or having an active role in the judicial life of Reynosa.⁵³ Thus, Juan José's reward should be the official title to the property he and his family used for over ten years. Benefits derived from service and being *hombre de bien* within Spanish society. The debate surrounding the title of his land—even though Guerra's claims were dubious—was weakening his request for an elevation in his status. The obstacles to his rise in

⁵³ "1909 Certified Copy: Testament of Fierras del Llano Grande," 1790, Folder 2003.29.05, Box 574, Box RGDOC2, B:1, Small Manuscript Collection, Museum of South Texas History, Edinburg, Tx.

social status must have been frustrating, even though he had long used the royal lands, *tierras realengas*, as grazing for his livestock, for generations.⁵⁴

As agents of the state, in fulfilling their coffers and colonization goals, Hinojosa and Ballí symbolized how elite *fronterizos* used their influence, money, and power to expand their territorial claims. Their wealth and land ownership were two essential factors that allowed them to gain political and social influence in their respective communities. As Cheryl E. Martin argues, honor functioned as a means of fulfilling obligations correlating with their status, and for the Hinojosa and Ballí, this implied actively participating in the protection of the colony, its ranching industry, as well as being part of the leadership in the *villas del norte*.⁵⁵ However, their example reveals how competing claims to one's land could also diminish one's status and call into question their legitimacy as members of the political elite. Juan José Hinojosa and José María Ballí serve as a prime example as to how settlers interacted with the state, and how their land claims and service shaped the ideal subject of the northern borderlands of colonial New Spain.

This chapter focuses on the connections between the state and Hinojosa and Ballí, the evolution and organization of the colony of Nuevo Santander, explicitly Camargo and Reynosa, and the process in which both individuals gained land. In addition to how national policies and changes in the political sphere affected the state and shifted the political and economic power of Hinojosa and Ballí. While the *villas del Norte* were isolated, they still executed and followed the crown's regulations with diligencias and decrees. To expand their territorial colonies against

⁵⁴ “Villa de Camargo. Año de 1753. Testimonio De las Ultimas Diligencias practicadas en la Visita de la Villa de Camargo por el Señor General Dn. Joseph de Escandón, Caballero Profeso de el Orden de Santiago, Lugar Theniente de el Su Majestad, Señor Virrey de esta Nueva España en la Costa de el Seno Mexicano y sus Fronteras,” Expediente 6, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México.

⁵⁵ Martin, *Governance and Society in Colonial Mexico*, 127.

European threats, particularly in the latter half of the eighteenth century, the Spanish used the land as an incentive to settle the northern frontier. Spanish land tenure and settlement policies significantly shaped the physical boundaries and connections amongst residents. Colonists' ability to gain land, expand their holdings, and build a viable economy on the frontier was intimately tied with the policies of New Spain and the officials in the provinces in charge of administering those policies.

Additionally, traditional notions of class and social status were interwoven with accessibility to land as these markers evolved and expressed on the frontier. Spanish society, as Ana María Alonso argued, was organized by a “hierarchical ideology of honor, based above all on color,” shaped the daily lives and experiences of Spanish subjects within their community.⁵⁶ Acquiring land rested in one's social status and previous connections, but in the borderland's spaces of the present-day Lower Rio Grande Valley, these notions were sometimes fluid and malleable. Individuals with little wealth could sometimes reinvent themselves on the northern frontier, where old codes and traditions may not have taken root. Alternately, Spanish traditions of wealth and *calidad*, alongside the bureaucratic mandates associated with taxes, property ownership, and land law, could remain remarkably resilient and restrictive in these new regions. Thus, land, citizenship, status, and wealth played out in unpredictable trajectories for families such as the Hinojosa and Ballí. Overall, this chapter argues that it was Hinojosa's political and military power that allowed them to accumulate the resources to acquire and gain substantial land in the region. Both benefited from the relationship that they formed with one another, and this chapter will explore this in greater detail.

⁵⁶ Ana María Alonso, *Thread of Blood: Colonialism, Revolution, and Gender on Mexico's Northern Frontier* (Tucson: The University of Arizona Press, 1995), 53.

In the centuries after the conquest of Tenochtitlan, Spain expanded northward, a slow, violent, and laborious exploit, and established several settlements that reflected their exploitation policy.⁵⁷ Spain created the colonies of Nuevo León, San Luis Potosí, and San Antonio de Bexar between the sixteenth and early eighteenth centuries. Nuevo León, specifically, was founded between 1579-1580, under the direction of Luis de Carvajal y de Cueva.⁵⁸ The territory that bordered Nuevo León, along its eastern boundary that extended to the Gulf of Mexico, was not colonized or had a strong Spanish presence. There were no mines or other economic interests that generated profits, wealth, and fortune for Spain, and did not spur colonization attempts throughout the sixteenth and seventeenth centuries.⁵⁹ The lack of profit was in light of the New Mexico Colony which, as many argued, drained the royal treasury with little to show.⁶⁰ Colonizing the region was to be a costly endeavor without no lucrative or monetary rewards, and the indigenous population proved to be some deterrents against actively establishing settlements.

By the early eighteenth century, what became Nuevo Santander, was a territory that continued to be isolated from Spain's grasps a resilient indigenous population. For many indigenous communities, the region was a haven against Spanish encroachment. The region offered refuge against demands for labor or from conversion emanating from newly established missions.⁶¹ While missions in the Seno Mexicano, the territory along the Gulf Coast from the Rio Tamesí-Pánuco to the Nueces River, had been attempted by Augustinian and Franciscan missionaries in the sixteenth century, most failed to sustain missions in the region.⁶² Colonizing

⁵⁷ Juan Fidel Zorrilla, Mabel Miró Flaquer, and Octavio Herrera Pérez, *Tamaulipas: Una Historia Compartida, I, 1810-1921* (México D.F: Universidad Autónoma de Tamaulipas, Instituto de Investigaciones Históricas, 1993), 13.

⁵⁸ Patricia Osante, *Orígenes del Nuevo Santander, 1748-1772* (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 2003), 57.

⁵⁹ *Ibid.*, 52.

⁶⁰ *Ibid.*

⁶¹ Alonzo, *Tejano Legacy*, 24.

⁶² Osante, *Orígenes del Nuevo Santander*, 44-49; Alonzo, *Tejano Legacy*, 15.

the region was a costly endeavor that Spain did not actively seek to establish settlements. However, the threat of European encroachment led to the expansion of colonial projects and the creation of Nuevo Santander, which encompasses the jurisdiction of present-day Tamaulipas, Mexico, and South Texas.

Turning their attention to colonization, Mexico City, the capital of New Spain, began to review proposals from military and political elites who sought to lead the proposed colony of Nuevo Santander. During the 1730s, José Antonio Fernández de Jáuregui, governor of Nuevo León, proposed a project with three campaigns to remove the “naturales rebeldes” and set up a villa, or settlement, near the settlement of San Antonio de los Llanos to be funded by the royal treasury for a minimum of three years.⁶³ Narciso Barquín y Monecuesta submitted another proposal outlining his plan to inhabitants of the Seno Mexicano through various lengthy campaigns as well as having the royal treasury pay the military personnel for four years when settling the colony. By 1739, Antonio Ladrón de Guevara, originally from Nuevo León, had submitted another proposal. Historian Patricia Osante argues that his goal was to gain the title of governor and captain-general, use the settlers, who were to derive from Nuevo León, to help build the infrastructure of the proposed villas for protection. Guevara sought a percentage of the salt mines and provided territory to the indigenous populations.⁶⁴ These proposals during the 1730s placed the burden on the Spanish’s royal treasury to fund these campaigns, so José de Escandón’s proposal of financing the new colony, with his own money, was welcomed with open arms. Escandón only asked for “ayuda de costa,” which was funding for the expenses

⁶³ Osante, *Orígenes del Nuevo Santander*, 98.

⁶⁴ Osante, *Orígenes del Nuevo Santander*, 98-99; “Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773 Sobre La Causa Formada en La Colonia del Nuevo Santander, a D. José de Escandón,” Exp.1, Provincias Internas, Vol. 178, México City, México, 171.

incurred by settlers in moving, particularly one hundred pesos given by Escandón, for the first year of settlement, which differed from the previous proposals.⁶⁵

Escandón aligned with the goals and expectations of colonization of the region that would become Nuevo Santander, and his military exploits and political connections provided him the power to shape, influence, and create the colony. Escandón came to Nuevo Santander with a promising military background forged from his exploits in Veracruz and Queretaro, and by 1740 was appointed the *capitanía general* of Sierra Gorda.⁶⁶ The Spanish crown granted Escandón the title of Count of Sierra Gorda and governor of Seno Mexicano on September 3, 1746.⁶⁷ Government officials highlighted Escandón's illustrious career in the service of the crown both in Yucatan and Seno Mexicano. Among many things, the crown appreciated his part in the colonization and pacification of the region of "Indios Bárbaros" in the Seno Mexicano using his funds and with "con el maior zelo y amor al Real Servicio."⁶⁸ Ultimately, he came to shape the lives of individuals and families that settled the region, including that of Juan José Hinojosa and José María Ballí. Even though both families are not in the official records as military or political offices in the early years of colonization, they became integral characters in the 1750s and onward.

⁶⁵ Osante, *Orígenes del Nuevo Santander*, 101-102, 107-108, 111; Greaser, *New Guide to Spanish and Mexican Land Grants*, 5-6; "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773," Expediente 1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 176; C.H. Haring, "Ledgers of the Royal Treasurers in Spanish American in the Sixteenth Century," in *The Hispanic American Historical Review* 2, no. 2 (May 1919): 183, <https://www.jstor.org/stable/2505904> (accessed February 1, 2020); Vidal Efrén Covían Martínez, *Cuatro Estudios Históricos* (Ciudad Victoria: Universidad Autónoma de Tamaulipas, Instituto de Investigaciones Históricas, 1977), 55.

⁶⁶ Osante, *Orígenes del Nuevo Santander*, 103-105.

⁶⁷ Osante, *Testimonio Acerca de la Causa Formada en la Colonia del Nuevo Santander al coronel Don José de Escandón* (México: Universidad Nacional Autónoma de México Instituto de Investigaciones Históricas, Universidad Autónoma de Tamaulipas, Instituto Tamaulipeco para la Cultura y las Artes, 2000), ix; Greaser, *New Guide to Spanish and Mexican*, 6.

⁶⁸ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773," Expediente 1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 170; English Translation: "the greatest zeal and love of the Royal service."

In 1747, Escandón arranged seven *entradas* to explore the region and assess it for colonization by future settlers. The squadrons derived from San Antonio de Bexar under Francisco García Larios, Nuevo León with two contingents under captain Blas María de la Garza Falcón, and Pánuco y Tampico under Luis Vélez de la Cueva who explored the region and meet at the Rio Bravo on February 24, 1747.⁶⁹ These squadrons examined the environment, bodies of water, landscape, and indigenous nations that inhabited the region to find locations for settlement. After reviewing the reports, Escandón presented his findings to Mexico City with fourteen viable locations for Spanish villas in the new colony.⁷⁰ For some individuals, these expeditions created an opportunity not only to highlight their military service but gain positions of power in the new colony.

Seno Mexicano, renamed Nuevo Santander, as it was Escandón's Spanish birthplace, and it was a colony that was not regulated by a presidio or mission system.⁷¹ Under this system, Escandón did not rely on presidios and its soldiers to protect the colony, and, as Omar Valerio-Jiménez articulates, used a "soldier-settler" strategy to keep costs down in its administration and defense. Soldiers were granted land for defending the colony.⁷² Missions were present in the new colony, but they were not the leading presence in the region, it was Governor Escandón who had a tight control on the management of Nuevo Santander. Even though these settlements were not military outposts or missions, each villa was appointed a captain to oversee all military and

⁶⁹ Florence J. Scott, "Spanish Land Grants in the Lower Rio Grande Valley," (Master's thesis, University of Texas, 1935), 9; Osante, *Orígenes del Nuevo Santander*, 109.

⁷⁰ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773 Sobre la Causa Formada en la Colonia del Nuevo Santander A.D. José de Escandón," Exp.1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 175-176, 177; Osante, *Orígenes del Nuevo Santander*, 110-111.

⁷¹ Valerio-Jiménez, *River of Hope*, 24.

⁷² *Ibid.*

judicial, both criminal and civil, matters on their respective jurisdictions. Under the *Recopilación de Leyes de Los Reinos de las Indias*, the number of colonists and their belongings categorized the settlement status. A villa required forty vecinos with ten cows per family, a pig, as well as other animals, and required four *regidores*, one alguacil, and one *escribano*.⁷³

Categorized as third, fourth, and even fifth-generation elite "españoles" with military experience, captains of the villas maintained the peace, governance, and religious order within their jurisdiction.⁷⁴ Field Marshal Juan Fernando Palacio and *Licenciado* Jose Osorio y Llamas, in their 1773 report, articulated that the only subordinate to a captain was the *Capitan General* and governor José de Escandón, who was in charge of the colony and reported the proceedings to Mexico City.⁷⁵ Thus, captains had considerable freedom and leeway in the rule, regulation, and implementation of Spanish policies on the northern settlements. Historian Cutter argues that the frontier had greater flexibility in terms of legal control, and "custom was the vehicle by which local entities throughout the empire might modify or reshape generalized judicial practice."⁷⁶ Furthermore, each villa had a small number of soldiers under the command of the captain for the settlement's protection. Soldiers were awarded land as a service to the crown and believed that they were to be financially cared for by the "fuero militar." However, this financial support was conditioned on the services and actions of military personnel in the name of the crown.⁷⁷ Even

⁷³ Spain, *Recopilación de Leyes de los Reinos de Las Indias, Mandadas Imprimir y Publicar Por La Magestad Católica del Rey Don Carlos II. Neustro Señor*. Libro 5, Título 7, Ley 2 (Madrid, Boix, 1841), 105, 107-108. [Reprinted]

⁷⁴ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773 Sobre la Causa Formada en la Colonia del Nuevo Santander A.D. José de Escandón," Expediente 1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 172; Valerio-Jiménez, *River of Hope*, 24; Alonzo, *Tejano Legacy*, 32-33.

⁷⁵ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773 Sobre la Causa Formada en la Colonia del Nuevo Santander A.D. José de Escandón," Expediente 1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 176.

⁷⁶ Cutter, *The Legal Culture of Northern New Spain*, 38.

⁷⁷ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773," Expediente 1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 176.

though the military individuals were there to protect the region, they represented only a portion of the protection and defense of the new colonies.

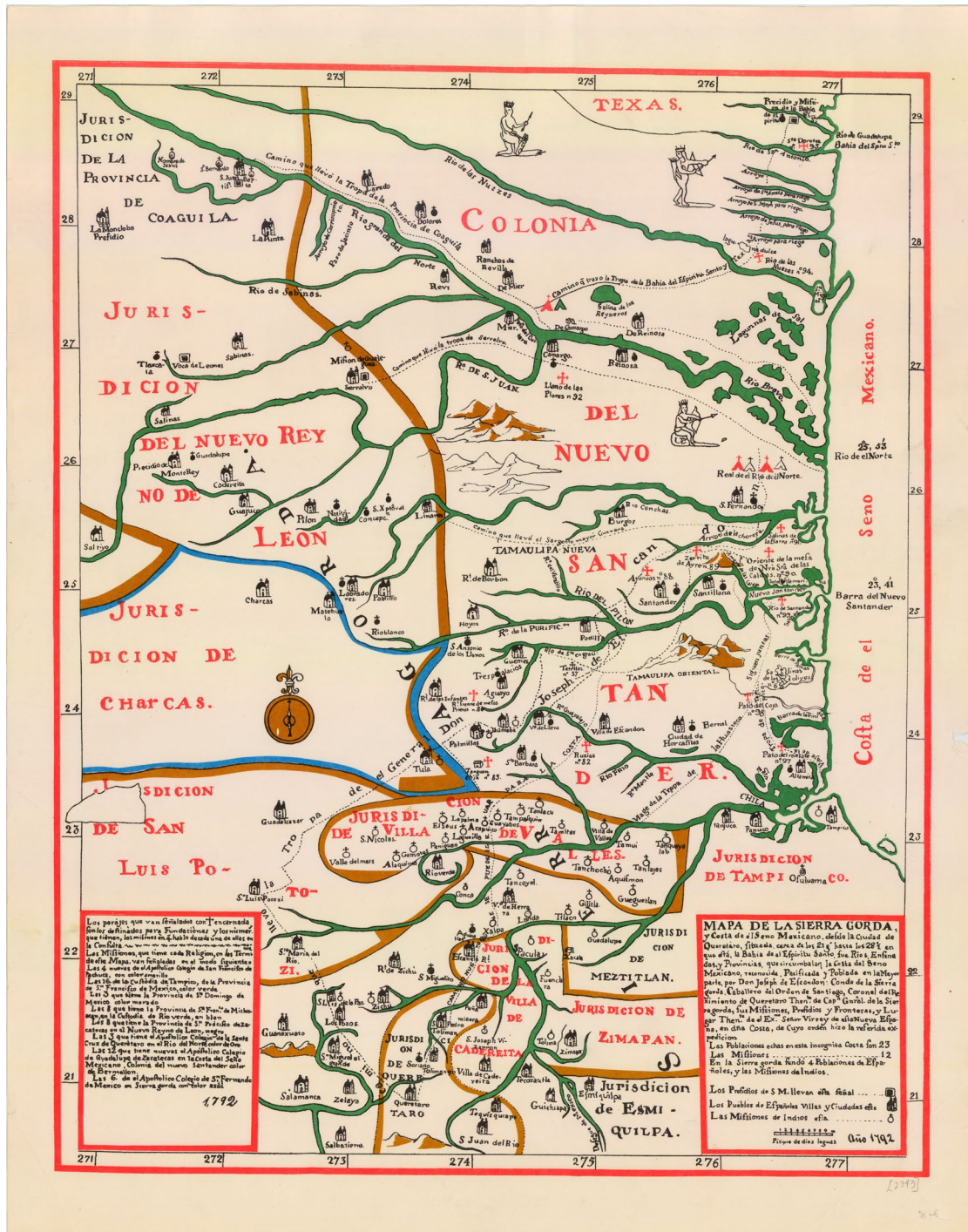


Illustration 1.1: Mapa de Sierra Gorda, y Costa de el Seno Mexicano, desde la Ciudad de Queretaro...Que Esta Bahía del Espíritu Santo. Courtsy: Texas State Library and Archives Commission

Villas were based on settler's participation, as Galen D. Greaser articulates, and were a key component to the colonization project of Escandón serving "as defensive lines at strategic locations in the territory."⁷⁸ In order to establish secure communication networks, Escandón founded four sectors of villas to protect against foreign powers or indigenous attacks.⁷⁹ Settlements in the southern end of Nuevo Santander, for example, those of Tula, Palmillas, and Santa Bárbara, served the purpose of monitoring entrance into the colony. A second sector was to create a road to connect the coast to the Nuevo León colony, which included the villas of Horcasitas, Altamira, Aguayo, Llera, and others.⁸⁰ The villa de Llera became the first settlement to be established in Nuevo Santander on December 25, 1748. Additionally, the third and fourth sectors, as Osante articulates, were meant to control the indigenous population in the mountainous region of Nuevo Santander and along the Rio Grande. Along the center of the colony, the third section included villas such as Soto La Marina, Santilla, Santander, Padilla, Güemes, San Fernando, and Burgos, to control the indigenous population that had taken refuge in the mountainous region.⁸¹ Lastly, in the fourth region were the villas del Norte located on the banks of the Rio Grande also protected against "Indios Bárbaros" entering the colony along the northern boundary. Additionally, Escandón articulated that these settlements would be the stepping stone for future settlements along the Nueces River.⁸²

Nuevo Santander colonial settlements followed the guidelines established by the *Recopilación de Leyes de los Reinos de Las Indias*, which outlined the requirements and expectations of settlements established in New Spain. Each villa required an appropriate location

⁷⁸ Galen D. Greaser, *New Guide to Spanish and Mexican Land Grants in South Texas* (Austin: Texas General Land Office, 2009), 8.

⁷⁹ Osante, *Orígenes del Nuevo Santander*, 124-125; Osante, ed., *Testimonio Acerca de La Causa Formada*, 33.

⁸⁰ Osante, *Orígenes del Nuevo Santander*, 124-125.

⁸¹ *Ibid.*

⁸² Greaser, *New Guide to Spanish and Mexican Land Grants*, 8.

with a suitable environment with grazing land for livestock, wood for fires and building materials, and excellent water sources for drinking and irrigation. Moreover, the villas also required healthy lands for settlers to flourish and have both ranching and agricultural economies for independent villas. Pacification was still an important goal for the Spanish crown, so villas had indigenous communities “á quien se pueda predicar el Santo Evangelio” for their baptism and conversion.⁸³ Villas became the center of local political, religious, and economic life, and Nuevo Santander served Spain’s plans to solidify their claims to its northern territory, pacify indigenous peoples, and create more reliable communication networks.

Beginning along the southern portion of the colony, with the villa of Llera, Escandón moved northward to establish the villas of Padilla, Güemes, Santander, and Burgos from December 1748 on to February of 1749. Via this northerly trajectory, Escandón reached the Rio Grande in March of 1749 and established Camargo and Reynosa along the southern banks of the river on March 5 and March 14, 1749, respectively.⁸⁴ Reynosa and Camargo were categorized as villas because they had over thirty vecinos, a variety of livestock, and were populated by españoles.⁸⁵ Carlos Cantu, captain of Reynosa, had mainly derived residents from “cadereyta, Pilon, Sabinas, Pesqueria Grande,” and Camargo’s Captain Blas María de la Garza Falcón, who was part of the original *entrada*, brought about thirty families from Nuevo Leon and Coahuila.⁸⁶ Revilla, with 67 families from Nuevo León, received villa status upon its founding on October 10, 1750. Agustín López de la Cámara Alta, an inspector, stated that the settlers were “españoles,

⁸³ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Libro 5, Titulo 5, Ley 1 (Madrid, Boix, 1841), 102. [Reprinted]; Translation: “to whom the Holy Gospel can be preached.”

⁸⁴ Osante, *Orígenes del Nuevo Santander*, 122.

⁸⁵ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Libro 5, Titulo 7, Ley 2 (Madrid, Boix, 1841), 105. [Reprinted]

⁸⁶ Osante, *Orígenes del Nuevo Santander*, 136.

mestizos, and mulatos.”⁸⁷ Race determined the social ranking and status for individuals with the nation-state, especially for the villa’s elites.⁸⁸ Reynosa, Camargo, and Revilla were some of the largest villas along the Rio Grande, funded by Escandón and approved by the Spanish government.

Due to their resident’s interest and energy, Rancho Dolores, Laredo, and Mier did not cost the crown in their creation in the 1750s along the Rio Grande. Dolores, founded on August 22, 1750, had about thirty families and was promoted by José Vazquez Borrego, who curtailed the settlement costs. Rancho was the category of settlement, which was smaller than a villa that had over thirty families. Vazquez Borrego persuaded Escandón, and the Spanish crown to create an additional settlement north of the Rio Grande and was not a planned colonial project. Mier, established on March 6, 1753, did not incur expenses to the crown and was located west of Camargo. Its captain did not have a salary, and twenty-seven families populated the villa.⁸⁹ Lastly, Laredo was one of the last settlements to be created in 1755 under the direction of Captain Thomás y Sánchez.⁹⁰ By the late 1750s, six settlements marked the Rio Grande and were a population that mainly derived from neighboring colonies, particularly Nuevo León, that shaped the local economy and experiences and became known as the villas del norte.

⁸⁷ Agustín López de la Cámara Alta, *Descripción General de la Colonia de Nuevo Santander: Estudio Preliminar, Transcripción y Notas*, Patricia Osante ed. (México: Universidad Nacional Autónoma de México, 2006), 149-150; There is an inconsistency with number of families from Osante and Greaser.

⁸⁸ Martin, *Governance and Society in Colonial Mexico*, 125-126.

⁸⁹ Cámara Alta, *Descripción General*, 148-149, 152; Archivo General de la Nación, *Estado General De Las Fundaciones Hechas por D. José de Escandón en la Colonia del Nuevo Santander, Costa del Seno Mexicano: Documentos Originales Que Contienen La Inspección de la Provincia Efectuada Por el Capitán de Dragones Don José Tienda de Cuervo, El Informe del Mismo al Virrey y un Apéndice con la Relación Histórica Del Nuevo Santander, Por Fr. Vicente Santa Maria*, Vol. I (México City: Talleres Gráficos de la Nación, 1930), XIV: 33-34. There is a discrepancy in the dates, and from various sources, such as Osante, Alonzo, and Greaser, there is a consensus that March 1753 was the date of its foundation.

⁹⁰ Cámara Alta, *Descripción General*, 153.

Besides carving locations with strategic purposes, villas, particularly the villas del norte, were also meant to expand and sustain largely self-sufficient populations and continue the goal for indigenous pacification. Along with some of the villas, Escandón also created missions that were to continue the mandate to pacify indigenous peoples.⁹¹ The villa de Camargo founded the mission of San Agustín de Laredo, which congregated indigenous peoples, many of whom already integrated into mission life. In particular, the nations of the Pajaritos and Paysanos who held Captain Francisco Gonzales as their leader was considered “gentiles,” and were permanent residents.⁹² The San Joaquín de el Monte mission, tied to the Villa of Reynosa, integrated the Comecrudo, Pintos, and Tejones y Sacatiles into their mission, which averaged approximately 300 indigenous peoples.⁹³ Missions throughout this colony were organized and led by the Colegio de Guadalupe de Zacatecas by fray Ignacio Antonio Ciprián, yet along the Rio Grande only three out of the six villas, that of Reynosa, Camargo, and Revilla, had missions.⁹⁴ Promoting this religious pacification of the indigenous population was an essential component of the foundation of Nuevo Santander. Many, such as Hinojosa, used this prerogative of helping Indigenous populations as a key to his fight for land ownership in the following decades.

⁹¹ “Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 4.

⁹² *Ibid.*, 12.

⁹³ “Autos, Padrón, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa,” Expediente 2, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 12.; Osante, *Orígenes del Nuevo Santander*, 132; The name of “Sacatiles” was derived from the “Autos, Padrón, and Plano” document, but unsure of its name.

⁹⁴ “Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 15; Osante, *Orígenes del Nuevo Santander*, 132.

Conversion of indigenous peoples and their congregation in the missions garnered a considerable labor force, depending on the success of the missions, for cultivating crops, ranching, and other business ventures. For instance, In the San Gabriel Mission in California, the Franciscans developed four labor categories, “skilled artisans, semiskilled laborers, horticulturalists, and general labors/field hands.”⁹⁵ Much of this spiritual objective, was coerced and, as James A. Sandos articulates, was more of debt peonage.⁹⁶ For Texas, it was mainly the San Antonio Missions that congregated the most significant number of converts, but these paled in comparison to California or New Mexico. With its strong ranching economy, it was the missions that led the stock-raising business early in the colony’s life with access to “cheap labor” and subsidized Franciscan missions.⁹⁷

The villas del norte’s missions had much smaller numbers of converts within their walls and access to the labor force and resources. Under the leadership of Agustín Frago, 179 indigenous peoples congregated in the Reynosa mission in the early years of the colony, which had converted to Christianity. The “*Nazas, Narices, Comecrudos y Tejones*,” peoples congregated in the mission. The mission’s economy was primarily based on livestock, with eighty heads of livestock and ten horses, but also grew corn. Frago argued that the resources were not enough to feed the indigenous people, who had to forage for food when food was lacking.⁹⁸ Reynosa’s mission offered indigenous labor, and the registration of its indigenous

⁹⁵ Yvette J. Saavedra, *Pasadena Before the Roses*, 25.

⁹⁶ James A. Sandos, *Converting California: Indians and Franciscans in the Missions* (New Haven: Yale University Press, 2004), 108-110.

⁹⁷ Weber, *Spanish Frontier*, 192-193; Jack Jackson, *Los Mesteños: Spanish Ranching in Texas, 1721-1821* (College Station: Texas A&M University Press, 1986), 12.

⁹⁸ Octavio Herrera Pérez, *Monografía de Reynosa* (México: Instituto Tamaulipeco de Cultura, Gobierno del Estado de Tamaulipas, 1989), 26, 29.

peoples within Escandón's reports on the development of the colony to the crown showed the progress and development of the colony.

Both the Hinojosa and Ballí families derived from Spain, yet the Ballí family settled in Mexico City before branching out to the villas del norte. Pedro Ballí, an "Italo-German from Strassburg," descent, was an official printer of King Felipe II. His family settled in Mexico by 1574, who, Mary Margaret McAllen Amberson stated, became "intellectuals, military officers, and *ganaderos*."⁹⁹ Some members of the Ballí family entered Nuevo Santander upon its foundation and settled in the villa of Reynosa in 1749.¹⁰⁰ At the time of the first report on the colony in 1750, four Ballí families, categorized as Españoles, were registered with the villa of Reynosa. María Gertrudis Rodriguez and Nicolas Vallin had three children: Joseph María, Josepha Lugarda, and Joseph Santiago: ten, eight, and two years old, respectively. Juan Antonio Vallín and his wife Francisa de Villa Real had one daughter, Maria Gertrudis. Bartolome, Nicolas Joseph, and Joseph Manuel Vallín were also part of the Reynosa, who were single men in their early twenties.¹⁰¹ Even though this segment of the Ballí family did not own extensive livestock, they became integral players in the ranching industry along the Rio Grande.¹⁰²

Deriving from the neighboring colony of Nuevo León, the Hinojosa family had a legacy of military positions of power before arriving in Nuevo Santander. Historian Thomas D. Knight stated that the earliest record of Juan José Hinojosa's ancestor was named Juan Navarro, who

⁹⁹ Mary Margaret McAllen Amberson, James A. McAllen, and Margaret H. McAllen, *I Would Rather Sleep in Texas: A History of the Lower Rio Grande Valley and the People of the Santa Anita Grant* (Austin: Texas State Historical Association, 2003), 38.

¹⁰⁰ *Ibid.*, 48.

¹⁰¹ "Autos, Padrón, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, por D. José de Escandón. Reynosa," Expediente 2, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 25.

¹⁰² *Ibid.*, 21; "Reynosa: Rio Grande Border Town," Folder FF2: Padrón/Census of Reynosa 1750/Transcription, Box 1, Census Records of Reynosa, Reynosa Municipal Archives, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Tx.

derived from the Kingdom of Navarro in Spain and first settled in Santo Domingo in 1514. His son, by the same name and born in 1533, helped to establish the Saltillo during the 1570s.¹⁰³ Later, they moved to Monterrey and intermarried the de la Garza family, thus, joining two politically influential families. Lieutenant Diego Hinojosa Montaña, Juan José Hinojosa's grandfather, was married María Cantú Treviño.¹⁰⁴ According to Marion B. Arpee, he died in an "Indian uprising of 1673 in the pioneer settlement San Antonio de los Llanos," and his family was spared and returned to Monterrey.¹⁰⁵ By 1694, Joséfa de la Garza married Diego Hinojosa "El Mozo" Cantu, the paternal grandfather of Rosa María Hinojosa and son to Lieutenant Diego Hinojosa Montaña.¹⁰⁶ Out of this union, twelve children were born to Joséfa and Diego, which included Juan José Hinojosa, the original grantee of the Llano Grande. In the Sagrario Metropolitano, Diego Hinojosa, brother of Juan José, was baptized on December 8, 1697.¹⁰⁷ A vast number of Nuevo León families in the ensuing decades were recruited by Escandón to settle in the colony of Nuevo Santander.

¹⁰³ Thomas D. Knight, "Doña Rosa María Hinojosa de Ballí and Her Family: A Lower Rio Grande Valley Family in an Atlantic Perspective," in *Yet More Studies in Rio Grande Valley History*, Milo Kearney, Anthony Knopp, Antonio Zavaleta, and Thomas Daniel Knight, vol. 13 (Brownsville, The University of Texas Brownsville, The UT Brownsville Regional History Series, 2015), 113-14.

¹⁰⁴ José Guadalupe Hinojosa Cantú, *Genealogía Hinojosa, 1640-2002* (Monterrey: Oficio Ediciones, 2002), 2; Alicia Hinojosa, *The Hinojosa Family: From Mier, Tamaulipas, Mexico to Texas*, 26-27. As can be seen, there is still some margin of error in tracing birth and marriage records for Diego Hinojosa Montaña.

¹⁰⁵ Marion B. Arpee, "The Surname Hinojosa," *Genealogical Tips*, Vol. xxviii, no.4, Oct-Dec 1990, Folder CS-Hinojosa, Reference Files, CS 381, Genealogy Names D-J, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Texas.

¹⁰⁶ Knight, "Doña Rosa María Hinojosa de Ballí and Her Family," in *Yet More Studies in Rio Grande Valley History*, 116; Marion B. Arpee, "The Surname Hinojosa," *Genealogical Tips*, Vol. xxviii, no.4, Oct-Dec 1990, Folder CS-Hinojosa, Reference Files, CS 381, Genealogy Names D-J, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Texas; Knight and Arpee had two different dates for the marriage between Joséfa and Diego, 1670s to 1690s. Knight's date correlated with the baptismal of Diego Hinojosa.

¹⁰⁷ "México Bautismos, 1560-1950," database, *FamilySearch* (<https://familysearch.org/ark:/61903/1:1:JS4W-1LC>; accessed 17 April 2016), Diego Ynojosa in entry for Diego Ynojosa Garza, 08 December 1697; Citing SAGRARIO METROPOLITANO, MONTERREY, NUEVO LEON, MEXICO, reference; FHL microfilm 605,147; The genealogical published records were not the same, either dates or names, with each other.

By the 1750s, Juan José Hinojosa and his immediate family moved to Nuevo Santander and registered as a resident of the Camargo villa. Both he and his wife, Antonia Benavides, were designated as españoles, or Spanish, and had two daughters Esmeregilda and Maria Ygnacia, who were five years old and an infant, respectively.¹⁰⁸ In the following inspection in 1753, they had welcomed two new children, but they named only one: María Rosa.¹⁰⁹ Eight children were born to Juan José Hinojosa and Antonia Benavides in addition to the eldest three daughters, which included Vicente, Juan José, Manuela, Josefa, and Cipriano Hinojosa.¹¹⁰ According to his testament to Reynosa's court, Vicente Hinojosa stated that he was born after Juan José Hinojosa accepted the title of captain and moved to Reynosa.¹¹¹ In addition to their father's property, both male and female children had the right to inherit, many came to acquire additional grants and expanded the familial network of land ownership and cattle ranching. Even though Juan José Hinojosa was not a prominent leader in the 1750 census, but owned considerable resources which, along with the Ballí family, became the leading military, political, and economic leaders of the Reynosa.

¹⁰⁸“Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 7.

¹⁰⁹ “Villa de Camargo. Año de 1753. Testimonio De las Ultimas Diligencias practicadas en la Visita de la Villa de Camargo por el Señor General Dn. Joseph de Escandón, Caballero Profeso de el Orden de Santiago, Lugar Theniente de el Su Majestad, Señor Virrey de esta Nueva España en la Costa de el Seno Mexicano y sus Fronteras,” Expediente 6, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 126

¹¹⁰ Hidalgo and Starr Counties Abstract Company, *Abstract of Title to that Part of Beamer Syndicate and J.C. McDowell Properties That Lie in the “Llano Grande” and “La Blanca” Grants in Hidalgo County, Texas* (Edinburg, TX: The Company, 1918), 2.

¹¹¹ Vicente Hinojosa, "Testimonio, de Tierras de Don Vicente de Hinojosa, expedido por el Juzgado 1°. De Reinosa Tamaulipas," 2, Trans-Nueces Records, File number SC 000136:10, Vicente Hinojosa, Texas General Land Office, Austin, Texas, http://www.glo.texas.gov/ncu/SCANDOCS/archives_webfiles/arcmeps/webfiles/landgrants/PDFs/1/0/3/4/1034863.pdf (accessed April 1, 2016).

Escandón, according to Patricia Osante, placed prominent men, such as “oficiales militares y hacendados,” in charge of the villas to ensure the success of the first settlements and the pacification of the indigenous communities. These were men were *hombres de bien* that fulfilled their obligations, and, thus, project the Spanish goals of expansion.¹¹² Along the Rio Grande, Spanish elites, many from military backgrounds, came to acquire positions of power and influence in Nuevo Santander. For instance, Blas María de la Garza Falcón derived from an elite family from Nuevo León who had entered the colony of Nuevo Santander as a captain in the *entradas* conducted by Escandón.¹¹³ Carlos Cantú, the captain of Reynosa, also derived from a successful and military family. He was a military officer and was an *hacendado* before becoming the captain of Reynosa in 1749.¹¹⁴ Replacing Cantu in the 1760s, Juan José Hinojosa had gained the position of Captain while José Antonio Ballí became the Justicia Mayor in the villa of Reynosa.¹¹⁵ Vicente Hinojosa, son of Juan José, in his testimony for his land, was a lieutenant.¹¹⁶ Escandón’s preference in naming military elites in positions of power in the colony shaped the military, judicial, and political life of the villas del norte.

Hinojosa and Ballí families became part of the political and social life of both Camargo and Reynosa, and, at times, their status and goals aligned with the objectives of the state and the governor. Legitimacy in the local community often required the backing of the state. Honor was

¹¹² Osante, *Orígenes del Nuevo Santander*, 131; Martin, *Governance and Society in Colonial Mexico*, 125; English translation: "prominent men—military and landowners—proposed to ensure the pacification of the area the founding of the first establishments."

¹¹³ Alonso, *Tejano Legacy*, 32-33.

¹¹⁴ Alonso, *Tejano Legacy*, 32-33; “Reynosa: Rio Grande Border Town,” Folder FF2: Padrón/Census of Reynosa 1750/Transcription, Box 1, Census Records of Reynosa, Reynosa Municipal Archives, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Tx.

¹¹⁵ “Denuncia de 37 Sitios de Tierra Hecha Por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia del Nuevo Santander,” Vol. 1017, Tierras, Archivo General de la Nación, México City, México, 1.

¹¹⁶ Vicente Hinojosa, “Testimonio, de tierras de Don Vicente de Hinojosa, expedido por el Juzgado 1°. de Reinosa Tamaulipas,” 2.

a primordial example of the organization of Nuevo Santander society, in which one's character, birth, and seniority were often key criteria for the worthiness of settlers, their value as subjects to the crown, and landowners along the Rio Grande. The state, moreover, often sanctioned honor as a means to aid Spain's territorial expansion, and rewarded its agents via status, power, and land.¹¹⁷ Hinojosa and Ballí families, as elite captains and judicial leaders, represented part of the colony's leadership. With the opportune space to carry out the mission and goals of the Spanish state, both families fulfilled the crown's goals, such as pacification and the expansion of the empire, through their positions of power.

As Nuevo Santander grew, the colony focused on the construction of acequias, the establishment of agriculture, and the expansion of ranching. In his first report on Nuevo Santander, Escandón stated that the goal was not only to establish successful colonies but also to pacify indigenous peoples, construct acequias, and continue to incorporate and increase the population of the settlements.¹¹⁸ The *Recopilación de Leyes de los Reinos de Las Indias* Book 4, Title 8, and Law 26 required residents to plant the seeds they carried to have some agricultural subsistence before focusing on multiplying their livestock that required branding.¹¹⁹ The construction of acequias, as stated in Escandón's report on the advancement of the colony, was imperative for the development of the villa of Camargo. However, delays in the structure did not

¹¹⁷ Alonso, *Thread of Blood*, 42, 92.

¹¹⁸ "Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander)," Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 4-5.

¹¹⁹ Spain, *Recopilación de Leyes de los Reinos de Las Indias, Mandadas Imprimir y Publicar Por La Magestad Católica del Rey Don Carlos II. Neustro Señor*. Libro 4, Titulo 8, Ley 26 (Madrid, Boix, 1841), 108; "Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo, 4-5; "Autos, padrón, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa," 24.

allow Camargo residents to plant crops within the first year of its foundation.¹²⁰ Reynosa, on the other hand, was able to use the water from the Rio Grande to water the agricultural products.¹²¹ Villas, as it was, were located in places that were geared towards agriculture and ranching, in addition to their strategic purpose, yet the difficulty of water access and irrigation caused the majority to turn to other means of subsistence along the Rio Grande.

Offering land was a practice that incentivized settler migrations and movements, yet the Spanish crown offered additional reasons. For instance, Governor Escandón offered two *sitios* of land that roughly equaled 4,428 acres as an encouragement for relocation.¹²² Land, for rancheros deriving from other colonies, was imperative for its success, and one incentive that Spain promised families that moved to colonies in its northern frontier. Additional enticements, such as “transportation subsidies, and tax exemptions,” was also a practice by New Spain to encourage the population of its isolated regions. Without profitable ventures, such as mines, the Spanish crown had to offer additional enticements for families to move to Nuevo Santander. Landless families, as well, were offered pardons for crimes or the cancellation of debt.¹²³ Nuevo Santander settlers gained numerous incentives, becoming privileged agents of the state, yet faced

¹²⁰ “Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 4-5; “Autos, padrón, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa,” Expediente 2, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 24.

¹²¹ “Autos, padrón, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa,” Expediente 2, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 24.
24-25.

¹²² Greaser, *New Guide to Spanish and Mexican Land Grants*, 9; Florence J. Scott, *Royal Land Grants North of the Rio Grande 1777-1821: Early History of Large Land Grants Made by Spain to Families in Jurisdiction of Reynosa Which Became Part of Texas After the Treaty of Guadalupe Hidalgo, 1848* (Rio Grande City: La Retama Press, 1969), 14.

¹²³ Valerio-Jiménez, *River of Hope*, 52.

difficulties in acquiring physical land as were promised. Within the colonial structure, the land was a key component for the state to entice and reward settlers for service to the crown.

Land to attract settlers to remote locations had historical precedence in Spain before its establishment in North America. During the Reconquista period, the Spanish compensated “conquerors, defending conquered lands, and protecting conquered peoples” through the use of an *encomienda* system.¹²⁴ In this reoccurring military expansion, as Heath Dillard articulates, new settlements required not only military men but “rulers employed diverse and flexible strategies to attract them, especially by granting them exceptional privileges.”¹²⁵ Individuals who served the Spanish crown, particularly as conquistadores, were rewarded with land, and this a way that solidified territorial claims in Spain and in New Spain that led military and political leaders to acquire extensive landholdings there as well.¹²⁶ Additionally, the king granted communal land to settlers that derived as protection against the Moors, according to Ebright, creating a central location where residents resided, and the outlying areas were used communally by all during the eight through the fifteen centuries.¹²⁷ In the early Reconquista period, both women and men were legal owners, sold, and bought a property, particularly in Galicia.¹²⁸ Land as a reward had precedence, and it continued in New Spain.

There was legal precedent for the distribution of land since the sixteenth century, yet Escandón did not want to distribute the land amongst the settlers because it was to create unnecessary conflict. Even though the land was to be distributed equally among all the

¹²⁴ Ebright, *Land, Water, and Culture*, eds. Briggs and Ness, 18

¹²⁵ Heath Dillard, *Daughters of the Reconquest: Women in Castilian Town Society, 1100-1300* (New York: Cambridge University Press, 1984), 13.

¹²⁶ Ebright, *Land, Water, and Culture*, eds. Briggs and Ness, 17.

¹²⁷ *Ibid.*

¹²⁸ Dillard, *Daughters of the Reconquest*, 13.

inhabitants of each villa, Escandón argued that disagreements would emerge from families wanting the most lucrative properties.¹²⁹ The heads of families were only allowed property in one villa and not two, which narrowed down the properties available. Escandón argued that this would exacerbate the conflict if colonists were given land in Nuevo Santander.¹³⁰ These problems, such as Escandón contended, were going to dissuade additional families from entering and settling in Nuevo Santander if no property was available. Additionally, Escandón maintained that upon providing the land to settlers, they would disperse and, in turn, compromise the protection of the colony.¹³¹

Residents throughout Nuevo Santander sustained their communal living conditions for over twenty years after the foundation of the original settlements, yet villas complained about the lack of property decades after the colony's foundation. Galen D. Greaser argued that settlers were held "hostage" to the idea of land ownership.¹³² Camargo residents criticized the lack of land ownership. By 1753, residents who had moved to Camargo without the aid of the crown, or *ayuda de costa*, argued that they would move if the land were not assigned.¹³³ For New Spain, who sought to populate the colony, the threat of abandonment was a severe problem. They

¹²⁹ "Autos Sobre la Pacificación y Estado en que se Encuentra La Colonia del Nuevo Santander, Hechos de Orden D. José de Escandón. Una parte de este Expediente Esta Integrada Por 116 Incisos que Detallan notablemente este Importante Asunto. Nuevo Santander," Expediente 3, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 10-33.

¹³⁰ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Libro 5, Titulo 12, Ley 2, 119.

¹³¹ "Autos Sobre la Pacificación y Estado en que se Encuentra La Colonia del Nuevo Santander, Hechos de Orden D. José de Escandón. Una parte de este Expediente Esta Integrada Por 116 Incisos que Detallan notablemente este Importante Asunto. Nuevo Santander," Expediente 3, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 10-33.

¹³² *Ibid.*, 10-33; Greaser, *New Guide to Spanish and Mexican Land Grants*, 21-22.

¹³³ "De la Ultimas Diligencias practicadas en la Visita de la Villa de Camargo por el Señor General Dn. Joseph de Escandón, Caballero Profeso de el Orden de Santiago, Lugar The.el Excellentísimo Señor Virrey de esta Nueva España. En Esta Costa de el Seno Mexicano y Sus Fronteras," Expediente 6, Provincias Internas, Instituciones Coloniales, Vol. 172, México City, México, 11.

dismissed his arguments and pressured Escandón to divide the land amongst the colonists.¹³⁴

However, the promise of land and other incentives continued to attract settlers to the region into the late 1760s.¹³⁵

With the complaints about Escandón and his rigid land policy reaching New Spain, the viceroy de Croix appointed Field Marshal Juan Fernando Palacio, the Captain-General and governor of the colony of Nueva Veracruz, and *Licenciado* José Osorio to investigate the charges against him, offer *cedulas*, and officially distribute the land to colonists.¹³⁶ Palacio and Osorio first entered Nuevo Santander on April 8, 1767, and reached the villa of Santander, the capital, where they took over the governor's office and investigated the charges against Escandón. In June of that year, the commission traveled north to examine and distribute lands in the villas del norte. Their first stop was Laredo on June 6, 1767, and spent the next two months traveling from Laredo, Dolores, Revilla, Mier, before reaching Camargo.¹³⁷ By August, the royal commission reached Camargo and began the procedure to divide the land amongst the residents of the villa. Juan José Hinojosa and his family, according to Camargo records, no longer lived in this villa and moved to the neighboring settlement of Reynosa.¹³⁸ Palacio and Osorio, as agents of the

¹³⁴ "Autos Sobre la Pacificación y Estado en que se Encuentra La Colonia del Nuevo Santander, Hechos de Orden D. José de Escandón. Una parte de este Expediente Esta Integrada Por 116 Incisos que Detallan notablemente este Importante Asunto. Nuevo Santander," Expediente 3, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 10-11/33-35; Greaser, *New Guide to Spanish and Mexican Land Grants*, 21.

¹³⁵ Greaser, *New Guide to Spanish and Mexican Land Grants*, 22.

¹³⁶ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de enero de 1773 Sobre La Causa Formada en La Colonia del Nuevo Santander, a D. José de Escandón. Averiguaciones e Informes Muy Detallados que Arrojan Multitud de Datos Sobre Los Orígenes y Desarrollo de lo que Ahora Es Tamaulipas. Nuevo Santander," Expediente 1, Vol. 178, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 1; Greaser, *New Guide to Spanish and Mexican Land Grants*, 25.

¹³⁷ Greaser, *New Guide*, 25-26, 35, 37, 46, 55.

¹³⁸ *Ibid.*, 55, 60-66.

state, set out to fulfill the promises made by the Spanish crown for property ownership denied by Escandón.

Palacio and Osorio reached the villa de Reynosa on August 22 and began the distribution process highlighting the power and political dynamics between the state and its settlers in Nuevo Santander. Juan José Hinojosa, as the captain of Reynosa, gathered the settlers outside mass services to inform them of the allocation of property. As citizens of the Spanish empire, residents of Reynosa were entitled representation under the “Repartimiento de Tierras” conducted by Palacio y Osorio.¹³⁹ Two representatives from the villa were elected by the community to protect Reynosa settler’s interests. Juan Antonio Ballí and José Mathias de Tijerina were named as representatives of Reynosa on August 24, 1767, in a power-of-attorney capacity and appraisers.¹⁴⁰ They swore an oath of service to the crown and their community. As representatives of the settlers, Ballí and Tijerina nominated José María Ballí, brother of Antonio Ballí, and José Antonio Velasco as the Reynosa agrimesores, or surveyors, that were to survey the town and the individual porciones.¹⁴¹ The town's representatives provided a voice to the settlers in the process, who had knowledge of the region’s environment and characteristics that were imperative in the distribution process.

The local representation was vital in every villa, yet the interests of the crown were also part of the dissemination of land in the villas del norte. Palacio and Osorio were the agents of the state, in both the investigation of Escandón’s leadership in Nuevo Santander and land allocation,

¹³⁹ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repartimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 318-319.

¹⁴⁰ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repartimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 321; Greaser, *New Guide to Spanish and Mexican Land Grants*, 67.

¹⁴¹ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repartimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Archivo General de la Nación, 321-323.

who oversaw the entire process of the *visita general*, as this practice was known. Palacio and Osorio represented the crown, yet two agrimadores, or surveyors, were also nominated and accepted the charge of surveying the jurisdiction of Reynosa as representatives of the Spanish crown. José Bernardo Longoria and José Bernardo Gómez, from the neighboring villa of Camargo, were nominated and sworn as the Spanish agrimadores that were to work with José María Ballí and José Antonio Velasco as agrimadores. Juan Antonio Ballí and José Mathias de Tijerina would also be part of the party sent to survey the property.¹⁴² Within this process, the representatives swore and notarized their statements and role to unbiasedly measure, divide, and protect the rights of settlers, a process dictated and supervised by the Palacio and Osorio. Ballí and Velasco were the facilitators of land ownership, with their role in the *visita general*, and fulfilled their service to the crown.

Agrimadores, or surveyors, were charged in naming the quality of the land and surveying the land using a rope called the *cordel*. This rope was the unit of measurement used by the Spanish, which measured fifty Mexican varas, to survey and mark the land. Namely, the Spanish representative, Bernardo Gomez, was to extend the rope and transfer it to Antonio Velasco, the Reynosa representative, to acquire measurements.¹⁴³ The *Recopilación de Leyes*, Law 7, Title 7, Book 4, the distribution of land was required to have first the boundaries of the villa measured as well as the plots for the villa and its grazing lands. The rest was required to be distributed equally among the inhabitants of the colony.¹⁴⁴ Local representatives conducted the entire process, and

¹⁴² *Ibid.*, 321-323; Greaser, *New Guide to Spanish and Mexican Land Grants*, 67.

¹⁴³ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 321-323.

¹⁴⁴ Spain, *Recopilación de Leyes de los Reinos de Las Indias*,. Libro 4, Titulo 7, Ley 7, 106.

these individuals served as agents of the state in distributing land and facilitating Spain's promise of land to families living in Nuevo Santander.

The Ballí and Hinojosa families were integral in the distribution process because they were the leading military and political officials at the forefront of villa society, which derived significant benefits from the *visita general*. Juan José Hinojosa was captain of Reynosa oversaw the process, but, according to custom, received twice the porción a regular settler received.¹⁴⁵ His son-in-law, José María Ballí, was one of the Reynosa surveyors. However, specific settlers, including Ballí, had already profited from their support of Escandón and the Spanish crown. Ranchos, such as Dolores and El Desierto, were given under the rule of Escandón.¹⁴⁶ Juan Antonio Ballí received a porción similar to other residents, yet he received a specific property “por tener un Rancho beneficiado en ella” that determined the location of his porción.¹⁴⁷ Ballí’s property was located on the easternmost porción of the villa on the northern bank of the Rio Grande, next to Narciso Cavazos, brother-in-law, and Juan José Hinojosa. Geographically, they were all located next to one another or nearby.¹⁴⁸ Hinojosa’s descendants also claimed their service to the crown as the basis to acquire additional land beside the porciones that they received in 1767.

The length of residency was one of the factors that dictated not only the acquisition of land but the amount of it that was received by a grantee. *Primitivos pobladores*, considered the original settlers who had entered the colony when it was founded in 1749 or lived longer than six years in the villas, were the preferred settlers in the land grant process. These beneficiaries

¹⁴⁵ “Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa,” Expediente 19, Volumen 2734, Tierras, Archivo General de la Nación, 327.

¹⁴⁶ *Ibid.*, 324.

¹⁴⁷ *Ibid.*, 328; Translation: “for having a Ranch [which] benefited in it.”

¹⁴⁸ *Ibid.*, 336-337.

acquired two sitios de *ganado menor*, for the grazing of sheep and goats, and twelve *caballerias* with an Agostadero dedicated to the planting of crops.¹⁴⁹ The second category, the *Antiguo poblador*, were residents that had lived in the colony less than six years and more than two, who received the same number of sitios yet only received half of the *caballerias* of primitivos. Those who had recently arrived within the last two years of the 1767 visita, the “modernos,” only gained two sitios for grazing land.¹⁵⁰ Seniority played a crucial role in the amount of land attributed to the settlers. However, this Spanish policy enacted by Palacio and Osorio in 1767 that took into consideration the years lived within the colony and the solidification of Spain's presence in the region. Escandón had articulated a different system that was not only more limited but focused on providing land to farmers and ranchers.¹⁵¹ Residency in the colony was one of the many factors that granted settlers land and its implication and meaning of it to residents.

Service conducted in the name of the crown, such as military leadership, pacification, or judiciary service, met the requirements of merit. Primarily ranchers, military elite, or those who had gained favor with Escandón could prove their merit.¹⁵² Captains of the villas received twice the amount of land offered to *primitivos pobladores*, and Juan José Hinojosa was one of the recipients of this policy that provided him with grazing and agricultural lands in Reynosa.

Additionally, as the captain, he received two solares, or town plots, along the southwestern

¹⁴⁹ *Ibid.*, 326-327; A sitio of ganado mayor, used for grazing of large livestock such as cattle and horses, averaged 1,968.18 acreages, and a sitio of ganado menor, used for the grazing of small livestock such as goats or sheep, averaged to 4,428.4 acreages. [Greaser, 181] However, for caballerias, used for agricultural purposes, are different according to Greaser, who stated were 105 acreages, and Alonzo, who said was 177 acres.

¹⁵⁰ *Ibid.*, 326-327; Alonzo, *Tejano Legacy*, 36-37.

¹⁵¹ Greaser, *New Guide*, 77-78.

¹⁵² Alonzo, *Tejano Legacy*, 36.

portion of the plaza as for his residence.¹⁵³ Within the boundaries of the center of town, residents had solares of where they resided instead of their actual Porciones. Hinojosa had gained the status of *primitivo poblador*, as his son Vicente Hinojosa articulated, from his stay in the villa de Camargo before his transfer to Reynosa.¹⁵⁴ Military and political leaders who served the crown as agents of the state were some of the families who garnered the most benefits and land claims in Reynosa.¹⁵⁵

As the *visita general* distributed the land within the villas, the acquisition of property was to be an egalitarian process, yet special considerations were an individuals' class, merit, character, and status. Besides the captain, the land was supposed to be divided with no favoritism and granted equally among the settlers.¹⁵⁶ This egalitarian process was evident in the Repartimiento de Tierras de Reynosa document, which articulates this idea of "equidad que todos participen de bueno, y malo..." among the registered residents.¹⁵⁷ These ideas of egalitarian land distribution were part of the *Recopilación* and carried through the mandates and the rhetoric in the "Repartimiento de Tierras de Reynosa" document itself. However, special consideration was given to the "meritos y facultades de los vecinos para la justa y Digna satisfaccion y expresan estos habitarse acomodados todos los acrehedores al beneficio de que se

¹⁵³ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repartimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 338-339.

¹⁵⁴ Vicente Hinojosa, "Testimonio, de Tierras de Don Vicente de Hinojosa, expedido por el Juzgado 1°. De Reinosa Tamaulipas," 2.

¹⁵⁵ Valerio-Jiménez, *River of Hope*, 53.

¹⁵⁶ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Libro 4, Titulo 12, Ley 7, 119; "Reynosa, Nuestra Señora de Guadalupe De. Va-Repartimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 318.

¹⁵⁷ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repartimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 318. English Translation: "equity in all those that participate in good, and bad."

trata.”¹⁵⁸ The fact that out of the ninety-two families in Reynosa, only eighty porciones were measured and granted in this villa is evidence of the importance of merit. A handful of residents “lacked merit,” yet others, such as Bernardo Ynojosa, a sergeant in the Reynosa squadron who derived from Nuevo León, acquired land in the neighboring Villa of Camargo.¹⁵⁹

The distribution of land along the northern frontier created further divisions between the elite and the underprivileged settlers who migrated to Nuevo Santander. As Omar Valerio-Jiménez observed in *River of Hope*, the “state’s land distribution policy in the northern towns institutionalized class divisions and promoted patriarchal control.”¹⁶⁰ Spaniards, or españoles, were individuals born in New Spain with Spanish ancestry, which the vast majority of people with military, judicial, and legal power were categorized.¹⁶¹ Españoles, who were the vast majority in the villas del norte, were designated in the census of Camargo and Reynosa, gained substantial land. Servants and ranch hands were nevertheless mostly silent in the Spanish reports on the colony’s progress and the distribution of land in Reynosa. Spain’s goal to distribute lands as egalitarian as possible, yet factors, such as character, class, *calidad*, and status, conditioned land access, and ownership within the villas. Men’s character and service were the key factors in the expansion of land ownership after 1767.

Within this patriarchal society, men from wealthy or prominent families enjoyed the most privileges of class, status, and *calidad*. Membership to a specific community was drastically different from the Spanish to American period, and the Spanish idea of belonging tied to honor,

¹⁵⁸ *Ibid.*, 338-339. English translation: “merits and faculties of the vecinos for the just and dignified satisfaction and express these inhabited are accommodated all the creditors to the benefit in question.”

¹⁵⁹ Greaser, *New Guide to Spanish and Mexican Land Grants*, 68; Reynosa, Nuestra Señora de Guadalupe De. Va-Repertimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa,” Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 326-327, 338-339; This individual could be related to Juan José Hinojosa, yet I have not established any connection.

¹⁶⁰ Valerio-Jiménez, *River of Hope*, 53.

¹⁶¹ Martin, *Governance and Society in Colonial Mexico*, 39-40.

respect, and *calidad* as some of its main components. As subjects of the crown, their race, character, wealth, birth, and seniority are important criteria for respect and *calidad* that was a legal distinction between Spanish, indigenous or black individuals in relation to the community and as subjects of the state. Gender, however, also played a critical role in membership to the Spanish crown as *hombres de bien*, or good men, who were honorable and respected in the community.¹⁶² As men, these agents of the state served the crown through military service and proved their honor in fighting the indigenous populations and advancing the Spanish crown's goals of pacification.¹⁶³ Honor for individuals living in the northern frontier was vital, and men with intelligence, birth, military aptitude, and seniority played an integral role in elite families of Reynosa and the Llano Grande as a whole.

However, to say that women were simply the subservient and powerless wives and mothers of landowners is an erroneous concept relating to land ownership in the Lower Rio Grande Valley. As Omar Valerio-Jiménez noted, the distribution of land created a patriarchal control, yet women were still able to acquire land in their name. They were individuals in the civil law legal system of the Spanish crown where they could own, control, and manage a property in their own right.¹⁶⁴ These privileges primarily derived from the Reconquista period, where Spain passed *fueros* that expanded the rights of women in the eyes of the law, increasing their role as individual property owners with rights and protections.¹⁶⁵ Expectations for Spanish subjects were distinct within a patriarchal society, yet women were active participants within the villas as landowners.

¹⁶² *Ibid.*, 125, 128.

¹⁶³ Alonso, *Thread of Blood*, 54.

¹⁶⁴ Stuntz, *Hers, His, and Theirs*, xxii.

¹⁶⁵ *Ibid.*, 12.

Women were also able to inherit land equally as their male siblings and counterparts. Listed as wives and daughters in the census records of the 1750s in the villas of Reynosa and Camargo, women, however, were able to acquire land as widows of *primitivo* and *antiguos pobladores*. Porción nineteen, for example, was granted to Josefa Cano, a widow of an *antiguo poblador*, even though it was her nephew, Juan Antonio Longoria, who accepted the porción in her name.¹⁶⁶ Also, the widow of the former Captain Carlos Cantú of Reynosa became the legal owner of porción number twenty-seven.¹⁶⁷ Male patriarchy defined merit, and the majority of land requests, were granted to men or widows in Reynosa. By the late eighteenth century, Rosa María Ballí, one of Hinojosa's daughters, came to manage and help her sibling acquire large tracks of land.

Land ownership and the regulations and laws that dictated its process, as Stuntz discussed in *His, Hers, and Theirs*, indicated the rights and privileges within the structures of the state.¹⁶⁸ For men, claiming their service to the crown as well as their political status, ensured their right to acquire additional land to expand their ranching enterprises. Physical changes and activities, such as the protection against the foreign threats and the “pacification” and acculturation of indigenous peoples, not only expanded the presence of Spain in the frontier but were evidence of service to the Spanish crown. Women did not have military or political service to derive their land claims, yet it was through their legal status and inheritance practices that they gained land and participated in the distribution of land.

¹⁶⁶ Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 323, 329; Greaser, *New Guide*, 73.

¹⁶⁷ Greaser, *New Guide to Spanish and Mexican Land Grants*, 73.

¹⁶⁸ Stuntz, *Hers, His, and Theirs*, 2.

Women might not be at the forefront of the colonization process in the records, but their presence and their rights as landowners, derived in Spain and expanded in New Spain, indicates that they were legal entities. Because of the *Siete Partidas* and other legal precedence, women were able not only to own but also to buy and inherit land in their own rights. These land and colonization policies shaped the expansion of Spanish territorial claims in the Americas.¹⁶⁹ For instance, the application of large land grants required the presence of witnesses, surveys, and documentation sent to Mexico City, and Rosa María Ballí de Hinojosa used the legal system to acquire the La Feria Grant. She testified and articulated her claim with her father for a second grant in the name of her husband, José María Ballí.¹⁷⁰ Inheritance practice was another avenue for women to acquire and manage their properties, even though at times it was through the male counterpart or family member who acted on their behalf in the higher courts as was the case with Josefa Cano and her portion in the nineteenth century.

Moreover, marriage seemed to be a vital component to the development of the colony that encouraged family units to move to Nuevo Santander. Single men were encouraged to find a spouse and marry within the colony. The *Recopilación de Leyes* stipulated that in organizing and creating a new population settlement, there should not be less than ten married men to approve the creation of a colony. Additionally, they would receive land initially promised and elect county representatives.¹⁷¹ Marriage continued to be an essential part of an individual's character because Spanish policy not only expected single men to marry within their arrival in Nuevo

¹⁶⁹ *Ibid.*, 16-30.

¹⁷⁰ "1909 Certified Copy: Testament of Fierras del Llano Grande," 1790, Folder 2003.29.05, Box 574, Box RGDOC2, B:1, Small Manuscript Collection, Museum of South Texas, Edinburg, Tx.

¹⁷¹ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Libro 4, Título 5, Ley 10, 103. English Translation: "Single men...encouraged to marry...I believe it was another law but will look for it later."

Santander. For the Spanish crown, the families' settlement was vital in the success of territorial expansion and colonization of the northern frontier.

The state, seeking to solidify their territorial claims, expected landowners to abide by specific requirements and responsibilities to make sure landowners maintain their properties. Colonists had to maintain their land and build structures, and if the land was not used or left in a better state, the grantee lost the right of ownership.¹⁷² Depending on the quality of the porción granted, in addition to their plots of land within the jurisdiction of the town center, landowners had to protect and defend their properties against an invasion.¹⁷³ Defending their property was not a small issue, as Spanish authorities saw these settlements along the Rio Grande as a buffer against not only foreign powers but "hostile" indigenous tribes that could threaten the integrity of the settlements. In many of his reports to Spanish officials advising against the distribution of land to colonists, Escandón noted their failure to improve, maintain, and protect their lands. Spain stipulated that landowners could not sell their property. Settlers could not be absent landowners and had to use the land and claim their designated property within two months of its approval by the Spanish crown. The commission set up temporary markers between properties, yet landowners had to create more permanent markers of their property's boundaries.¹⁷⁴

Despite having land in the villas del norte, many residents lived within the town perimeter, and their properties were used for grazing livestock instead. After acquiring their porciones, residents moved their livestock to their land, created shacks and small ranches instead

¹⁷² "Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa. La Mision de San Joaquín del Monte Pide se le den Algunas Tierras. Juris. Tamps.," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 340.

¹⁷³ *Ibid.*

¹⁷⁴ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 340-341.

of creating homes in their properties. Grantees, the owners of porciones, lived in the plots provided by the *visita general* in the town center. Thus, they lived within the perimeter of the plaza with the church and the county government structures.¹⁷⁵ As discussed earlier, Hinojosa's town plot was located along the plaza as an indication of his status as captain of Reynosa.¹⁷⁶ Much of the town infrastructure was maintained south of the Rio Grande. The villas became the center of political, social, and economic life as well as citizen's residences in the villas del norte.

After this initial distribution of land, the lands outside the villa's jurisdiction, in the villas del norte, were considered royal lands, or *tierras realengas*, the crown owned that. Spanish citizens used the royal lands and they could apply with the Spanish crown for the official title because they made improvements on the land.¹⁷⁷ Juan José Hinojosa and José María Ballí received the Llano Grande and La Feria grants through this process. The 1767 *visita general* was an essential piece of Spanish policy that opened the avenue for the distribution of land and the creation of a landowner in Nuevo Santander, but in the 1770s, these applications became one of the main strategies to acquire land in addition to porciones.

Despite the *visita general* procuring land for Spanish citizens in Nuevo Santander, Palacio and Osorio removed Escandón from office and, upon review of his governorship, also levied charges against him. Escandón created a system of government that was distinct from other colonial enterprises in that it was mostly dictatorial and placed too much emphasis on personal loyalty and previous class status.¹⁷⁸ The *visita* was a means to maintain order, ensure government officials adhered to Spanish protocol and laws, and avoid corruption and abuse of

¹⁷⁵ *Ibid.*, 338-339.

¹⁷⁶ *Ibid.*

¹⁷⁷ Greaser, *New Guide to Spanish and Mexican Land Grants*, 79; Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Tomo 2, Libro 4, Título 12, Ley 14, 15, 19, 120-123.

¹⁷⁸ Greaser, *New Guide*, 23.

power by officials particularly in the periphery.¹⁷⁹ Having been in charge for nearly two decades, his abuse of power, demands for total loyalty, the extermination of Indians, failure to distribute land equitably, and the general tensions with ranchers finally led to his removal.¹⁸⁰ Charges against Escandón tied to his leadership and control of the colony, especially with his long tenure as governor and leader of the Nuevo Santander.

During his time as the governor, many people lodged complaints against him. In Nuevo León, captain Juan Joseph Adiaz de la Garza claimed that Escandón acted as if he were King of Sierra Gorda due to his violent acts against indigenous peoples.¹⁸¹ Adiaz de la Garza stated that the captains were “hombres inutiles, visoñes y de ninguna expedizion que en el tiempo de las guerras no parezian en aquellas fronteras y a[h]ora que a nuestra costa... estan pazificadas y quietas ay muchos Capitanes y Soldados...[alegando] meritos para quitarnos a nosotros...”¹⁸² Escandón and his captains, he argued, took credit for their action to pacify the region and fight against invading English forces on the coast.¹⁸³ These accusations portrayed Escandón and his captains and soldiers without discipline who did not fulfill their role as pacifiers of indigenous peoples and the protection of the Spanish territory. Every aspect of Escandón's rule as the governor and leader of the colony were questioned and criticized by the complaints against him.

Among some of his charges were the election of captains with questionable characters, which included Juan José Hinojosa. Charge twenty of the *visita general* against Escandón

¹⁷⁹ Osante, *Testimonio*, xiii.

¹⁸⁰ *Ibid.*, xiv-xxi.

¹⁸¹ “Autos Sobre Quexas de Various Individuouos de Reyno de Leon Contra el Coronel Dn. Joseph de Escandón,” Expedition F, Provincias Internas, Volume 173, Book 514, Box 2Q 211, Archivo General de Mexico, 1538-1849, Dolph Briscoe Center for American History, the University of Texas at Austin, Austin, TX, 286, 290.

¹⁸² *Ibid.*, 288. English Translation: “Useless men, visoñes [unsure of word translation] and with no expedition conducted in times of war did not appear in these frontiers, and now that our coast is...pacified and quiet Captains and Soldiers are alleging [taking] merit against us.”

¹⁸³ *Ibid.*, 287-288.

charged Escandón with having full knowledge of Juan José de Hinojosa's previous crime in Nuevo León when he appointed him as captain of Reynosa. Hinojosa's accusation of a *álevosa*, a wicked or treacherous, murder in Villa de Llagos in Nuevo León.¹⁸⁴ Witnesses interviewed by the *visita* by Licenciado Osorio argued that Escandón had full knowledge that Hinojosa had committed the murder and escaped to the Villa of Camargo in 1749. Because Hinojosa tried to escape, his punishment placed him in the service of the Presidio de Cerralvo for ten years, which he fulfilled.¹⁸⁵ Furthermore, it states that there were laws that protected settlers who entered a new settlement, even if they had committed crimes.¹⁸⁶ Escandón, on the other hand, did not have an excuse to hire individuals with criminal backgrounds for leadership positions in the colony.¹⁸⁷ In particular, Hinojosa was vilified in this document for hiding his crime, even though there was knowledge of it in the colonies. His *calidad*, respect and honor were questions, especially as he was the leader of Reynosa. The charges against Escandón attacked Hinojosa's character, which focused on his crime, migration to Camargo, and the unlikely rise to captaincy.

Despite the unrest he created, no charges were filed against Escandón, and Hinojosa retained his position and status within Reynosa leadership and society. Escandón, also, was exonerated of any responsibility for being unaware of Hinojosa's crime. Witnesses that presented

¹⁸⁴ "Autos of the Causa of Escandón, in consequence of a Royal Cedula of January 29, 1773," Provincias Internas, Volume 178 part II, Book 517, Box 2Q 212, Archivo General de México, 1538-1849, Dolph Briscoe Center for American History, the University of Texas at Austin, Austin, TX, 266; "Autos of the Causa of Escandón, in consequence of a Royal Cedula of January 29, 1773," Provincias Internas, Volume 178 part I, Book 516, Box 2Q 212, Archivo General de Mexico, 1538-1849, Dolph Briscoe Center for American History, the University of Texas at Austin, Austin, TX, 100.

¹⁸⁵ "Autos of the Causa of Escandón, in consequence of a Royal Cedula of January 29, 1773," Provincias Internas, Volume 178 part I, Book 516, Box 2Q 212, Archivo General de Mexico, 1538-1849, Dolph Briscoe Center for American History, the University of Texas at Austin, Austin, TX, 100; Osante *Testimonio*, 63.

¹⁸⁶ "Autos Sobre Quexas de Various Individuouos de Reyno de Leon Contra el Coronel Dn. Joseph de Escandón," Expedition F, Provincias Internas, Volume 178 part I, Book 516, Box 2Q 212, Archivo General de Mexico, 1538-1849, Dolph Briscoe Center for American History, the University of Texas at Austin, Austin, TX, 99.

¹⁸⁷ *Ibid.*, 101.

to Osorio articulated that because Hinojosa had fulfilled his punishment, he should be in good standing once more.¹⁸⁸ Individuals that moved to the colony of Nuevo Santander were required to be in good moral standing and of intelligence, and Hinojosa is an example that both violated this ideology yet was able to navigate it and not be severely affected by the fall of Escandón's power in Nuevo Santander. Also, further documents have Hinojosa applying for a second land grant articulating his service to the crown. He, however, gained the title of "capitan reformado" in Spanish documents attached to his name, including his application for the Llano Grande.¹⁸⁹ While he acquired an additional title to his name, he was able to maintain his status and influence in the region, as evident in his application for the Llano Grande is any indication.

Land policies, as Hinojosa articulated and used to his advantage, were bureaucratic as indicated in the *Recopilación de Leyes* with established legal procedures individuals had to follow to acquire land. Most legal procedures moved from the county government to regional offices, audiencias, and the Viceroy as the head of the colony. Away from the center and head of political life, there was greater autonomy, and colonists living on the northern frontier adapted the formal legal procedures to their remote locations, geographic surroundings, and cultural circumstances.¹⁹⁰ However, Charles R. Cutter articulates that people in the frontier were familiar with the laws, cédulas, and other Spanish policies that included the *Recopilación de Leyes*, yet there was a lack of "sophistication" along with these northern provinces.¹⁹¹ Protocols to apply for

¹⁸⁸ Autos of the Causa of Escandón, in consequence of a Royal Cedula of January 29, 1773," Provincias Internas, Volume 178 part II, Book 517, Box 2Q 212, Archivo General de México, 1538-1849, Dolph Briscoe Center for American History, the University of Texas at Austin, Austin, TX, 266

¹⁸⁹ "Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia del Nuevo Santander. 1770-1771 Sello," Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México.

¹⁹⁰ *The Legal Culture of Northern New Spain, 1700-1810* (Albuquerque: University of New Mexico Press, 2001 [1st paperbound print]), 29, 4.

¹⁹¹ *Ibid.*, 36.

land and extend an individual's private claims were a means of legitimizing and rewarding settlers in the colony of Nuevo Santander.

Most of the documents presented, from the *repartimiento de tierras* in Reynosa to the application for land, statements highlighted the lack of *escribanos* in Nuevo Santander. No *escribano* existed on the frontier, unlike the province of Mexico that had seventy-two.¹⁹² *Escribanos* were royal notaries for the Spanish crown in New Spain, but with colonies in the northern frontier lacking trained officials and many of these positions were often left unoccupied. Without the *escribano*, three witnesses were used to sign official documentation.¹⁹³ Legal documents along the frontier indicate the limitations of the Spanish empire along the northern frontier, lacking the resources and officials to fill some of the prescribed officials required in the creation of villas.

In New Spain, the king and its governing body saw land as a critical aspect of rewarding settlers in the solidification of Spanish control in their claimed territory. The Viceroy, as the representative of the king in New Spain, was responsible for rewarding the "descendants of conquerors" and "first settlers" with land and other benefits in the service of the crown.¹⁹⁴ Alejandro Cañeque articulated that the "economy of favor and reward" was part of Spanish society created responsibilities and obligations in this exchange of favors and patronage.¹⁹⁵ Besides, the Spanish Crown, articulated that these "original" settlers and conquistadors would gain favor, and "those who had performed the greatest services and their descendants should be preferred to other candidates."¹⁹⁶ For José María Ballí and Juan José Hinojosa, this rhetoric was

¹⁹² *Ibid.*, 29, 4.

¹⁹³ *Ibid.*, 3-4.

¹⁹⁴ Alejandro Cañeque, *The King's Living Image: The Culture and Politics of Viceregal Power in Colonial Mexico* (New York: Routledge, 2004), 18.

¹⁹⁵ *Ibid.*, 159-161.

¹⁹⁶ *Ibid.*, 163-164.

part of their application for additional land after they had acquired individual porciones in 1767. In the *Recopilación de Leyes*, the land not granted to settlers by the king belonged to the crown and was known as *tierras realengas*. Those who used the land without a title and sought to own legal title had to retribute the crown for its loss and apply for a *composición de tierras*. Additionally, in order to apply for a title, settlers required to have used the land in question for ten years.¹⁹⁷ Land as a means of service and favor had its precedence, yet it was Spanish residents who used this as a means to acquire extensive lands by articulating their need, particularly in Camargo and Reynosa, for grazing lands for their ranching way of life.

Spain legitimized the territorial expansion of its citizens and by granting personal property to settlers along the frontier. Communal living, for Nuevo Santander, had been a way of life for a little less than two decades, yet through royal cédulas and other legal entities, residents in these villas gained land, or porciones, to their name. Even into the American period, the Spanish land grants still named the King of Spain as the original landowner. This idea of Spanish legitimacy carried in the warranty deed and other legal documents well into the nineteenth century. However, during Spanish rule, the King held the ultimate say in who gained the land that belonged to him. In New Mexico, Ebright stated that the governor held power to grant land, yet in Nuevo Santander, it was an extensive process. It began at the county level with a declaration for land, surveys, and witnesses along with the application were taken to the regional government of San Luis Potosi and went all the way to the *Audiencia* in Mexico City.¹⁹⁸ Thus, it required the legitimization of the crown and its representatives to acquire additional to land outside the allotted porciones.

¹⁹⁷ Spain, *Recopilación de Leyes de los Reinos de Las Indias*,. Libro 4, Titulo 5, Ley 10, 103

¹⁹⁸ Ebright, *Land, Water, and Culture*, eds. Briggs and Ness, 22.

Those who had merit and seniority in Reynosa, in large part, applied for additional land from the crown and ultimately gained it. Granting additional land outside the jurisdiction of the villas not only provided additional revenue for the Real Hacienda but also sought to protect its territory from foreign invasion or control. Pacification was still an essential objective for the Spanish bureaucracy and articulated that applicants to land grants did not disturb the indigenous population located within the lands they sought. Acquiring land was an extensive process that involved an individual's financial resources, good character, and service to the crown that established a relationship that exchanged service and merit for a property. Juan José Hinojosa and José María Ballí's application of the Llano Grande and La Feria grants exemplify this narrative and rhetoric of ideal citizens of the Spanish empire who served to fulfill New Spain's goals and objectives.

As will be discussed in the following chapter, elite members and military officials sought to expand their ranching activities and thus articulated a connection and service to the Spanish crown that expanded their role as servants and agents of the state. They were not shy to highlight their services to their majesty to articulate their case for additional land. Providing land to military officials and settlers was a means to solidify Spain's goal of territorial expansion. Even though Escandón w, these notions wherever present. Hinojosa was able to continue his leadership position within Reynosa. Land carried weight and power for families that had the means and class to do so. Those who are not discussed or talked about are the ranch hands and servants, who, even though the census records do not indicate a large number, did not have the same access to owning land. Indigenous peoples, and their captains, also applied for land grants but were primarily associated with the missions of the region. Even though Hinojosa and the

Ballí became some of the largest landholders, their connection to Spanish bureaucracy and service to it allowed for some of their success as landowners in the region.

Overall, land and its acquisition both by the Spanish elite and other residents provide a glimpse into how the mechanism of bureaucracy, influence, and power came to shape the landscape of Nuevo Santander. Escandón was the governor of the colony for little less than two decades, yet this colony sought to serve the Spanish crown or at least articulate that the colony had been a resounding success. Owning land was one of the primary motivators for resettlement for families that entered Nuevo Santander in 1748-1749, and was an essential factor in their roles, expectations, and interconnections with the governance of Escandón and the expectations of the crown in the frontier. The Spanish era laid the foundation for land use, ranching, and the characteristic of the region, and this would occur through the extension of their land claims.

Chapter 2: In the Service of the Crown: Spanish Land Policies, Citizenship, and the Acquisition of the Llano Grande, 1770-1790.

On January 8, 1777, the “primeros y principales pobladores de la Villa de Nuestra Señora de Guadalupe de Reynosa,” Juan José Hinojosa and José María Ballí’s “escrito,” or application, was presented by Don Francisco Xavier de Gamboa in México City.¹⁹⁹ Gamboa was a critical official in Mexico City who evaluated the application of Ballí and Hinojosa, yet this was only part of the process that originated in the villa de Reynosa. With the approval of the local officials, the application moved to the regional Intendencia of San Luis Potosi and onto Mexico City to the Juez Privativo de Ventas y Composiciones de Tierras y de Aguas Valdías o Realengas that, in this instance, was Gamboa. Afterward, the paperwork was sent to the Real Audiencia of Mexico City and then to the King of Spain. Acquiring title to royal lands was a lengthy process that involved money, power, and resources that only a few people could complete. For the Hinojosa and Ballí families, this petition highlighted the struggles that emerged to acquire the Llano Grande grant and the interconnections with belonging, morality, character, and honor with ideas of race, class, and gender.

Spain’s goal was to expand its territorial claims and created the opportunity for its settlers to gain additional land than their designated porciones through sanctioned bureaucratic applications, such as the *composición de tierras*. Citizens were responsible for expanding and controlling the land under the jurisdiction of the crown, yet the king exercised significant control over those land titles. The Reconquista Era set up the practice of rewarding settlers with land for their service to the crown, and it was a practice that Spain continued in its colonial expansion in

¹⁹⁹ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia del Nuevo Santander. 1770-1771 Sello,” Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 1. English Translation: “...of the first and main inhabitants of the Villa of Our Lady of Guadalupe of Reynosa.”

the Americas.²⁰⁰ In the *Recopilación de Leyes*, the legal code for the colonial possessions of Spain, imposed the steps for citizens to acquire royal lands. One of the main requirements was that settlers needed to use the land for over ten years before submitting a request for a title, or *composición*.²⁰¹ Under New Spain, the *Recopilación de Leyes* influenced and shaped the bureaucratic structure and policies that applied to all the colonial possessions of Spain, which included Nuevo Santander. These policies created an avenue for citizens to gain land and colonize more territory, and thereby solidify Spain's territorial claims to the northern frontier without the Crown's direct participation.

Aware of the Spanish bureaucratic process and regulations, Juan José Hinojosa and José María Ballí used royal lands for grazing cattle and sought to secure official title through a *composición*. Ballí and Hinojosa began the application process with their local *justicia mayor*, or the judicial official, who was the first official who evaluated the validity of their claim. Even though the application required approval from a judge in Mexico City, it was the *justicia mayor* who directed the surveys and followed Spanish protocols on the ground. It required a close connection between the state and its local officials for the application to travel back and forth between the capital and the villas del norte. With many moving parts, gaining official title to lands required not only influence and wealth from its applicants but also a close interaction with the state. Hinojosa and Ballí were agents of the state, and this process spoke to their status and identity within the villa de Reynosa.

²⁰⁰ Cynthia Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwestern Mexico, 1700-1850* (Durham: Duke University Press, 1997), 175; Malcolm Ebright, "Mexican Land Grants: The Legal Background," in *Land, Water, and Culture: New Perspectives on Hispanic Land Grants* (Albuquerque: University of New Mexico, 1987), 17; María E. Montoya, *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Lawrence, KS: University Press of Kansas, 2005), 47.

²⁰¹ Spain, *Recopilación de Leyes de los Reinos de Las Indias, Mandadas Imprimir y Publicar Por La Magestad Católica del Rey Don Carlos II. Neustro Señor*. Libro, Título, Ley (Madrid, Boix, 1841), 121.

Settlers, such as Hinojosa and Ballí, derived from military, political, and elite backgrounds and served the Spanish Empire, and commonly sought larger grants. Primarily, the requests were centered on their status and contributions to Spain's colonization efforts. Appeals to their status and service to the state undoubtedly supported the requests of Hinojosa and Ballí, as they sought the second land grant that became the Llano Grande and La Feria grants in the 1790s. As captains, justicia mayor, and other critical political positions, both Ballí and Hinojosa had the opportunity to gain additional property beyond their designated porciones in 1767. Broadly, the second set of grants served as ranching properties for grazing cattle and other livestock. Residents remained on the land plots provided in the *visita general* surrounding the plaza and the church, and the porciones along the northern bank of the Rio Grande remained mostly unsettled.²⁰² Military and political service, as well as a general social and economic status, allowed settlers to apply for land and submit their paperwork through the Spanish bureaucratic system for official titles.

This chapter investigates the evolution of land use in the villas del norte and the implications of property ownership for the Hinojosa and Ballí families. Analyzing the development of ranching in the region in conjunction with the procurement of the Llano Grande grant speaks to the roles and responsibilities of the Spanish crown to its citizens in the villa de Reynosa. Spain sought to solidify its presence in the northern colonies via its residents, and as Omar Valerio-Jimenez argues, that created a "confluence and interdependence of these goals placed on these northern settlers in a favored position."²⁰³ Land claims required the participation

²⁰² "Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, 338-339.

²⁰³ Omar S. Valerio-Jiménez, "Neglected Citizens and Willing Traders: The Villas del Norte (Tamaulipas) in Mexico's Northern Borderlands, 1749-1846," *Mexican Studies/Estudios Mexicanos* 18, no. 2 (Summer 2002): 255 (accessed June 11, 2012), <http://www.jstor.org/stable/10.1525/msem.2002.18.2.251>.

of a wide range of people, crossing social, political, military, legal, economic, and sometimes racial and gender boundaries. The most crucial participants in the process, however, were the family and Spanish bureaucracy officials as representative of the state and crown, each of which played a crucial role in establishing the legitimacy of the official title for a property.

A case study approach, focusing on a single region and family struggling to live on the Spanish frontier, creates an opportunity to consider the complexity of the land grant process and the myriad of factors and players implicated in obtaining title. The troubles and conflicts that emerged from this application speak to the intersectionality of race, class, and gender with the ideas and expectations of citizenship of the Spanish crown. Ranching, particularly in the northern frontier, created a specific identity and association with the land, its use, and social expectations. Because of that, we must carefully follow the generations of Ballí's and Hinojosa's as they navigated their relationships with the land, the surrounding communities, and the Spanish crown and bureaucracy.

A few decades after the foundation of Nuevo Santander, the colony's population increased and expanded, with each region developed specific economic activities. The villas of Bárbara, Hoyos, Palmillas, Jaumave, y Aguayo, built an agricultural economy.²⁰⁴ Locations unable to grow abundant crops, such as central villas, purchased them from these southern villas. Northern villas, in particular, also bought maíz from Nuevo León and often exchanged salt collected from salt lakes in the region.²⁰⁵ The settlements sold their good or belongings and other

²⁰⁴ Patricia Osante, *Orígenes del Nuevo Santander, 1748-1772* (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 2003), 185-187.

²⁰⁵ Archivo General de la Nación, *Estado General De Las Fundaciones Hechas por D. José de Escandón en la Colonia del Nuevo Santander, Costa del Seno Mexicano: Documentos Originales Que Contienen La Inspección de la Provincia Efectuada Por el Capitán de Dragones Don José Tienda de Cuervo, El Informe del Mismo al Virrey y un Apéndice con la Relación Histórica Del Nuevo Santander, Por Fr. Vicente Santa María*, Vol. II, (México City: Talleres Gráficos de la Nación, 1930), XV: 16.

items, such as “ganado en pie, cueros, sebo, sal, pescado y camarón seco, entre otros productos,” for agricultural products. Due to the lack of currency, the villas exchanged good with the northern frontier.²⁰⁶ Agricultural production connected the southern villas for the most part, with the consumption of colonists in other villas in Nuevo Santander.

Beyond the agricultural economy of certain portions of Nuevo Santander, the rest of the colony expanded their economic production beyond agriculture and exploited the natural resources located within their vicinity. The San Fernando used indigenous peoples living in missions to produce dried fish. Salt extraction occurred along the northern portion of the colony, which provided the mineral to the villas of Burgos, Reynosa, Camargo, Mier, and Revilla.²⁰⁷ Within the Rio Grande, the Sal del Rey and Sal Vieja were “prized for its commercial value and heavily traded at Cerralvo to colonists for food preservation.”²⁰⁸ Moreover, mining was not a significant economic activity in Nuevo Santander, with only a few mines in Real de los Infantes and Hoyos precisely because there was a lack of mineral wealth.²⁰⁹ Ranching, on the other hand, dominated the economic activities in the northern villas of Nuevo Santander. The economic activities in the colony varied, each adapting to their surrounding environment.

Due to a topography that includes broad plains, rolling hills, relative aridity, and other conditions, most colonists engaged in various forms of cattle ranching. Environmental factors created an ideal location for ranching in Nuevo Santander, yet this practice derives from an older Spanish tradition in the Iberian Peninsula dating back centuries. Because various expeditions in

²⁰⁶ Osante, *Orígenes del Nuevo Santander*, 187. English Translation: “livestock, leathers, tallow, salt, fish, and dried shrimp, among other products.”

²⁰⁷ *Ibid.*, 196, 190, 188.

²⁰⁸ Mary Margaret McAllen Amberson, James A. McAllen, and Margaret H. McAllen, *I Would Rather Sleep in Texas: A History of the Lower Rio Grande Valley and the People of the Santa Anita Grant* (Austin: Texas State Historical Association, 2003), 28-29.

²⁰⁹ Osante, *Orígenes del Nuevo Santander*, 190.

the sixteenth century left livestock and cattle behind, they multiplied throughout the decades into large herds of semi-wild animals numbering in the thousands.²¹⁰ Livestock became the basis for Nuevo Santander's economic output and adapted to fit their surroundings. Historian Patricia Osante argues that it was ranching interests in Coahuila and Nuevo León that prompted colonization of Nuevo Santander.²¹¹ In 1750 and 1753, reports kept an account of horses, cattle, and sheep, among other animals within each villa, which spoke to the prevalence of livestock in the northern villas.²¹² Overall, land grants and ranching were closely intertwined, and it was the need for grazing lands that fueled the demands for additional property from the Spanish Crown in the late 1700s.

Agriculture and ranching were the two primary economic activities expected of settlers by New Spain, yet the lack of acequias and irrigation infrastructure made this difficult for many villas in Nuevo Santander. The *Recopilación de Leyes* expressed that each resident was required to have both agricultural and ranching lands as a means of subsistence, and Spanish settlers received both caballerias and sitios de *ganado mayor* and *ganado menor* in the *Repartimiento de Tierras* in 1767.²¹³ Escandón, as indicated in the report releasing him of charges in the 1770s, set up the villas in “parajes commodos con tierras fértiles competentes y proporcionadas, no solo

²¹⁰ Amy Porter, “Tejanas and Ranching: María Calvillo and Her Ranching Enterprises,” in *Texas Women and Ranching: On the Range, at the Rodeo, and in Their Communities*, eds. Deborah M. Liles and Cecilia Gutierrez Venable (College Station: Texas A&M Press, 2019), 9.

²¹¹ POsante, *Orígenes del Nuevo Santander*, 9.

²¹² “Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México; “Autos, Padron, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa,” Expediente 2, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México.

²¹³ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, 118-121.

para siembras de Semillas y crías de Ganado.”²¹⁴ Whereas residents received both agricultural and ranching lands, it was only the villas of Palmillas and Aguayo, Llera, Hoyos, y Santander who build acequias or an irrigation infrastructure aiding to development of an agricultural economy.²¹⁵ Camargo, on the other hand, tried to build an acequia bordering the Rio San Juan, yet suspended its initial construction plans in 1750.²¹⁶ While Spain required both ranching and agriculture to create a self-sustaining colony, many villas were unsuccessful in accomplishing this policy.

Reynosa, similarly, failed to create acequias to grow crops and relied on raising livestock instead. As indicated in the interview with Captain Carlos Cantu in 1767, Escandón distributed 80 fanegas of maíz among Reynosa settlers, each receiving two fanegas. Cantú tried to garner “indios gentiles” along with some settlers in Reynosa, about three hundred, to build an acequia from the Rio Grande, yet it never transpired.²¹⁷ Having access to the Rio Grande and the San Juan rivers, the villas of Reynosa and Camargo focused on creating water access for its resident’s livestock. The difficulty in building acequias, lack of funds, and a small population created an opportunity for elite families to control the grazing lands in the region.

Within the first few years of settlement, colonists faced the arduous process of staking their claims to the land, delineating their grants, and establishing themselves as farmers and

²¹⁴ “Autos Hechos en Obedecimiento de la Real Cedula de 29 de enero de 1773 Sobre La Causa Formada en La Colonia del Nuevo Santander, a D. José de Escandón. Averiguaciones e Informes Muy Detallados que Arrojan Multitud de Datos Sobre Los Orígenes y Desarrollo de lo que Ahora Es Tamaulipas. Nuevo Santander,” Expediente 1, Provincias Internas, Vol. 178, México City, México, 183. English Translation: “comfortable places with competent and proportioned fertile lands, not only for sowing seeds and livestock.”

²¹⁵ Osante, *Orígenes del Nuevo Santander, 1748-1772*, 185.

²¹⁶ “Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 1.

²¹⁷ Archivo General de la Nación, *Estado General De Las Fundaciones Hechas por D. José de Escandón en la Colonia del Nuevo Santander*, Vol. 1, (México City: Talleres Gráficos de la Nación, 1929), XIV: 379-380.

ranchers. Ranchos maintained the livestock, both of *ganado mayor*, large animals such as horses and cattle, and *ganado menor*, such as sheep or goats, amongst others, and as such Spanish settlers did not live in their respective properties.²¹⁸ Grantees, with their ranch hands and servants, crossed the Rio Grande to maintain and take care of their cattle located on their porciones or land grants. Most settlers remained on the southern bank of the Rio Grande. Citizens of Reynosa, including neighboring villas, made their home in the plots of land in the villa's center near the plaza and church.²¹⁹ As such, residents used the porciones for the grazing of animals instead of creating settlements on their property.

An inventory of the livestock in Reynosa and Camargo, particularly of cattle, horses, goats, and sheep, revealed an impressive number of animals belonging to Spanish citizens. During the first inspection in 1750, the villa de Camargo held over 440 horses, 712 head of cattle, 24,785 sheep, and goats, among other animals.²²⁰ Reynosa, a smaller settlement in comparison to Camargo, counted 270 horses, 219 head of cattle, and 30,220 sheep and goats.²²¹ Juan José Hinojosa, who at the time lived in Camargo, owned a thousand head of livestock of “pelo y lana,” three herds of mares that equaled to over a hundred animals, nine cattle, and

²¹⁸ Jack Jackson, *Los Mesteños: Spanish Ranching in Texas, 1721-1821* (College Station: Texas A&M University Press, 1986), 10.

²¹⁹ Florence J. Scott, *Historical Heritage of the Lower Rio Grande; A Historical Record of Spanish Exploration, Subjugation and Colonization of the Lower Rio Grande Valley and the Activities of José Escandón, Count of Sierra Gorda, Together with the Development of Towns and Ranches under Spanish, Mexican and Texas Sovereignties, 1747-1848*, 3rd edition, (Waco, TX: Texian Press, 1965), 69-70; “Reynosa, Nuestra Señora de Guadalupe De. Va-Repertimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa. La Mision de San Joaquín del Monte Pide se le den Algunas Tierras. Juris. Tamps.,” Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 339-340.

²²⁰ “Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander),” Expediente 1, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 10/13.

²²¹ “Autos, Padron, y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa,” Expediente 2, Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 26.

fifteen horses in 1750.²²² In comparison to other citizens in Camargo, Hinojosa owned considerable livestock. Manuel, José, Juan José, and Cristosomo Hinojosa owned an average of a dozen mares, cows, and a few horses.²²³ In Reynosa, Nicolas, Juan Antonio, Bartolome, Nicolas Joseph, and Joseph Manuel Vallín, owned on average, two horses and a dozen mares.²²⁴ Even though residents varied in the number of livestock they brought with them to Nuevo Santander, it was evident that ranching was of great importance. A survey of the livestock in the colony of Nuevo Santander included a record of 281,221 animals of *ganado menor*, 25,494 cattle, and 8,339 horses, which indicated the emphasis on livestock as a means of subsistence in the region.²²⁵

Ranching was the economic staple of the villas del Norte, yet large haciendas did not become a staple of the region with settlers concentrating along the villa's town center. Few villas in the villas del norte boasted haciendas, only rancho Dolores established by José Vásquez Borrego fit this category. The villas of Camargo and de Hoyos established substantial ranches but were not extensive hacienda landholdings.²²⁶ Blas María de la Garza Falcón along with Nicolás Santos Coy, Pedro Cantú, and Juan José Hinojosa, as Osante argues, were some of the largest proprietors of livestock in the villa de Camargo with over 82,092 heads of *ganado mayor*

²²² "Autos Sobre la Fundación de las Dieciocho Poblaciones que Creo D. José de Escandón, en el Nuevo Santander. Este Primer Legajo se Refiere a la Villa de Camargo. Plano de Población. Villa de Camargo (Nvo. Santander)," Expediente 1, Vol. 180, 4.

²²³ *Ibid.*

²²⁴ "Autos, Padron y Plano de la Fundación de la Villa de Reynosa, Nuevo Santander, Por D. José de Escandón. Reynosa.," Vol. 180, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México City, México, 24, 25.

²²⁵ "Autos Hechos en Obedecimiento de la Real Cedula de 29 de Enero de 1773 Sobre La Causa Formada en La Colonia del Nuevo Santander, a D. José de Escandón. Averiguaciones e Informes Muy Detallados que Arrojan Multitud de Datos Sobre Los Orígenes y Desarrollo de lo que Ahora Es Tamaulipas. Nuevo Santander," Expediente 1, Provincias Internas, Vol. 178, México City, México, 190/25.

²²⁶ Archivo General de la Nación, *Estado General De Las Fundaciones Hechas por D. José de Escandón en la Colonia del Nuevo Santander*, Vol. II, (México City: Talleres Gráficos de la Nación, 1930), XV: 25.

and *menor* in 1757.²²⁷ The villas del norte, as a whole, did not form large metropolitan centers, and small villas and ranches dotted the landscape.

The villas del norte offered an ideal environment for grazing large quantities of livestock, yet Spanish policy asked residents to sustain both agriculture and ranching activities in the colony. Settlers, as such, were provided with a *caballeria*, plots to be used for agriculture, and with sitios de *ganado mayor* and *ganado menor*, used for livestock. Reynosa and Camargo's citizens repeatedly stated that growing crops was not possible.²²⁸ Ranching, on the other hand, was perfect for the region, and Reynosa settlers seemed to agree. The Rio Grande, they argued, was the only water source that was enough, along with grasses in the region, to sustain their livestock.²²⁹ Domingo Guerra, a witness for Hinojosa and Ballí in their application, agreed that the area was suitable for all types of livestock due to the abundance of pastures, water for animals, and the fact that property lacked any other purpose.²³⁰ The semi-arid environment was full of shrubs with “mesquites, huisache, and anacahuite, interspersed with opuntia and organ cactus, yucca, and various grasses.”²³¹ The landscape of the region solidified the development of ranching and influenced the shape and size of porciones in order to grant water access to all residents.

²²⁷ Osante, *Orígenes del Nuevo Santander*, 182.

²²⁸ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, 118-119. Hinojosa and Ballí stated that the land was useless for growing crops but ideal for ranching when they maintained livestock in elevated locations where the Rio Grande would not flood.

²²⁹ “Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa. La Mision de San Joaquín del Monte Pide se le den Algunas Tierras. Juris. Tamps.,” Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 338-320.

²³⁰ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia del Nuevo Santander,” Vol. 1017, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 7.

²³¹ Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900* (Albuquerque: University of New Mexico Press, 1998), 18-19.

The Rio Grande, along with its tributaries of the Rio Salado and San Juan rivers, was the main lifeline of the villas del Norte, which dictated the location of the settlement and its land distribution policy. The villa de Reynosa, itself, was established near water sources as dictated in the *Recopilación de Leyes* that dictated that the location of settlements needed to be close to navigable rivers to support commerce.²³² Besides, the environment and vegetation also influenced the distribution of land in 1767. Because the Rio Grande was the only permanent water source for Reynosa, the porciones were narrow and extended in length to accommodate settlers and provide water access for all.²³³ If there was a large number of settlers, the porciones were narrower in width and longer in length, except for the Captains who received a double porción that was twice the width of the rest of the porciones as was the case with Captain Juan José Hinojosa of Reynosa.²³⁴ Water resources played a vital role in the distribution process and sought to accommodate citizen's needs and access to rivers.

Moreover, the allocation of water claimed to be an egalitarian process, yet this policy proved difficult when land grants could no longer gain access to the Rio Grande. Each male patriarch owned a porción with access to a water source, such as a stream, or river, and this "land unit, then, represented the right of each landowner to an equal share of the area's water."²³⁵ This policy was a similar principle used in the distribution of porciones in 1767. However, this was not the case for additional properties acquired after this period. Outside the porciones granted by the Spanish government, few properties had access to the Rio Grande in the jurisdiction of

²³² Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Tomo II, Libro 4, Titulo 7, Ley 5, 106.

²³³ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repertimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa. La Mision de San Joaquín del Monte Pide se le den Algunas Tierras. Juris. Tamps.," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 323, 326.

²³⁴ *Ibid.*, 327.

²³⁵ Andrés Tijerina, *Tejanos and Texas under the Mexican Flag, 1821-1836* (College Station: Texas A&M University Press, 2010), 51.

Reynosa. The Llano Grande and La Feria grants were the exceptions. Citizens who sought to acquire additional property resorted to using royal lands north of the porciones. Because there were no reliable water sources north of the Rio Grande, settlers received properties in comparison to porciones to compensate for this problem. Las Mesteñas, Petitas, y Abra and San Salvador de Tule land grants enjoyed extensive acreages with no access to riverways.

Spain espoused the rhetoric of equal access to land and water, yet the topography, social status of residents, the peculiarities of the colonial bureaucracy, and other factors complicated distribution policies in the northern porciones along the Rio Grande in Reynosa. Within the distribution of land in 1767, Reynosa settlers asked to name two Peritos in order to provide "tal equidad que todos participen de bueno y malo" in the allocation of porciones.²³⁶ José Antonio Ballí, brother of José María Ballí, stated that even though there were dangers with the Rio Grande, it was still accessible. Still, many residents lacked canoes or the ability to pay for one and could not travel across, especially when the river crested.²³⁷ Interactions with the river and the land revealed distinctions based on class and status, particularly between the elite and the poor along the Rio Grande. Access to these northern porciones was not an easy task, yet individuals with the means gained access and profited from the waterways and land.

Furthermore, the *Recopilación de Leyes* required that the villa's boundaries, including the grazing lands and plots needed to be measured first, and the rest was to be distributed amongst the inhabitants of the colony equally.²³⁸ Spanish rhetoric of egalitarianism, yet it conditions The Spanish crown, in its rhetoric, sought to distribute lands in as equal a manner as possible, yet

²³⁶ "Reynosa, Nuestra Señora de Guadalupe De. Va-Repertimiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa. La Mision de San Joaquín del Monte Pide se le den Algunas Tierras. Juris. Tamps.," 318; English Translation: "such equity that everyone participates in the good and the bad...of the allocation."

²³⁷ *Ibid.*, 320.

²³⁸ Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Libro 4, Titulo 7, Ley 7, 106.

there were conditions on who could own property. Spanish citizen's merit and seniority were critical factors in the acquisition of a *porción* in 1767, and those who designated themselves as "españoles" typically claimed they were moral, just, and with reason. As Omar Valerio-Jiménez notes, the "state's land distribution policy in the northern towns institutionalized class divisions and promoted patriarchal control."²³⁹ It became the wealthy, ranchers, political, and military leaders who extended their land claims as Spanish residents acquiring additional property.

Porciones were a means of rewarding settlers for moving to the northern frontier in the name of the Spanish crown, yet the second wave of territorial expansion in the villas del Norte offers a view into the relationship between the Spanish crown and Reynosa citizens and the needs and expectations each had for one another. In solidifying Spain's territorial claims, Spanish residents gained the status of "privileged subjects" and agents of the state that rewarded them with land, tax exemptions, *ayuda de costa*, and provided limited military protection.²⁴⁰ For the Spanish elite who held the military and administrative leadership of the villas del Norte, this was a reciprocal relationship and created an avenue for the Hinojosa and Ballí families to extend their territorial claims while serving the Spanish crown. In the application for the Llano Grande, Hinojosa and Ballí argued that additional land was needed to maintain their livestock. Because they settled in the region for over a decade, both argued they deserved the official title to this property. Spain, in the *Recopilación de Leyes* Law XIX, Title XII, Book IV, required citizens to apply for a *composición* if they used *tierras realengas* for over ten years.²⁴¹ However, citizens

²³⁹ Valerio-Jiménez, *River of Hope*, 53.

²⁴⁰ Omar S. Valerio-Jiménez, "Neglected Citizens and Willing Traders: The Villas del Norte (Tamaulipas) in Mexico's Northern Borderlands, 1749-1846," *Mexican Studies/Estudios Mexicanos* 18, no. 2 (Summer 2002): 255 (accessed June 11, 2012), <http://www.jstor.org/stable/10.1525/msem.2002.18.2.251>; Valerio-Jiménez, *River of Hope*, 52.

²⁴¹ "Copia Certificada De Denuncio de Tierras Presentado por Don Juan José de Hinojosa y Don José María Ballí en el Año de 1776," 1776 Report, Folder 2003.29.01, Box 574, Margaret H. McAllen Memorial Archives, Museum of South Texas, Edinburg TX.

were required to prove their merit, character, and service to the crown and pay the fees to the Real Hacienda, or royal treasury. Land grants offered the Spanish crown a means to continue its territorial expansion and aid the royal treasury by placing the responsibility of land ownership in the hands of its settlers.

Becoming legal landowners also carried specific requirements and responsibilities for the residents of the villas stipulated by Spain to solidify the colony of Nuevo Santander. Spain's policies, mainly derived from the *Recopilación de Leyes*, were meant to not only reward settlers with land but also expect them to develop and use the land. New landowners were not only expected to claim their porciones within two months but were also required to make improvements on the land and build structures. If they left them unused or if neglected for four years, grantees lost the property.²⁴² Landowners, as such, established ranches and buildings to maintain their livestock, and policed their properties for the safety of the colony, as dictated by Spanish policies.²⁴³ Spanish authorities saw these settlements along the Rio Grande as protection against not only foreign powers but "hostile" indigenous tribes that could threaten the integrity of the settlements.

The avenues for property ownership derived from Spanish policy and citizens who sought to gain land had to engage with the Spanish bureaucracy. Property ownership derived from either a donation, a porción, the purchase of land, or through a *composición de tierras*.²⁴⁴ Unlike the porción granted by the Spanish crown to all citizens with merit and colonized the colony of

²⁴² "Reynosa, Nuestra Señora de Guadalupe De. Va-Repatriamiento de Tierras En la Villa de Nuestra Señora de Guadalupe de Reynosa. La Mision de San Joaquín del Monte Pide se le den Algunas Tierras. Juris. Tamps.," Expediente 19, Volumen 2734, Tierras, Instituciones Coloniales, Archivo General de la Nación, México City, México, 340.

²⁴³ *Ibid.*, 340.

²⁴⁴ Galen D. Greaser, *New Guide to Spanish and Mexican Land Grants in South Texas* (Austin: Texas General Land Office, 2009), 79.

Nuevo Santander, a *composición* placed the responsibility of the individual, or families, to submit the application, pay fees, and take the application to Mexico City. Spain established a system and precedence for the “extrajudicial occupation of land” outlined in the *Recopilación de Leyes* that dictated that Spanish citizens could only apply for *tierras realengas* if an individual used it for over ten years, justified their need, and paid fees. Official title required the approval of the viceroy or presidents of the *Audiencia*.²⁴⁵ Spain provided a window of opportunity for individuals to gain official title by allowing them to use royal lands, establish houses and ranchos, and legitimized their claim among their peers for the ten years. The process was often difficult or extremely costly, which deterred a large percentage of the citizens of New Spain for acquiring additional land claims besides their porciones.

In the eighteen centuries, Spain altered the process through various cédulas and royal edicts; however, the bureaucratic channels remained largely the same. The king delegated authority to the Superintendencia del Beneficio y Composición de Tierras, a department of the Council of the Indies, who sub-delegated to the Royal audiencias. Within the *audiencia*, the *Oidor*, a judge, oversaw the *Juzgado de Beneficio y Composición de Tierras*, that oversaw the process and evaluation of *composiciones*. When applying for land, the *Oidor* approved the land grant and sent it to the Council of the Indies or to Spain itself. By the time the application reached the audiencias in Mexico City, the local *justicia mayor* and the colonial governor had approved the *composición*. The *comisarios* and *justicias mayores* were on the ground agents who oversaw the survey, swearing in of witnesses, and collecting fees and payment for the title to royal lands after the approval by Mexico City.²⁴⁶ However, the person and department

²⁴⁵ Greaser, *New Guide to Spanish and Mexican Land Grants*, 79; Spain, *Recopilación de Leyes de los Reinos de Las Indias*, Tomo 2, Libro 4, Título 12, Ley 14, 15, 19, 120-123.

²⁴⁶ Greaser, *New Guide to Spanish and Mexican Land Grants*, 79-80.

granting the official title changed throughout the seventeenth century and eighteenth century, which made the approval process especially complicated for settlers. The royal cedula of October 15, 1754, eliminated the confirmation and seal by the king or Council of the Indies and placed in the hands of the Real Audiencias who had the authority to confirm titles officially.²⁴⁷ Even though cedula changed the process, it was still such a lengthy and extensive endeavor that only those with resources were able to navigate and obtain the official title.

On July 4, 1776, on the same day the Declaration of Independence was signed, Juan José Hinojosa and José María Ballí submitted a *composición* for San Vicente del Llano Grande on the northern bank of the Rio Grande. It was received by Don Juan Antonio Ballí who was the justicia mayor, a local magistrate, of Reynosa and, and a brother of José María Ballí. Juan Antonio, the justicia mayor from Reynosa, accepted the petition and argued that they met the requirements for the application to move forward; however, he excused himself from the process due to the conflict of interest.²⁴⁸ Within this petition, Ballí and Hinojosa delineated the prospective boundaries of their grant through landscapes, such as mesquites, rocks, and waterways, and neighboring ranchos.

As is the case here, elite families and individuals were the first to petition for additional land, and this included Juan José Hinojosa and José María Ballí in the 1770s.²⁴⁹ They sought to acquire sitios de *ganado mayor* and *ganado menor* for ranching, yet, they would also gain the corresponding number of caballerias for farming. Both argued the land was not fertile, and because of this, they accommodated the growth of crops according to the landscape and

²⁴⁷ *Ibid.*, 79-80.

²⁴⁸ “Copia Certificada De Denuncio de Tierras Presentado por Don Juan José de Hinojosa y Don José María Ballí en el Año de 1776,” 1776 Report, Folder 2003.29.01, Box 574, Margaret H. McAllen Memorial Archives, Museum of South Texas, Edinburg TX.

²⁴⁹ Alonzo, *Tejano Legacy*, 58; Valerio-Jiménez, “Neglected Citizens and Willing Traders,” 264. 1

availability.²⁵⁰ Also, this petition was approved by Reynosa's local *justicia mayor* and submitted to the Royal Court of Mexico of *Composición de Tierras y Aguas Baldías* in Mexico City. The original paperwork was placed in the hands of José Marcelino Treviño, a “vecino-matriculado y Poblador” of the villa of Revilla, as their legal representative to intercede for them and submit this material to the Capital.²⁵¹

Having the opportunity to obtain additional lands, Hinojosa and Ballí expressed their right to expand their property holdings by following the expectations and regulations established by Spain. Because they were ranches, both argued they required extensive land to sustain their livestock and moved into royal lands north of the Rio Grande. Through their *composición*, they were solidifying their claim to land that they used over ten years, which was the designated time required to evaluate and process the application.²⁵² Ballí and Hinojosa claimed that because they had not submitted a previous claim, besides their designated *porciones*, they held the right to seek title to the land they used. Lastly, they were willing to pay the fees the crown for the royal lost to Hinojosa and Ballí.

Hinojosa and Ballí asserted their service to the crown, and, their role in expanding Spanish territorial claims and the pacification of indigenous peoples in the region. Because of their zeal and loyalty to the crown, or “buen celo,” they contained the “insultos que continuamente se... [experimentaban]...en estas inmediaciones.”²⁵³ They explained that even against their interests, they gathered indigenous peoples and recruited them to the “Ley de Dios

²⁵⁰ “Copia Certificada De Denuncio de Tierras Presentado por Don Juan José de Hinojosa y Don José María Ballí en el Año de 1776,” 1776, Report, Folder 2003.29.01, Box 574, Margaret H. McAllen Memorial Archives, Museum of South Texas, Edinburg TX, 2-3.

²⁵¹ *Ibid.*, 4.

²⁵² *Ibid.*, 1-2.

²⁵³ *Ibid.*, 1. English Translation: “insults that are continually being experienced in this vicinity.”

Nuestro Señor, como con efecto varios han recibido el Santo Bautismo.”²⁵⁴ Thus, Hinojosa and Ballí aided in the baptism of indigenous peoples in the region that provided greater security for the individuals that lived in the vicinity. Spanish policies often required local officials and applicants to not only protect their fellow vecinos in the colony but also pacify and protect the indigenous peoples in the area. If they were not disturbed, settlers could remain optimistic about their claim. Spain’s pacification policy overshadowed and shaped the application for the Llano Grande in 1776 and 1777, but Ballí and Hinojosa believed that they deserved the land they claimed in their composición. In addition to using the land and establishing ranchos for over ten years, they stated that “por estos tan justos motivo y los méritos que merecen semejantes obras; suplicamos que nos hagan marcenar las esperadas tierras, para poderlas gosar y usar de ellas con más seguridad.”²⁵⁵ Their service as agents of the state created an avenue for elite individuals to expect and demand reciprocation in the expectation of land ownership and other avenues of power.

Political influence and class were additional factors in securing additional land grants, particularly in the cases of Hinojosa and Ballí. Patricia Osante states that Juan José Hinojosa was a protégé of the captain of Blas María de la Garza Falcon who was the largest livestock owner in the Villa de Camaro in the 1750s.²⁵⁶ The basis of Hinojosa's wealth was his livestock and ranching activities, which they expanded throughout the mid to late 1700s.²⁵⁷ Also, the families held positions of military and judicial power within the villa of Reynosa. Juan Antonio Ballí was

²⁵⁴ *Ibid.*, 1. English Translation: “Law of God our Lord, as with effect several indigenous peoples have received the Holy Baptism.”

²⁵⁵ *Ibid.*, 1. English Translation: “for these just reasons and the merits that deserve such works; we beg that they make us mark(?) the awaited lands, to be able to enjoy and use them with more security.”

²⁵⁶ Osante, *Orígenes del Nuevo Santander*, 182.

²⁵⁷ Through the 1750 and 1753 Ballí did not have the level of animals and livestock that Hinojosa had in the census records. Throughout the late 1750s and early 1760, some of the Ballí family members migrated to the Villa of Burgos.

the *justicia mayor* of Reynosa, and the first official to approve the claim by José María and Juan José. Even with the murder that Captain Juan José Hinojosa committed before his move to Nuevo Santander, he still maintained an elite position in the region. Thus, he, along with Ballí, enjoyed a position of power and privilege that provided an avenue for service to the crown, which servants, ranch hands, and others did not have the same opportunity to do so.²⁵⁸ Ballí and Hinojosa were the key leaders in the distribution of *porciones* in 1767, in which they represented the interest of the residents of Reynosa. It is no coincidence that their status in Reynosa and their service to the crown were the ideal components for the application of the Llano Grande in a *composición* in 1776.

The *composición* began in Reynosa with a *denuncio*, an official statement declaring their right to land to a local official that began the process of acquiring title, which was taken to Mexico City after the local official approved it.²⁵⁹ With the publication of the *denuncia*, Don Marcelino Treviño was to take the *denuncio* to the Juez Privativo de Ventas y Composiciones de Tierras y de Aguas Valdías o Realengas, Don Francisco Xavier de Gamboa. He examined the documentation by Hinojosa and Ballí for the official title to Llano Grande. Both claimed to have used the land for ten years for ranching and built ranchos and structures in the property they were claiming. Both individuals not only had to clearly state their intention to acquire land but also provide evidence of using the property. Spanish policies placed the burden of proof on the interested parties.

By January 14, 1777, six months after the initial declaration for land, Abogado Fiscal, or crown attorney, received the *escrito* and cleared the application or “*libre Despacho*” for the next

²⁵⁸ Valerio-Jiménez, “Neglected Citizens and Willing Traders,” 259.

²⁵⁹ Greaser, *New Guide to Spanish and Mexican Land Grants*, 179.

step in the procedure and the legal formalities.²⁶⁰ The justicia mayor led the procedure on the ground in Reynosa, and he was in charge of conducting a *vista de ojos*, recognizing the quality and quantity of land, name two local Peritos, one representing parties involved and the other the crown's interests, that were to map and value the land.²⁶¹ In particular, the *vista de ojos* was conducted by one or two individuals who were “intelligentes de ciencia y conciencia,” to provide a general visual survey of sitios de *ganado mayor* or *menor*, caballerias, water sources, the quality and size of the Llano Grande.²⁶² After first reaching Mexico City, this paperwork slowly made its way through the Spanish bureaucratic channels who examined the validity and credit of this claim by Hinojosa and Ballí.

A few months after the approval by the Juez Privativo and the Abogado Fiscal, on May 22, 1777, the governor of Nuevo Santander, Don Juan de Dios Muñiz, approved the despacho, or orders, and appointed a new justicia mayor for the legal proceedings. A justicia mayor, or chief justice, was required to oversee and document all the proceedings, yet for the Llano Grande, this proved to be a conflict of interest. Because Ballí was *consanguíneo*, in this case, the brother of José María, Muñiz appointed José Antonio de la Garza Falcón, Captain of the Villa de Camargo, to oversee and lead the proceedings in Reynosa.²⁶³ Not only did he oversee and help survey the grant, but Falcón had to swear in individuals, such as the Peritos, witnesses, and agrimensores, in the name of the crown. On the ground, he was the Spanish representative tasked to follow the laws and policies established by Spain. Falcón had the most direct influence on the acquisition of

²⁶⁰ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia de Nuevo Santander,” Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 2-3.

²⁶¹ *Ibid.*, 1.

²⁶² *Ibid.*, 3-5. English Translation: “of scientific intelligence and conscience.”

²⁶³ *Ibid.*, 4.

the official title of the Llano Grande grant. The process, as indicated to the Juez Oidor Francisco Xavier de Gamboa, was required to be completed within forty days.²⁶⁴ Even though the approval for this grant reached Mexico City first, it hinged on the role of local legal and judicial representatives within the villa de Reynosa to complete the process within the allotted time.

By May 28, 1777, Captain José Antonio de la Garza Falcón, as the commissioned judge of the proceedings, published the *despacho* notifying the villa de Reynosa to find out if competing claims existed for the same land. Publishing a notice, or claim, was a concept that was prevalent not only in the *repartimiento de tierras* but the *composición* as well. Publishing a despacho was meant to notify the entire town and avoid any completing claims or conflicts with the measurements of the prospective boundaries of the Llano Grande.²⁶⁵ Third parties and conflicts over land were part of the narrative of the Llano Grande application. Having used the land, as they allegedly claimed, for over ten years, they established their claim within the local community but sought to gain official title to land. Through the publication of the *denuncia*, a public announcement, Spain provided an avenue for individuals to object and make their claims in they had used the land.²⁶⁶

Beyond displacing the neighboring settlers, the Spanish also sought to protect, in a way, the indigenous peoples living within the prospective land grants. Various indigenous peoples, such as the Comecrudos, Tejones, and Pintos, lived in the region of Reynosa.²⁶⁷ Spanish crown sought to make sure that indigenous peoples were not disturbed or displaced, yet, at the same time, they rewarded settlers for not only pacifying but moving indigenous peoples into the

²⁶⁴ *Ibid.*, 1-2, 4.

²⁶⁵ *Ibid.*, 5-6.

²⁶⁶ Amber McAllen, *I Would Rather Sleep in Texas*, 14.

²⁶⁷ Archivo General de la Nación, *Estado General De Las Fundaciones Hechas por D. José de Escandón en la Colonia del Nuevo Santander*, Vol. 1, (México City: Talleres Gráficos de la Nación, 1929), XIV: 372-373.

missions. For instance, in the Llano Grande, indigenous peoples, such as the *casas chiquitas*, continued to live within the vicinity of the grant.²⁶⁸ One of Spain's goals on the northern frontier was the pacification, and Ballí and Hinojosa used this to argue that they had not displaced the indigenous communities or "indios gentiles" within their prospective grant.²⁶⁹ The displacement of indigenous peoples was an essential aspect of the application for the Llano Grande.

The witness testimony in the legal process was conducted by the Judge, José Antonio de la Garza Falcón, provides an insight into the quality of the land and the legitimacy of the Hinojosa and Ballí's claim, but also to the ideas of morality, honor, and intelligence. For the Llano Grande composición, Hinojosa and Ballí called Domingo Guerra, Miguel Cano, and Francisco Cavazos to vouch for their claim, speak of the boundaries, and their knowledge of the territory. These witnesses, as indicated by Gamboa's orders, were required to meet specific qualifications in addition to their knowledge of the villa's surroundings and speak more to their character. They had to be morally sound, or "personas decentes," "[de] ciencia y conciencia," and had to be adults without exception and "sin generales."²⁷⁰ Juan José Hinojosa and José María Ballí who used this similar rhetoric within the documentation for the Llano Grande grant. They sought to articulate their morality, honor, and service not only when they first submitted their composición but throughout the surveys and the rest of the legal proceedings. Being an upstanding citizen involved more than influence and power, as it interconnected with the construction of a moral and intelligent individual.

²⁶⁸ Martín Salinas, "Historic Indian Populations of the Rio Grande Delta and Vicinity, An Approach to Definition of Basic Ethnic Units," Vol. 2 (Master's Thesis, University of Texas at Austin, 1986) 60, 108, 57-58.

²⁶⁹ Archivo General de la Nación, *Estado General De Las Fundaciones Hechas por D. José de Escandón en la Colonia del Nuevo Santander*, Vol. 1, (México City: Talleres Gráficos de la Nación, 1929), XIV: 375.

²⁷⁰ "Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia de Nuevo Santander," Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 3. English Translation: "decent people," "of science and consciousness."

Participating in the legal procedures, the captain, witnesses, and surveyors swore to perform their duties to the best of their ability and had to be intelligent and moral. Guerra, Cano, and Cavazos within their statements also highlight their age, race, and marital status as a key to their reliability as witnesses. Falcon and other officials were describing themselves as decent people, and the witnesses also integrated their marital status and age as a descriptor of their person and status as a member of the local community. Domingo Guerra characterized himself, as well as his wife Doña Clara María Cavazos, as "españoles," or Spaniards, within their testament. Similarly, José Mathias Tijerina along with his wife Doña María Antonia Fernandez and José Francisco Cavazos and his wife Doña Rosalía Cantú designated themselves as españoles of good standing.²⁷¹ The titles of Don and Doña, as all these witnesses and their wives were designated, was a title that reflected "high-born status...wealth, power, or authority in the villas of Nuevo Santander."²⁷² For the designation of this status, residents had to be Spanish. In Nuevo Santander, under the 1750-1757 reports submitted by Escandón, most residents, with a few exceptions, categorized themselves as Spaniards. As Omar Valerio-Jiménez states, along the villas del norte caste labels were fewer in number for "determining purported racial heritage for an increasing intermixed population."²⁷³ Reynosa, in particular, did not have individuals designated as mestizo, and españoles were over forty percent of the population.²⁷⁴ Hinojosa and Ballí, including the witnesses and the judges, identified as Spaniards. Being an upstanding citizen and being be involved in the Spanish proceedings, there were additional components beyond being merely a citizen of the nation and resident of the villa of Reynosa.

²⁷¹ *Ibid.*, 6, 10, 12.

²⁷² Alonzo, *Tejano Legacy*, 49.

²⁷³ Valerio-Jiménez, *River of Hope*, 58.

²⁷⁴ *Ibid.*, 58

Hinojosa and Ballí not only sought to highlight their service and merit for the land, the witnesses further emphasized the benefit for the official title to the San Vicente del Llano Grande grant. The acquisition of the grant by Hinojosa and Ballí, Domingo Guerra stated, would provide great comfort to the vecinos of Reynosa and create a safer region for individuals to travel through.²⁷⁵ José Mathias Tijerina, as well, stated that Hinojosa and Ballí not only claimed the land in question for ten years, as was required, but this the region was safer from the “Indios enemigos, pues tienen temor, no cometer tan continuamente insultos, y robos como antes lo hacían.”²⁷⁶ The development of the Llano Grande, as these witnesses expressed, served not only to increase the ranching graze lands of the Hinojosa and Ballí families but served the community as a whole. Because Hinojosa and Ballí grazed livestock in their claimed property, ranch hands and servants provided a buffer for Reynosa residents. Furthermore, José Francisco Cavazos testified that the possession of the land by the interested parties was "of gran beneficio" by maintaining the land and populating it, improving communication among settlers, and "a la Ley de Dios" pacify the indigenous populations.²⁷⁷ The rhetoric of protecting and pacifying the indigenous peoples was embraced by all the witnesses who favored the Ballí and Hinojosa acquiring the Llano Grande grant.

Witnesses selected for the Llano Grande and La Feria grants held close ties with the Ballí and Hinojosa families. Cavazos and Guerra, interestingly owned small ranchos within the proposed boundaries, yet testified in support of Hinojosa and Ballí's application. These rancheros aided the families in the acquisition of the grant in question. It is unclear as to the

²⁷⁵ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia de Nuevo Santander,” Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 10.

²⁷⁶ *Ibid.*, 11. English Translation: “enemy Indians, because they are afraid, they do not commit insults so often and robberies as they did before.”

²⁷⁷ *Ibid.*, 13-14. English Translation: “of great benefit,” “to the law of God.”

arrangements done between Hinojosa and Ballí and the witnesses, but they did not claim the official title of the land. Cavazos and Guerra had ranchos located within the boundaries of the claimed grant and provided their consent. Miguel Cano was the only one called to testify to the *justicia mayor* within eight days to dispute or argue the proposed boundaries. He, however, sent a statement asserting that he did not have to attend the measuring of the grant because he did not have any demands or questions.²⁷⁸ Many, as is the case of the witnesses and Hinojosa along with Ballí, had moved north of the Rio Grande to find grazing lands and continue the expansion of their ranching enterprises. Few, such as Hinojosa and Ballí, gained official titles to these properties, and it is intriguing to see that those who were neighbors and the claimants shared boundaries and used the same lands. It is unclear as to the relationship and dynamics within the grant.

The survey of the property, or *vista de ojos*, began on June 2, 1777, and followed the same protocols as the *repartimiento de tierras* in 1767, and spoke to the interconnection between Spanish and citizen's goals and expectations. Don José Matías Tijerina was the agrimesor, or surveyor, which represented the interests of the Spanish crown. Intriguingly, Tijerina was also a witness for Juan José Hinojosa and José María Ballí. Representing the family's interest was the agrimesor, Ygnacio Treviño of the villa de Revilla was named the other surveyor. Both individuals were described as of intelligence and competency, and, particularly, Tijerina, was portrayed as disinterested without greed. Both were sworn into office as representatives of both parties.²⁷⁹ The Crown was represented in these legal processes, yet it was an individual selected from the same villa or a neighboring one. The survey represented the collection of these two parties in the expansion of Spain's territorial control and Hinojosa and Ballí's land claims. On

²⁷⁸ *Ibid*, 15.

²⁷⁹ *Ibid.*, 16.

June 4, 1777, the surveyors, interested parties, two peritos, and witnesses of assistance, along with Falcón, set out to survey the land, declare the sites, both for ranching and agriculture, and describe the region within the boundary of the grant.²⁸⁰ It was this connection and interaction between the Spanish state and its citizens that created an avenue for a *composición* and the legal process and steps that outlined the requirements for private property.

Within the survey, Hinojosa and Ballí asked the surveyors or *agrimesores* to create a new marker creating a physical division between the La Feria and Llano Grande grants. Up to that point, the entire application was treated as a single entity with two landowners. It is, however, indicated in the survey that Hinojosa and Ballí previously agreed to split the *composición* into two properties. The division had not been part of the original declaration for land or the legal process up to that point. Among the party that accompanied the surveyors, they pleaded to create a new marker and engraved on mesquite with a cross that separated the two grants. Both the Spanish agents and the rest of the party agreed, signed, and dated not only the marker dividing the property but also the end of the first line of the boundary on June 9, 1777.²⁸¹ Having joined both families through marriage, Rosa María Hinojosa and José María Ballí's nuptials, they pooled their resources and power for this grant application under the condition the division of the property be done accordingly. Juan José Hinojosa acquired the bigger property, which was the Llano Grande. José María Ballí acquired the remainder of the land in the application that became La Feria. The idea of keeping one's word and adhering to previous agreements seems to be an essential ideal during the survey of the grant that created two grants out of one application.

²⁸⁰ "Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí," *Tierras*, Vol. 1017, *Instituciones Coloniales*, Archivo General de la Nación, México City, México, 17.

²⁸¹, *Ibid.*, 20.

Detailed notes and measurements of the property described the region's environment, vegetation, and waterways. The property in question was full of thick brushland with thorns that were prone to flood. Some of the elevated areas, as such, became small islands where the two families held their livestock.²⁸² José Mathias Guerra observed that the Rio Grande was the only waterway of the region where livestock congregated for water. Besides the Rio Grande, water mills were another reliable water source as well as small ponds, such as Santo Domingo. Oxbows, or “bueñas del mismo río,” created a winding and unpredictable course of the Rio Grande itself.²⁸³ The challenging terrain was evident when the survey party required the party an indigenous travel guide who derived from the “Los Pauriques” peoples to guide them through the property.²⁸⁴ The survey required indigenous knowledge of the land to direct the group, interconnected the indigenous, Spanish, and the crown into this survey.

After the initial survey, the next step was the evaluation of the grant and calculating the monetary fee required for the title. From various legal documents, initial surveys, reports by Escandón, and the *repartimiento de tierras* in 1767, the lands north of the Rio Grande were not only difficult to cross but were overall useless. The difficulty in traversing or using the land, however, juxtaposes with its demand and the expense of submitting a *composición*. Witnesses, surveyors, and interested parties agreed that the property did not have clear benefits. Furthermore, the *Recopilación de Leyes* created an avenue for the acquisition of royal lands by its citizens, yet Spain required payment for every sitio of land acquired in the *composición*. The value of a sitio de *ganado mayor* was twelve reales, and a *caballería* was worth two reales.²⁸⁵

²⁸² *Ibid.*, 7-8.

²⁸³ *Ibid.*, 17-18. English Translation: “turns of the same river.”

²⁸⁴ *Ibid.*, 18. “Copia Certificada del Testimonio de las Tierras del Llano Grande y La Feria,” Box 574, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Tx, 25.

²⁸⁵ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí,” *Tierras*, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 24-25.

Because of the lackluster lands and recurrent flooding, Spanish officials reduced the value of each sitio de *ganado mayor* to two pesos each. The Llano Grande and La Feria grants encompassed a total of 37 sitios de *ganado mayor*, one of *ganado menor*, two and a quarter caballeria for agriculture, and one solar, and the Real Hacienda received only 76 pesos and six reales for the property.²⁸⁶ Hinojosa and Ballí's paid a low sum for their grants for the lack of potential, yet for Spain, the property served to secure the territory.

Upon the completion of the survey and evaluation of the grants, the paperwork was signed and notarized by the surveying parties and given to Ygnacio de Treviño to deliver to Francisco Xavier de Gamboa on June 16, 1777. Treviño was sent to Mexico City as Hinojosa and Ballí's representative to continue the application.²⁸⁷ Gamboa approved the application and price changes by November 22, 1777, and the Real Audiencia received payment for the grants. On December 11, 1777, Gamboa recommended the grants be confirmed and granted official titles.²⁸⁸ From 1776 to 1777, the *composición* process was extensive and required various government branches and agents of the state to conduct surveys, interview witnesses, and the overall conditions for the official title. However, the application stalled at the state level that required a do-over a few years later.

For seven years, the Hinojosa and Ballí families failed to acquire official title to the Llano Grande and La Feria properties and prompted a second application. The changes in Spanish bureaucracy altered the process that Hinojosa and Ballí navigated through in the first application. With the Bourbon reforms in the second half of the eighteenth century, the new policies enacted established tighter control over the colonies in the northern frontier. By 1769, the *Comandancias*

²⁸⁶ *Ibid.*, 24-25.

²⁸⁷ *Ibid.*, 28-29.

²⁸⁸ *Ibid.*, 28-29.

de las Provincias Internas was re-established under a Comandante General.²⁸⁹ Although the creation of the Intendencias occurred in the mid-eighteenth century, the December 4, 1786 law, or Real Ordenanza, passed by King Carlos III created twelve Intendencias for all the colonies of New Spain, and thus problems and issues first had to go to San Luis Potosi before reaching Mexico City.²⁹⁰ This policy completely changed Juan José Hinojosa and José María Ballí's quest to acquire the Llano Grande and La Feria grants. Their request now passed through the Intendencia of San Luis Potosi.

By the time the second application was submitted, José María Ballí had perished, and Rosa María Ballí took over her husband's role in the *composición*. Both father and daughter set out to repeat the process once more, and Juan José even testified that they deserved to resubmit their application because it had not been their fault or “carecido [no] este por nuestro defecto.”²⁹¹ This time, Don José de Arzua was named the representative of Juan José and Rosa María Ballí and presented the original documentation that was approved and supervised by Falcón. Both argued that they had followed the instructions and decrees for the acquisition of the Llano Grande, but it was José Marcelino Treviño's delay in Mexico City that affected their claim.²⁹² The *escrito* and original paperwork reached the villa de Camargo on November 22, 1788, and presented to Don José de Jesús García, the justiciar mayor of this villa. By April 18, 1789, the documents traveled from San Luis Potosi, the head of the Intendencia for Nuevo Santander, and reached the “Promotor Fiscal de esta Intendencia, Licenciado Don Benancio Antonio de

²⁸⁹ Instituto Nacional de Estadística, Geografía e Informática, *División Territorial del Estado de Tamaulipas de 1810 a 1995* (Aguascalientes, Ags: INEGI, 1997), 6.

²⁹⁰ *Ibid.*, 6-7.

²⁹¹ “Copia Certificada del Testimonio de las Tierras del Llano Grande y La Feria,” Box 574, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Tx, 5.

²⁹² *Ibid.*, 4-5.

Luna.”²⁹³ However, Domingo Guerra made a competing claim that created obstacles for Rosa María and Juan José.²⁹⁴ With this new competing claim, Juan José and Rosa María were not able to move forward from the Intendencia in San Luis Potosi until they had proven their claim first.

The main obstacle in this second application was the competing claim by Domingo Guerra, who had initially been one of the witnesses in the original composición. Guerra, according to the Apoderado General of Hinojosa and Rosa María, claimed that he would not leave the region until he received the title and possession of the land.²⁹⁵ Hinojosa and Ballí wanted an unbiased Spanish legal process that would avoid the “perjuicios, extorciones, y quebrantos que les esta causando un vecino de aquella Jurisdicción nombrado Domingo Guerra.”²⁹⁶ It is unclear as to what the motivations of Guerra were, but the Rosa María and Juan José described the competing claim as despotic and causing harm. With this rhetoric, not only did they villainize Guerra but, at the same time, emphasized their service and merit. Both families considered themselves as “primeros pobladores,” and individuals who “han servido a Su Majestad con lo respectivo para su Real Hacienda.”²⁹⁷ Thus, their service and payment to the Royal Treasury should speak to their merit for the Llano Grande and La Feria grants.

Domingo Guerra claimed that he was displaced and forcefully removed from his ranch, located within the boundary of the Llano Grande and La Feria grants. He stated that not only did he own a ranch in the contested property, known as La Florida, but was “violently” displaced. Still, Guerra’s issues with his displacement did not arise in the first application in which he was

²⁹³ *Ibid.*, 4-5, 38.

²⁹⁴ *Ibid.*, 38-39.

²⁹⁵ *Ibid.*, 3-4.

²⁹⁶ *Ibid.*, 3-4. English Translation: “damages, extortions, and losses that are being caused by a neighbor of that jurisdiction named Domingo Guerra.”

²⁹⁷ *Ibid.*, 3-4. English Translation: “first settlers” and “they have served His Majesty in relation to His Royal Treasury.”

one of the witnesses. Flooding, Guerra argued, forced him to leave his ranch, yet upon his return, Juan José and José María had claimed the land, that included his ranch, and submitted a formal *composición*. Because of this, Ballí and Hinojosa did not deserve the *tierras realengas*, owned by the Crown. He claimed to have created a ranch seven years before Hinojosa and Ballí's application.²⁹⁸ In the escritos, Guerra wanted an impartial process or "un sujeto imparcial de conducta arreglada que por haber...en aquella Jurisdiccion no tengan relacion de Amistad o parentesco, con Don Juan José Hinojosa and Da. Rosa María Ballí."²⁹⁹ His request for an impartial process, with no relation to Hinojosa or Ballí, was due to the influence of these families who had considerable wealth and, according to Guerra, would skew the process against his interests. Because Hinojosa and Ballí's claim was halted and ran into trouble, it can be speculated that Guerra could have used that opportunity to push his application for land within the disputed grant. Spain would come to side with Rosa María and Juan José Hinojosa, articulating that Guerra had no claim or disagreement with the initial application.

Guerra's testimony aimed to dismiss Rosa María's claim and tied to the ideas of gender expectations in New Spain. Competing with Rosa María and Juan José, Guerra focused on dismissing Rosa María's claim in its entirety. Her class and influence, Guerra argued, led to the dismissal of his claim. Nonetheless, the language itself indicates conflict and his views of Rosa María's gender. Guerra contended that he used the lands in the contested grant since the 1770s, but also the death of Rosa María's husband made her rights to his *composición* null and void. As the daughter of Juan José Hinojosa, she only had rights to the Llano Grande property. This rhetoric followed the Spanish inheritance practices where women could inherit a property in their

²⁹⁸ *Ibid.*, 40-41.

²⁹⁹ *Ibid.*, 42; English Translation: "an impartial body to conduct subject of conduct who because of...in that Jurisdiction has no relationship of friendship or kinship, with Don Juan José Hinojosa and Da. Rosa María Ballí."

name yet dismissed a widow's rights to her husband's property. Rosa Maria did not submit a claim herself or the lack of title to their previously claimed property offered Guerra an avenue to dispute Rosa María's claims more easily than Juan José, who was captain and leader of Reynosa. As such, Guerra sets out to slander Rosa María arguing she had "vices" and no right to La Feria grant and only that of the Llano Grande. He, however, from this document, does not elaborate on what her vices are.³⁰⁰ As a woman, he dismissed her claim and position in the process. Beyond her claim to the La Feria Grant, contested by Guerra due to its location being in his alleged ranch, she was the target of his insults and offenses.

As a widow, Rosa María replaced her husband in the legal proceedings yet was still firmly tied with her father, Juan José. Both gathered the records and the surveys and pushed them through San Luis Potosí and Mexico City. She was in charge and defended her actions against Guerra, yet she alluded to her claims were due to her husband and father's contributions to the Crown. Both were loyal settlers and aided in the solidification of Spanish territorial claims and the protection of its citizens through their use of the *tierras realengas*. In their claims for the Llano Grande, her statements are clear and straightforward. She spoke for herself within the legal documents presented to the Spanish crown. Rosa María was integral in the legal process and was at the forefront in the arguments and disputes that occurred in the 1780s in search of the official title of the Llano Grande and La Feria Grants. Ultimately, Hinojosa and Ballí's application was restored, and Guerra's dismissed.

Rosa María had to prove her claim and dispute Guerra's assertion and attack on her character. She swore that "Juro de debida forma no ser de malicia, protesto cosas y lo necesario."³⁰¹ Rosa María argued that Guerra approved Hinojosa and José Ballí's original

³⁰⁰ *Ibid.*, 39-40.

³⁰¹ *Ibid.*, 51; English Translation: "I swear in due form not to be of malice, I protest things and what is necessary."

application, and she states that Guerra was only the servant of José Gil (herder animals in the region) and not a rancher himself. Furthermore, she sought not only to recognize her husband's and integrate Marcelino Treviño's, the attorney of the second application, testimony. Rosa María wanted the courts to acknowledge the mistakes/delays and, thus, justify their second application. In paying 25 pesos per grant, she was able to move forward with her father, and both gained the title to their grants in 1790. She was a shrewd, respected, strong-willed woman, and she came not only to solidify and acquire the grants, but she also continued to help her siblings obtain additional grants.³⁰²

Land and its acquisition both by the Spanish elite and other residents provide a glimpse into how the mechanism of bureaucracy, influence, and power came to shape the landscape of Nuevo Santander. Hinojosa and the Ballí became some of the largest landholders, and the connection to the Spanish bureaucracy and service to it allowed for some of their success as landowners in the region. Spanish policies created the opportunity for its citizens to extend their properties through a *composición*, yet it was an extensive and costly process that only allowed wealth and influential families to acquire land grants. Hinojosa, Ballí, and Cavazos, amongst other family members, submitted additional applications for land that used service, honor, and land use as strategies to acquire official titles. By the end of the Spanish era, most of the property in present-day Rio Grande Valley was owned by families that had the influence and means to expand their original porciones granted in 1767. Acquiring land became a process that involved an individual's resources in paying for the application, their good character, and service to the crown, which established a relationship that exchanged service and merit for a property.

³⁰² Mary Margaret McAllen Amberson, James A. McAllen, and Margaret H. McAllen, *I Would Rather Sleep in Texas: A History of The Lower Rio Grande Valley and the People of Santa Anita Grant* (Austin: Texas State Historical Association, 2003), 49.

From royal lands to private property, the Llano Grande and La Feria grants highlighted the lengthy process and the relationship between the state and its citizens. The amount of time, influence, and wealth required was extensive, and only a few families were able to do so. Both families followed the Spanish procedures and set up ranches and used the property for the grazing of livestock, as indicated in their application. Rosa María and Juan José Hinojosa maintained the properties in their name for the remainder of the Spanish period, with no distribution of the land amongst the descendants. The property retained the same boundaries in 1840 as it did in 1790, yet only added more and more owners in the process.

Chapter 3: Changes in Sovereignty: The Evolution of Land Tenure in the Mexican State, 1810-1848

Between 1800 and 1848, inhabitants of the borderlands shaped and were shaped by policies governing land use, competing notions of citizenship, and evolving definitions of race, class, and gender. Like many elites living throughout the northern Spanish frontier in the early nineteenth century, the Hinojosa and Ballí families witnessed the transformations brought by Independence and the ensuing array of laws passed by the young Mexican national government. During the Spanish period, Hinojosa and Ballí repeatedly demonstrated their loyalty to the Crown and tried to align with their goals of solidifying their territorial expansion and need for land. The political rhetoric employed by these two elite families reflected who they were in terms of class, ranching wealth, and military and political access in Reynosa. Mexican independence in 1821 created a new government that shifted Nuevo Santander from a colony to the state of Tamaulipas with its constitution.³⁰³ Land policies during the Mexican Era did not change extensively, and the Hinojosa and Ballí families were able to maintain their status and property and continued expanding land holdings through the 1840s. Within one generation, the residents of the borderlands participated in a series of the most significant geopolitical transformations in the Western Hemisphere, as millions of square miles of territory shifted hands from Spain to Mexico to Texas, and ultimately to the United States. The aftermath of the U.S.-Mexico War challenged Mexican landowner's claims by the state of Texas, led to a decline of their power base, and redefined their citizenship as “Americans.”

In less than three decades – 1821 to 1848 – residents of the borderlands saw dramatic transformations in their communities and identities, as Spain fell to Mexican Independence, an

³⁰³ Galen D. Greaser, *New Guide to Spanish and Mexican Land Grants in South Texas* (Austin: Texas General Land Office, 2009), 93-95.

insurrection in Tejas ushered in the Lone Star Republic, and then continental war led to annexation by the United States. As historian Andrés Reséndez contends, the creation of a national identity was an “extraordinarily slippery question of how Spanish-speaking frontier inhabitants, nomadic and sedentary Native American communities, and Anglo Americans... [thought]...of themselves as Mexican, Americans, or Texas, or adopted some other national or ethnic identification.”³⁰⁴ Reséndez articulated that identity was fluid and conditioned to specific situations, as was the case in the Lower Rio Grande Valley.³⁰⁵ It stands to reason that residents along the border altered and used their identities to their benefit. Land claims and acquisition continued to be a marker of the Ballí and Hinojosa families after Mexican independence. Again, the region saw a radical shift from Mexican to American sovereignty that affected the Rio Grande residents drastically in 1848.

Moreover, Reséndez stated that the “power of the state” played an integral role in the northern frontier, in which the Mexican state sought to integrate its residents into the nation via preexisting bureaucracy and the promotion of new civic duties, religious celebrations, networks, and civil administrations.³⁰⁶ By 1821, Mexico had led a successful independence movement against Spain, which began to lose a vast majority of its colonial domain throughout the Americas. As a young nation-state, Mexico’s control of its northern frontier region was tentative because it could not control its recourses, protect its people, and strengthen its economy. This lack of authority, combined with onerous taxes and centralized international trade policies imposed on frontier states, led to considerable resentment towards the government, and its

³⁰⁴ Andrés Reséndez, *Changing National Identities at the Frontier: Texas and Mexico, 1800-1850* (New York: Cambridge University Press, 2004), 1.

³⁰⁵ *Ibid.*, 3.

³⁰⁶ *Ibid.*, 3-4.

internal conflicts further weakened its influence along the region of Tamaulipas and Tejas.³⁰⁷

Mexico was not prosperous in the incorporation of the northern frontier settlements, yet the Hinojosa and Ballí families continued to use the state to their advantage. They acquired additional land and preserved the Llano Grande in the radical shifts that emerged during the first half of the nineteenth century.

Sensing this crippled capacity, Texas declared its independence from Mexico and nine years later, applied for U.S. statehood, thereby precipitating the U.S.-Mexico War. The Treaty of Guadalupe Hidalgo in 1848 made the Rio Grande the boundary between the United States and Mexico. The implications of this massive transfer of land allowed the U.S. to span the continent, expand slavery, conquer indigenous people, and gain access to the Pacific Ocean and Chinese ports of trade. The Hinojosa and Ballí families who were now part of a foreign American legal and political system, which privileged individual property rights over communal and collective rights derived from the Spanish tradition. Residents who made their living and resided along the Rio Grande now grappled with an economy based on racial slavery, a citizenship regime that privileged white males, and religious institutions that were skeptical of Mexican Catholicism.

With an eye to these significant transformations, this chapter analyzes the shift in national sovereignty from the Spanish crown to the Mexican state and the implications on the Hinojosa and Ballí families. The incorporation of the Spanish legal codes and bureaucratic systems into the Mexican government speaks to the national project that sought to integrate and expand the role of the state in the frontier settlements.³⁰⁸ A gendered analysis offers a critical lens to

³⁰⁷ See David J. Weber, *The Mexican Frontier, 1821-1846: The American Southwest Under Mexico* (Albuquerque: University of New Mexico Press, 1982) and Paul J. Vanderwood, *The Power of God Against the Guns of Government: Religious Upheaval in Mexico at the Turn of the Nineteenth Century* (Stanford: Stanford University Press, 1998).

³⁰⁸ Reséndez, *Changing National Identities*, 3-5.

evaluate how land tenure largely remained the same from its Spanish predecessor. Under the civil law code adopted by Mexico, women continued to be individual entities under the law upheld the right to own, inherit, and sell land in their name. More broadly, Mexico retained many of the Spanish bureaucratic systems and laws that intimately connected with landowners in the Lower Rio Grande Valley. It is essential to examine how the Mexican state and its citizens interacted, created connections, and reshaped their ties to one another — paying close attention to inheritance practices, loyalty, conflict, and honor to examine the motivations and expectations of landowners in the shift from Spanish to Mexican sovereignty. Analysis of the tactics and actions taken by these families to protect their land is vital, especially measures such as the Dupouy Partition that legally distributed the Llano Grande among the eight children of Juan José Hinojosa and María Antonia Benavides.³⁰⁹ The Hinojosa and Ballí families accommodated their land strategies to survive the shift from Spanish to Mexican sovereignty.

Residents of the Northern Spanish Frontier could not have predicted the tumultuous changes facing them in the near future, especially when they struggled to carve out a living in the unforgiving landscape of the Lower Rio Grande Valley of the late eighteenth century. Although the Ballí and Hinojosa families were elites in the borderland's community, their struggles reveal the challenges facing a wide array of Spanish citizens during the colonial era who eventually encountered new nations and their laws and customs. Many elite families sought to obtain additional land grants to provide for their members and often worked together to maintain their influence and power to acquire extensive land grants in the last few decades of Spanish control. After the initial distribution of land in 1767 to Reynosa settlers, many elites such as “the Hinojosas, Ballís, Garzas, and Canos obtained huge Spanish land grants, intermarried, and

³⁰⁹ The Dupouy Partition was a survey conducted to divide the Llano Grande grant and was registered in the courts of Matamoros. This legal document will be further expanded upon later in this chapter.

developed ranching empires...[on] lands along the Gulf Coast all the way to the Río Nueces, including Padre Island, named for its owner Padre Nicolás Ballí” claimed additional land.³¹⁰ By the early 1800s, the Ballí, Cavazos, and Hinojosa families owned property in over half of the modern-day Rio Grande Valley. By the end of the Spanish period, most of the land, if not all, near the Rio Grande, was under the ownership of only a few elite families that encompassed large land grants north of the Rio Grande.

As the Hinojosa family expanded its land holdings, it simultaneously grew in children and grandchildren, many of whom became landholders and prominent citizens themselves. Juan José Hinojosa and María Antonia’s eight children owned a portion of the Llano Grande, yet through marriage or applications for a title with the Spanish crown, were tied to additional land grants that extended across a considerable distance throughout the region. Manuela, Josefa, Cipriano, and Juan José Hinojosa, along with Vicente, Esmerejilda, Maria Ygnacia, and Rosa María, owned rights to the Llano Grande as well as other properties.³¹¹ Their eldest child, Juana Esmerejilda Hinojosa, born around 1746, was married to Antonio Belasques and was a rightful claimant to the Llano Grande.³¹² Maria Ygnacia, the second daughter, was married to Narciso Cavazos, and her four children had rights to both the Llano Grande and the San Juan de

³¹⁰ C. Allan Jones, *Texas Roots: Agriculture and Rural Life Before the Civil War* (College Station: Texas A&M University Press, 2005), 66.

³¹¹ Hidalgo and Starr Counties Abstract Company, *Abstract of Title to that Part of Beamer Syndicate and J.C. McDowell Properties That Lie in the “Llano Grande” and “La Blanca” Grants in Hidalgo County, Texas* (Edinburg, TX: The Company, 1918), 2.

³¹² Alicia Hinojosa, *The Hinojosa Family*, 38. Beyond his military service in Reynosa, there is limited information on Juan José Hinojosa, especially his birth and baptism records; Hermenegilda has various reiterations of her name. In Escandón’s 1750 report her name is spelled as Esmeregilda other records has Hermeneguilda. Because her name is referred to as Esmerejilda in the 1753 Escandón reports, I will continue using this pronunciation; “Testimonio de las Ultimas Diligencias Practicadas en La Visita de La Villa de Camargo (Nvo. Santander),” Expediente 6, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México, City, México, 126.

Carricitos grant.³¹³ Vicente de Hinojosa acquired title to the Las Mesteñas, Petittias, y Abra grant on June 11, 1794, with its southern boundary line bordering the Llano Grande, and also obtained title to two additional properties.³¹⁴ Vicente married Leonore Garcia in January 1786 and had five children, Maria Agapia, Feliciana, Cirildo, Maria Petra, and Maria Josefa Hinojosa Garcia, each of whom obtained rights to these grants.³¹⁵ Both the male and female children enjoyed rights in the Llano Grande and the other properties owned by their father in the eighteenth century.

Class, wealth, and influence were integral components for the children and in-laws of Juan José Hinojosa to acquire additional grants in the last decades of Spanish control, yet it would be Spanish inheritance practices that created spaces for elite women to have rights within them. *Las Siete Partidas*, established by the Crown in 1265, was one of the principal Spanish legal codes, along with the *Leyes de Toro* established 1505, that demarked women's rights to inherit property from their parents and often received it as a dowry during the marriage.³¹⁶ Historian Amy Porter argues that these inheritance practices often protected women by creating an equal distribution among all children. There were stipulations where "one child could not receive more than one-fifth to one-third of the estate."³¹⁷ The five daughters, Juana Esmerejilda,

³¹³ "An abstract of Title," FF 63: Abstract of Title Spanish Government to José Narciso Cavazos, Reynosa Municipal Archives, Box 2 of 2, Miscellaneous Records of Reynosa, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Tx.

³¹⁴ "Testimonio de Tierras de Don Vicente de Hinojosa, Expedido por el Juzgado 1° de Reinosa Tamaulipas," 2-3, Trans-Nueces Records, File Number SC 000136:10, Vicente Hinojosa, Texas General Land Office, http://www.glo.texas.gov/ncu/SCANDOCS/archives_webfiles/arcmeps/webfiles/landgrants/PDFs/1/0/3/4/1034863.pdf (accessed April 1, 2016); According to Galen D. Greaser in *New Guide to Spanish Land Grants*, 314-315 Vicente acquires three properties in total: Las Mesteñas, El Rincón de Alazán, and San José de las Anacuas.

³¹⁵ Hidalgo and Starr Counties Abstract Company, *Abstract of Title to that Part of Beamer Syndicate and J.C. McDowell Properties That Lie in the "Llano Grande" and "La Blanca" Grants*, 2.

³¹⁶ Deborah A. Rosen, "Women and Property across Colonial America: A Comparison of Legal Systems in New Mexico and New York," *The William and Mary Quarterly* 60, no.2 (Apr. 2003): 358, accessed August 23, 2019, <http://www.jstor.org/stable/3491767>.

³¹⁷ Porter, *Their Lives Their Wills: Women in the Borderlands 1750-1846* (Lubbock: Texas Tech University Press, 2015), 7.

Manuela, María Ygnacia, and Rosa María, according to Castilian law, were equal with their male siblings in the transfer of material goods from their father, Juan José.³¹⁸ With the Llano Grande property measuring 127,625 acres, each son and daughter was eligible to a little over 15,000 acres.³¹⁹ Even though these women had the right to an equal share of the Llano Grande, the property remained in Juan José Hinojosa's name until the end of the Mexican period.

Despite the legal protections, women still navigated a patriarchal society even when they owned, bought, and sold the land they possessed.³²⁰ The “societal norms from Spain and central Mexico instructed women's behavior, telling them to be faithful and obedient daughters and wives...[yet] frontier conditions and high rates of widowhood allowed women at times to move outside the[se] restrictions.”³²¹ Widowhood opened opportunities for women to exert their legal rights as citizens of the Spanish crown, using the law and its resources for restitution. Rosa María is a prime example of a widow who fought for and gained title to the La Feria grant. José María Ballí applied for the La Feria grant, jointly with Juan José, yet Rosa María, by Spanish custom, owned the property, managed the livestock, and became one of the largest ranching businesses along the Rio Grande.³²²

³¹⁸ Cynthia Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwestern Mexico, 1700-1850* (Durham: Duke University Press, 1997), 178; “Llano Grande” [It is a handwritten family tree, not sure of title], Folder 5: “Legal Matters, Undated,” Box 2H 165, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, University of Texas at Austin, Austin, Texas.

³¹⁹ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia de Nuevo Santander,” Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 20-47; Greaser, *New Guide to Spanish and Mexican Land Grants*, 312.

³²⁰ Porter, *Their Lives Their Wills*, 7; Stuntz, *Hers, His, and Theirs: Community Property Law in Spain & Early Texas* (Lubbock: Texas Tech University Press, 2010), 26.

³²¹ Porter, *Their Lives Their Wills*, 107.

³²² Minnie Gilbert, “Texas’ First Cattle Queen,” in *Roots by the River: A Story of Texas Tropical Borderland-Book II* (Mission, Tx: Border Kingdom Press, 1978), 15-25; Greaser, *New Guide to Spanish and Mexican Land Grants*, 86, 89.

Marriage was a key strategy used by elite families to form important kinship and business connections that served to extend their property claims. María Ygnacia, the second eldest child of Juan José and María Antonia born in 1746, was married José Narciso Cavazos, a *primitivo poblador* from Nuevo León, who obtained the San Juan de Carricitos grant.³²³ As two elite and influential families, the marriage between Rosa María Hinojosa and José María Ballí solidified their kinship networks and merged their available resources. As such, both families jointly applied for the Llano Grande and La Feria grants as a single application.³²⁴ Eventually, Rosa María helped her son, Juan José Ballí, and brother, Vicente Hinojosa, to procure the San Salvador de Tule grant and Las Mesteñas, Petitas, y Abra grants respectively in the late 1790s.³²⁵ Using their status and connections within the villa de Reynosa, they pushed their applications forward by sending their representatives to Mexico City to gain official titles to their prospective properties. Following Spanish laws and customs, these women amassed considerable tracts of land in the region and helped their families gain political influence, economic power, and social status.

Employing the Hinojosa and Ballí family's influence in the community, Vicente used his service and family's influence to acquire land grants. On June 11, 1794, he appealed to his “buen celo y exactitud en el servicio de su Majestad” to apply for Las Mesteñas, Petitas, y Abra grant located above the Llano Grande.³²⁶ Vicente used his father's status, as well as his own, to

³²³ “Testimonio de las Ultimas Diligencias Practicadas en La Visita de La Villa de Camargo (Nvo. Santander),” Expediente 6, Vol. 172, Provincias Internas, Instituciones Coloniales, Archivo General de la Nación, México, City, México, 126.

³²⁴ Greaser, *New Guide to Spanish and Mexican Land Grants*, 85-86.

³²⁵ *Ibid.*, 86, 197; San Salvador de Tule was originally land that was used by Juan José Hinojosa, brother of Rosa María and uncle to Juan José Ballí, and was granted on November 18, 1797. This property measured 315,391 acres that doubled the 127,625 acres of the Llano Grande.

³²⁶ “Testimonio de Tierras de Don Vicente de Hinojosa, Expedido por el Juzgado 1° de Reinos Tamaulipas,” 2-3; English Translation: “good zeal and accuracy in the service of his Majesty.”

articulate merit and service to the crown as the first settlers of the colony.³²⁷ In his *composición* and statement, he indicated Reynosa as his place of birth and considered it his “Patria,” yet Vicente emphasized his eagerness to serve “ambas Majestades” was a virtue and asset when seeking the acquisition of land.³²⁸ In addition to his influence and service, Vicente also received aid from his sister, Rosa María, for the acquisition of Las Mesteñas land grant. She paid for the survey and other costs related to his application. In return for her help, he granted a small portion of this grant to her named “Ojo de Agua.”³²⁹ Merit and service were vital components to the acquisition of land grants during the Spanish period, and Hinojosa and Ballí used them to extend their land claims, but the gendered dimensions of law and tradition also worked to their advantage.

Similar to his father-in-law, José Narciso Cavazos set out to acquire additional property by using royal lands north of the Rio Grande. Cavazos felt his *porción*, acquired in the Visita General in 1767, was inadequate for raising his stock and moved them to Juan José’s land that became the Llano Grande.³³⁰ He attempted to raise his stock in “Santa Rita,” yet the land was already claimed. As such, Narciso moved his livestock to other royal lands and submitted a *composición* for what became the San Juan de Carricitos grant in 1788. However, his ownership of the grant was complicated because José Antonio García Dávila already presented a *composición* on the land.³³¹ Within Cavazo’s paperwork, José Antonio de la Garza Falcón and Juan Antonio Ballí’s, as Justicia mayores or chief justices, were called to testify on the history of

³²⁷ *Ibid.*

³²⁸ *Ibid.* English Translation: “homeland” “both majesties.”

³²⁹ Greaser, *New Guide to Spanish and Mexican Land Grants*, 87.

³³⁰ Greaser, *New Guide to Spanish and Mexican Land Grants*, 85-86; “Testimonio del denunciado de tierras de D. Narciso Cavazos, Camargo Archives, Box 3E 136, Dolph Briscoe Center for American History, University of Texas at Austin, Austin, Texas.

³³¹ Greaser, *New Guide to Spanish and Mexican Land Grants*, 85.

the region. These two individuals were the leading representatives and judicial leaders on the Visita General in 1767 and the application for the Llano Grande and La Feria. Cavazos knew powerful and influential people, called upon in his application for land, that proved useful in his composición for the San Juan de Carricitos grant. On February 22, 1792, Cavazos gained official title to the San Juan grant with 601, 657 acres.³³² The Hinojosa, Ballí, and Cavazos families obtained some of the most recognized and extensive grants in what is now the Lower Rio Grande Valley.

Spanish elite in the frontier were aware of Spanish land policies and practices, which offered them a means to obtain property. Even though the Spanish Crown never gained direct administrative power and influence along the frontier, most settlers in colonies “had at its disposal the fundamental compilations of laws and ordinances—of Spanish legal codes as the *Recopilación de Indias*, *Nueva Recopilación de Castilla*, *Novísima Recopilación*, *Ordenanzas del Intendentes* and so forth.”³³³ Ballí and Hinojosa navigated the laws established by Spanish legal codes and fulfilled the expectations of loyalty—the subjugation of indigenous peoples and settling the northern frontier—that placed them in a favorable position not only within their local villa but with the crown. Military and political officials largely monopolized the land grants along and north of the Rio Grande.³³⁴

Citizens were rewarded as “loyal subjects” though the claim of land or official title to *tierras realengas*, yet a restriction of this privilege occurred after the awards of large land grants in the late 1790s.³³⁵ Cynthia Radding states that *mercedes de tierra*, granted by the king, were

³³² *Ibid.*

³³³ Cutter, *The Legal Culture of Northern New Spain*, 37.

³³⁴ Valerio-Jiménez, *River of Hope*, 55.

³³⁵ Radding, *Wandering*, 175.

given without any payment or expense, yet the *composición* was a legal process required to obtain *tierras realengas* “a privilege obtained through payment of royal taxes and fees.”³³⁶ Juan José Hinojosa and Rosa María along with Vicente Hinojosa, Juan José Ballí, and José Narciso Cavazos used *composiciones* to gain official titles that jointly accumulated to more than a million acres.³³⁷ By 1802, the *Junta Superior of the Real Hacienda*, royal treasury, was concerned that Spanish citizens were purchasing too many *tierras realengas* for low prices.³³⁸ Such fears stemmed from granting official titles to land grants similar to La Feria and Llano Grande. Rosa María and Juan José only paid a fraction of the expected cost per sitio because they claimed that the land was useless and only viable for ranching.³³⁹ After an investigation, a *real cédula* passed on February 1805, restricting the amount of land granted. Subsequently, individuals could only receive up to “ten *sitios* and value did not exceed 200 pesos” as a measure to stop the “wasteful land monopolies...[and] to increase the number of proprietors by making allowances for the less privileged.”³⁴⁰ This *cedula* did not indicate the end of land grants as a whole, which continued well into the Mexican period.

As elites in the Lower Rio Grande Valley used their resources to acquire land, Spanish officials complained that the colony had not developed or prospered. In 1795, Félix Calleja inspected Nuevo Santander and complained that the colony was languishing with no genuine

³³⁶ *Ibid.*

³³⁷ *Ibid.*; Calculated the acreage from Las Mesteñas, Llano Grande, La Feria, San Juan de Carricitos, and San Salvador de Tule from the Greaser’s *New Guide to Spanish and Mexican Land Grants* index on pages 196, 197, 203, 312, 315. Collectively it was 1,244,484.55 acreages of these five grants.

³³⁸ Greaser, *New Guide to Spanish and Mexican Land Grants*, 89.

³³⁹ “Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia del Nuevo Santander. 1770-1771 Sello,” *Tierras*, Vol. 1017, *Instituciones Coloniales*, Archivo General de la Nación, México City, México.

³⁴⁰ Greaser, *New Guide to Spanish and Mexican Land Grants*, 89-90.

economic improvements or in its way of life.³⁴¹ Critical of Nuevo Santander settlers, Calleja stated in his report that their “character and customs” they were “lazy, dissipated, with relative luxury in their dress, arms, and horses, pusillanimous, captious, and sarcastic murmurers, and all stemming from the fact that the population of this province was formed from among the vagabonds and malefactors of the others.”³⁴² Although it is a generalized statement on the Nuevo Santander residents, this characterization offers an interesting comparison to the more positive image of the elite and honorable rancheros that populated the Rio Grande with massive land grants acquired in the name of service to the crown. Ranching and branding livestock made, as Calleja argues, the land surrounding the settlements unusable because “those same herds of cattle and horses in great numbers daily trample the springs of water, compressing the land underfoot...so that at present there are only rivers to supply water.”³⁴³ Nuevo Santander, in his perspective, stopped progressing because, after José de Escandón’s removal, only a small number of villas were created. Moving beyond the criticism of Nuevo Santander settlers, Calleja still elaborated on the struggles, lack of resources, and negligence from Mexico City.

Mercantilist policies placed Tejas and the Villas del Norte at a disadvantage because all trade was required to pass through the port of Veracruz, a considerable distance to the south. With 111,777 head of stock in Nuevo Santander, Calleja argued that 40,000 should be sold at the market instead of 2,000 sold on a yearly basis.³⁴⁴ The purchasing of goods from Veracruz was

³⁴¹ David M. Vigness, translator and editor, “Nuevo Santander in 1795: A Provincial Inspector by Félix Calleja,” in *The Southwestern Historical Quarterly* 75, no. 4 (Apr. 1972), 475-476, <https://www.jstor.org/stable/30236739> (accessed August 08, 2019).

³⁴² *Ibid.*, 477.

³⁴³ *Ibid.*, 487-488, 475-476. It is an interesting note on the effects of livestock on the environment and could possibly be a reason for additional land. Cavazos did argue that his porción was inadequate and required additional land.

³⁴⁴ Valerio-Jimenez, *River of Hope*, 98-99; Weber, *The Mexican Frontier*, 123; Vigness, “Nuevo Santander in 1795: A Provincial Inspector by Félix Calleja,” 481.

not a profitable expense due to the surcharge for the transportation of goods. Calleja argued that opening a port in Tamaulipas would aid in the economic progress of the colony. Despite this, Mexico City did not remove Veracruz's monopoly on trade.³⁴⁵ Nuevo Santander's residents, Hinojosa and Ballí, procured land grants for the expansion of their ranching enterprises, yet Veracruz's control of the market created obstacles to their success. As Omar Valerio-Jimenez contended, the unifying goals between the state and its citizens were unraveling at the beginning of the nineteenth century. With "indios bárbaros" raiding on the frontier, Spanish settlements ceased expanding throughout the Southwest.³⁴⁶

Mexico's fight for independence began with Padre Miguel Hidalgo on September 16, 1810, yet it would be a struggle that continued for over a decade that affected various colonial provinces in a variety of ways. Residents of Spain's northern provinces did not suffer extensive damage in the struggle yet demand for money and supplies in support of contending factions during the independence struggle affected frontier colonists. Nuevo Santander's governor sought to acquire volunteers and monetary aid for the Spanish, and Mier and Refugio provided animals, volunteers, and other goods. Many of the villas del Norte failed to comply with Spanish policies, especially the acquisition of money, and some even supported or participated in the rebellion. Nuevo Santander's governor stated that some residents failed to provide money for the Spanish crown by avoiding the census and "failing to report livestock."³⁴⁷ José Bernardo Gutiérrez de Lara from Revilla, for instance, organized a rebel force that sought Mexican independence. No longer a unified force for the pacification of indigenous peoples and the colonization of the

³⁴⁵ Weber, *The Mexican Frontier*, 123; Vigness, "Nuevo Santander in 1795: A Provincial Inspector by Félix Calleja," 482.

³⁴⁶ Valerio-Jiménez, *River of Hope*, 98-99; Weber, *The Mexican Frontier*, 104-105.

³⁴⁷ Valerio-Jiménez, *River of Hope*, 102-103.

northern frontier, the residents along the Rio Grande's relationship with the central government was unraveling.

From 1810-1821, Mexico fought for its independence from the Spanish colonial government and ultimately won and began to legitimize its authority throughout the young nation-state. As the military phase of Independence dissipated, Mexico sought to create a cohesive national identity, yet political, religious, and economic disruptions only created tensions and resentment from its citizens. For example, fights between federalist and centralist parties destabilized the legitimacy of the state and caused conflict with its northern states, many of which had residents who traditionally expressed skepticism about the power and authority of centralized government. Mexico's lack of control in the frontier allowed its border citizens to have greater autonomy in their local provinces, and it created a unique identity and temperament among its residents.³⁴⁸ The self-sufficiency of residents in the northern frontier, combined with the weak central government, and the growing power of large Independent Indian nations, came to define a unique borderlands condition that foreshadowed events and relationships for more than half of a century following Mexican Independence.

Throughout the eleven years of struggle, the villas del Norte supplied goods as a means of support yet dealt with the repercussion of unpredictable allegiances and local conflict. Indigenous support for the uprisings, as argued by Clotilde P. García, derived from promises—such as freedom against tribute, land distribution, and equality, among other things—by rebellious forces.³⁴⁹ Additionally, García points out that royal soldiers in Nuevo Santander

³⁴⁸ David J. Weber, *The Mexican Frontier, 1821-1846* (Albuquerque, NM: University of New Mexico Press, 1982), 20-22.

³⁴⁹ Clotilde P. García ed., "Notes and Documents: An Indian Uprising in Camargo, 1812: A Military Report by Captain Pedro López Priettô," in *The Southwestern Historical Quarterly* 78, no. 4 (April 1975):436-437, <https://www.jstor.org/stable/30238357> (accessed August 30, 2019).

defected in such substantial numbers that the Spanish viceroyalty sent a “frontier fighter, Joaquín Arredondo” to secure the colony.³⁵⁰ In Camargo in 1812, “Indian” Julian Canales was a “runaway Indian” who escaped from jail, no reason given as to his incarceration, and was chased by Don José Antonio Prieto. Being part of the Spanish military, Prieto was “a distinguished corporal of the provincial cavalry of Reynosa and Camargo.”³⁵¹ Canales was in Camargo with other indigenous people who were defiant against the Spanish leader. Captain Prieto, in his report, stated that he sought to make Canales understand his wrongdoings.³⁵² The battles against Spain for Mexican independence remained in the interior of Mexico, yet the villas del Norte were still affected where loyalties were debated and questioned.

The Mexican Independence era tested loyalties and altered political relations in northern provinces, such as Camargo and the Villas del Norte. Prieto set out to talk with Canales and informed him of the repercussions of offending the local government that represented the King. Prieto articulated that he sought to defend his honor and “respect of our Sovereign.”³⁵³ Canales, according to Prieto, acknowledged his mistake and stated that he “committed misdeeds out of fear of retaliation...for earlier misunderstandings.”³⁵⁴ As an elite military individual, Prieto believed that service to the Spanish king should be paramount. Canales captured Prieto in a fight involving gapchupines, or Spanish born individuals, in Camargo. After this incident, Prieto wrote a report, however, to restore his honor due to the questioning of his loyalties.³⁵⁵

³⁵⁰ *Ibid.*, 432.

³⁵¹ *Ibid.*, 436.

³⁵² *Ibid.*, 436.

³⁵³ *Ibid.*, 438.

³⁵⁴ *Ibid.*, 438.

³⁵⁵ *Ibid.*, 445-446.

For the Hinojosa and Ballí families, the transition from Spanish subjects to Mexican citizens did not have detrimental consequences because land policies were not radically different under the new regime. Even though Mexico's government began as an imperialist state with Agustín de Iturbide, who declared himself emperor, his deposition in 1824 led to the rise of a republican state in its place.³⁵⁶ Under Agustín de Iturbide, the Plan de Iguala, which recognized any citizen and their properties, was passed on February 24, 1821, by the Mexican government.³⁵⁷ The landed elite along the Rio Grande, as such, preserved their property and gained citizenship to the Mexican government. The Llano Grande and La Feria grants remained intact, and Juan José Hinojosa's descendants continued to use the land. Rosa María's children, as well, used the La Feria and held rights in the Llano Grande. The family enjoyed the rights, influence, and class privileges they previously possessed and profited from the Spanish empire. Both families preserved their land claims throughout the shift in national sovereignty and maintained their positions along the Rio Grande.

Mexico took various measures to redefine itself and its citizenry and created policies that removed race as a legal category.³⁵⁸ The Plan de Iguala removed race as a legal category, and the Constitution of 1824 eliminated any "property and literacy requirements for citizenship."³⁵⁹ The motivations for this decision were complicated, but the convoluted history of inter-racial relationships, as epitomized and popularized by images represented in the castas paintings, made it nearly impossible to separate and segregate people through the law into distinct racial

³⁵⁶ Greaser, *New Guide to Spanish and Mexican Land Grants*, 95.

³⁵⁷ "Plan de Iguala. Plan del Sr. coronel D. Agustín de Iturbide,": publicado en Iguala el 24 febrero de 1821. [Mexico City: s.n., 1821], 1, 33cm, KGF7503.3 1821 KGF2905, library of congress, <https://lccn.loc.gov/86181135> (accessed August 31, 2019).

³⁵⁸ Valerio-Jiménez, *River of Hope*, 106.

³⁵⁹ "Plan de Iguala. Plan del Sr. coronel D. Agustín de Iturbide,": publicado en Iguala el 24 febrero de 1821. [Mexico City: s.n., 1821], 1, 33cm, KGF7503.3 1821 KGF2905, library of congress, <https://lccn.loc.gov/86181135> (accessed August 31, 2019); Valerio-Jiménez, *River of Hope*, 107.

categories. Additionally, the young Mexican nation needed to incorporate as many people as possible into the body politic, or otherwise, millions of people might resent their exclusion and challenge the legitimacy of the state through ongoing rebellion.

The resulting federalist constitution transformed colonial provinces into states which shaped the interactions between the state and its citizenry in these northern states. Nuevo Santander became the State of Tamaulipas, which adopted its constitution on March 5, 1825.³⁶⁰ While Tamaulipas maintained its original colonial boundaries as its jurisdiction, the new political entity created a different dynamic and relationship with its citizenry along the Rio Grande. Citizens of the Mexican nation-state, according to Peter Guardino, were tied to “constitutions and laws, [and] it also had more amorphous roots in older cultural understandings of what it meant to be honorable and committed member of the community, a *vecino* or neighbor.”³⁶¹ As the new Republican political system expanded across the young nation, the modern rhetoric of private land, individual rights, secularism, voting, and citizenship merged with colonial-era customs and traditions based on honor, *calidad*, social status, and eighteenth-century race relations. Mexico preserved part of the colonial system that allowed the Ballí and Hinojosa families to thrive.

Nonetheless, the shifting political and economic landscape caused a myriad of transformations of social status and cultural identities of the residents in the northern provinces of Mexico. Many of the villas del norte renamed themselves to incorporate a new Mexican identity. For instance, the villa of Refugio became the city of Matamoros, Tamaulipas.³⁶² On a more substantive level, however, the definition of citizenship changed in terms of who belonged

³⁶⁰ Greaser, *New Guide to Spanish and Mexican Land Grants*, 95; Weber, *The Mexican Frontier 1821-1846*, 22.

³⁶¹ Peter Guardino, “Gender, Soldiering, and Citizenship in the Mexican-American War of 1846-1848,” *American Historical Review* 119, no. 1 (Feb. 2014): 27-28, accessed February 2016, doi:10.1093.

³⁶² Valero-Jiménez, *River of Hope*, 106.

in the new country and what claims they could make on the emerging nation-state. Northern states grappled with the elimination of racial categories that discriminated against people with Indigenous or African ancestry and the impact this might have on social status and access to land. Northern states had to protect the voting rights of all residents, even if they challenged the privileges of older families such as the Ballí and Hinojosa's. The renaming of many cities was a symbolism of these more profound changes in citizenship, voting, property ownership, and status.

Citizenship during this period was open to all residents in the new Mexican nation, regardless of racial identity, yet racial identity remained a powerful marker of political influence and social status. Race was an integral component of civil status, tied to ideas of social class, as a Mexican citizen.³⁶³ The census of 1827 and 1828 in the villa de Reynosa only recorded the names, age, employment or industry, land, and livestock of its residents.³⁶⁴ Sirildo Ynojosa was twenty-six years old and worked as a Labrador in Reynosa. One of the main distinctions in the records was class. Classified as a servant, Lauriano Ynojosa's *oficio*, or job, was an *artesano*.³⁶⁵ For a nation-state that removed race from its legal records, its local government continued to highlight its class distinctions in Reynosa society. This change illustrated the conversion from Spanish categories *Don* and *Doña* that described its subjects in legal documentation to the *ciudadano* and *paisano* of the Mexican government.³⁶⁶ Class was an important distinction not removed from legal categories expected from the nation-state in Mexico City. Class, honor, and

³⁶³ Valero-Jiménez, *River of Hope*, 107-108.

³⁶⁴ "Padrón/Census of Reynosa 1827-1828 [A]," Folder FF4, 1-3, Census of Records of Reynosa, Reynosa Archives, Box 1 of 2, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Tx.

³⁶⁵ "Padrón/Census of Reynosa 1827-1828 [A]," Folder FF4, 6, Census of Records of Reynosa, Reynosa Archives, Box 1 of 2, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Tx.

³⁶⁶ Valerio-Jiménez, *River of Hope*, 107.

community played an integral role as citizens, or members of a community, in Mexico's new governmental body, perhaps because these traditions and customs deeply entrenched in the minds of Mexican citizens and the culture of the new nation.

As the nation-state redefined citizenship, political arguments over federalism, liberalism, and conservatism consumed the nation and, in a sense, failed to articulate the frontier's needs. Mexico established a federal government with the Constitution of 1824, granted more regional authority to the states, yet within a few years, a fight ensued between the federalists and centralists. The centralists emerged in the 1830s and sought to shift back power to the central government.³⁶⁷ While not diminishing the complexities of the political tensions between the Centralists and Federalists, it is clear that Mexico and "the liberals... faced extraordinary problems that would have destabilized any regime. With little prior experience at self-government, they sought to restructure economic, political, and social institutions in the face of disruption."³⁶⁸ Frontier residents, impacted by the constant changes in national policies, demanded new resources and funds to fight the resurgence of attacks by Apache and Comanche, yet their appeals to the state were, more often than not, left unanswered.

Even if Mexico wanted to focus on the frontier's needs, it lacked the resources to offer military protection. The previously established garrison and presidial system on the northern frontier began to decay as early as 1821.³⁶⁹ David Weber stated that the state's weaknesses forced frontier residents to rely on its militias for protection, and "frontiersmen came to question the legitimacy of leaders, laws, and institutions that seemed unresponsive to their needs and to doubt the value of a continuing relationship to the metropolis."³⁷⁰ Mexico imposed its rule and

³⁶⁷ Weber, *The Mexican Frontier*, 20, 31.

³⁶⁸ *Ibid.*, 31.

³⁶⁹ *Ibid.*, 107.

³⁷⁰ *Ibid.*, 242.

policies on its citizens, yet they did not have the power to enforce them nor the ability to protect its citizens in the north. On both accounts, the central Mexican government inflamed old tensions and created new points of disagreement with its northern frontier citizens.³⁷¹

Mexico's internal conflicts between the centralist and federalist parties also redefine the state in different ways and affected communal land ownership. The nation sought to divide the land, which "became an ideological obsession—a fixation—among Mexican liberals," yet implementing it proved difficult specifically in Veracruz.³⁷² Centralists and the federalists did not have the avenues to fix the fiscal crisis or exert much influence along the frontier, as was the case with the lack of resources for defense.³⁷³ Also, the secularization of the mission land, meant to provide land to indigenous peoples, took hold during the Mexican era. In Texas, missions secularized by orders coming from the Mexican government.³⁷⁴ Communal land ownership was a common practice in Nuevo Santander, and the Llano Grande landowners continued this practice. During the Spanish era, each town had ejidos; however, this shifted after Mexican Independence with the secularization of mission lands and dividing the land. However, the internal conflicts between the centralist and federalist did not create a uniform or unilateral policy.

Despite the political debates between centralists and federalists, Mexico's land policies retained many of the legal traditions that derived from Spanish Civil law, which affected inheritance practices and the practice of *derechos*. Particularly noteworthy were the enduring rights of women within the legal system and the recourse they possessed for the violation of their

³⁷¹ Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven: Yale University Press, 2008), 23-24, 26.

³⁷² Raymond B. Craib, *Cartographic Mexico: A History of State Fixations and Fugitive Landscapes* (Durham: Duke University Press, 2004), 56.

³⁷³ Brian DeLay, *War of a Thousand Deserts*, 162-163.

³⁷⁴ Weber, *The Mexican Frontier*, 45-53.

rights and privileges in the courts. Elite women often benefited from the inheritance practices established by Spain and continued by Mexico, yet it was a complex system that navigated patriarchal practices. Women's property was subtracted from her husband's estate and redistributed amongst her children upon her death if it occurred before her spouse.³⁷⁵ On May 30, 1805, José Narciso Cavazos, husband of María Ygnacia, recorded his will where he stated that the property that once belonged to his wife was to be distributed amongst their four children due to her earlier death. His will stated that he fulfilled his word to his wife "declare que todo lo entregado a mis hijos es la parte que debían recibir la herencia maternal por haber fallecido la madre...se convinieron...el numero de trecentas reces a cada uno y con esto quedan satisfechos."³⁷⁶ Inheritance practices along the Rio Grande were mostly unilateral concerning male and female children and descendants relating to land grants.

Rosa María was one of the most prolific ranchers in the region, by her death in 1803, broke down her livestock, goods, and properties amongst her descendants. As Porter articulates, ranchlands were an essential economy in the borderlands and was an indicator of wealth. The distribution of property and livestock plays an integral component in their inheritance practices, and this, in turn, enabled the status of a prominent family to flourish over the generations.³⁷⁷ Rosa María alone owned 40 mares, 200 mules, 40 steers, and over 2,000 sheep and other animals. She owned the La Feria grant of 24 leagues, three leagues of land inherited from Juan

³⁷⁵ Linda Tigges, ed., *Spanish Colonial Women and the Law: Complaints, Lawsuits, and Criminal Behavior: Documents from the Spanish Colonial Archives of New Mexico, 1697-1749*, Translated and Transcribed by J.R. Salazar (Santa Fe: Sunstone Press, 2016), 19.

³⁷⁶ "Narciso Cavazos: Año de 1805," Folder CS-Cavazos, Genealogy Names A-C, Reference Files, Library Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Texas. English Translation: "I declared that everything given to my children is the part they shall receive from their maternal inheritance for the death of their mother...it was agreed...the number of three hundred cattle each and all would be satisfied."

³⁷⁷ Porter, *Their Lives Their Wills*, 30-31.

José Hinojosa, and the purchase of the “The Potrero de la Espada.”³⁷⁸ Even though she wrote her will in the latter years of Spanish control, in comparison with her eldest son’s will, Padre Nicolas Ballí, little changed in terms of who received the livestock and other material goods. In the 1828 will of Padre Nicolas Ballí, he distributed his extensive land holdings—including *derechos* of the Llano Grande, a house in Reynosa belonging to his mother, the Ojo de Agua property, land in Matamoros, among others—to his nieces and nephews. Juan José Ballí received ownership of Padre Island, known as Isla de Santiago, which he had helped his uncle procure. Additionally, he distributed his mother’s inheritance, her right to the Llano Grande grant, amongst his siblings Captain Juan José Ballí and José María Ballí.³⁷⁹ Rosa María and her descendants had considerable wealth that they distributed amongst their heirs and shed light on the Spanish inheritance customs.

By following the traditional Spanish inheritance practices, Rosa María distributed land equally to her three children but made special note to what the women in her life received. Rosa María went in great detail in terms of the houses she owned, the material goods and properties in her possession, including a stone house in the second town square of Reynosa.³⁸⁰ An account of her silverware, jewelry, and shelving, among others, were inventoried, which she granted to the women in her life.³⁸¹ For her daughter-in-law, wife of Juan José, she provided a dowry of 500

³⁷⁸ “Translation of Certified Copy of the Will Executed by Rosa Maria de Hinojosa de Ballí, in the year 1798. Reynosa, Tamaulipas, Mexico,” Deed Record Book “X”, 115, Folder CS-Ballí, Genealogy Names A-C, Library Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Texas.

³⁷⁹ J.J. Gallegos ed., “Last Will and Testament of Br. Don Nicolas Ballí,” *Hispanic Genealogical Society* 6, no.1 (April 1988), 24-28, Folder CS-Ballí, Genealogy Names A-C, Reference Files, Genealogy, Library Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Tx.

³⁸⁰ *Ibid.*, 17. The town of Reynosa was moved from its original location due to flooding and the original townsite became known as Reynosa Vieja. Rosa María had a home in both locations.

³⁸¹ “Translation of Certified Copy of the Will Executed by Rosa Maria de Hinojosa de Ballí, in the year 1798. Reynosa, Tamaulipas, Mexico,” Deed Record Book “X”, 114, Folder CS-Ballí, Genealogy Names A-C, Library Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Texas.

pesos. Maria Josefa Ballí, her granddaughter, receive her golden jewelry.³⁸² While her three children received the bulk of her inheritance, women in her family obtained a large portion of her material goods. Porter argues that women, more so than men, offered more detailed descriptions of the material goods and animals, listed according to their sex and age, in their wills.³⁸³

Often wealthy ranching families avoided the physical distribution of the grant into separate and distinct parcels and instead created *derechos* to provide equal access to their descendants. The concept of *derechos*, or undivided interests, was a custom with its origins in the sixteenth century.³⁸⁴ Primarily, the distribution of *derechos* occurred amongst family members in order to accommodate new generations to the Llano Grande.³⁸⁵ Within the 1841 Mexican census of Reynosa, Gregoria, the wife of Antonio Ynojosa, was registered as being fifty years old with “un derecho de tierra en el Agostadero de Llano Grande.”³⁸⁶ Laureano Hinojosa, in this same census, also held in his possession a *derecho* to the same grant.³⁸⁷ Short of distributing lands, *derechos* offered a means to make a living off the land for all generations of Juan José Hinojosa. For the Llano Grande, it allowed the children and grandchildren of Hinojosa and Ballí access to the grant without distributing physical property, which would become increasingly fractionalized over multiple generations.

Ranching required extensive land for grazing, and this offered a perfect opportunity to continue to grow their livelihood. Every generation added a new set of individuals to the ownership of the Llano Grande, and thus expanded the ranching activities in the grant. With the

³⁸² *Ibid.*, 117-18.

³⁸³ Porter, *Their Lives Their Wills*, 31.

³⁸⁴ David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: University of Texas Press, 2010), 313.

³⁸⁵ Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas*, 165.

³⁸⁶ “Padrón/Census of Reynosa 1841,” Folder FF7, 70, Census of Records of Reynosa, Reynosa Archives, Box 1 of 2, Library Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Tx.

³⁸⁷ *Ibid.*, 26.

family owning the vast majority of *derechos*, they used the property and its grasses to raise their livestock and had the opportunity to settle within the property. However, upholding the single grant as the whole was an indicator of the communal ownership for ranching. It was in the interest of all to maintain the grant to sustain these activities, yet after five generations, descendants would not have enough land to raise cattle and support their families.³⁸⁸

As the decades ensued, *derechos* complicated the land tenure of the grant since it implied an increasing number of individuals having rights to a finite piece of property. As was the case with other land grants, the growing number of people with rights to the Llano Grande created an opportunity for individual family members to sell and buy *derechos*. Juana Esmerejilda, daughter of Juan José, sold her *derechos* to the Llano Grande on September 1, 1826, to her son-in-law Nicolás García y Garza as a gift for caring for her after her husband's death Antonio Moralez.³⁸⁹ Maria de Los Santos Cavazos, daughter of Maria Ygnacia Hinojosa, sold her portion of the grant to Matias Cavazos, who was her cousin and heir to Josefa Hinojosa's property. Despite the fact, she owned rights in the Llano Grande, her property owned by her husband, Matias Cavazos, name.³⁹⁰ Maria Ygnacia distributed the rest of her *derechos* among her other three children, José Manuel, Francisca Cavazos, and Maria Ygnacia.³⁹¹ *Derechos* complicated the land tenure of the Llano Grande, yet the sale of rights to non-family made the process more intricate.

³⁸⁸ Armando C. Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900* (Albuquerque: University of New Mexico Press, 1998), 165.

³⁸⁹ Hidalgo and Starr Counties Abstract Company, *Abstract of Title to that Part of Beamer Syndicate and J.C. McDowell Properties That Lie in the "Llano Grande" and "La Blanca" Grants in Hidalgo County, Texas* (Edinburg: The Company, 1918), 17-18.

³⁹⁰ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso in the Llano Grande Grant, composed of 4,958 and 31 hundredths varas front upon six leagues deep," Instrument Date March 16, 1848, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

³⁹¹ "Abstract of Title of Lands of the Llano Grande Plantation Co., Inc., in the Llano Grande Grant, Hidalgo County, Texas. 1926," Folder 9, RGABS 11 A:2, Land and Title Records, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Texas.

Leonardo Manos purchased many *derechos*, a non-family member, and became one of the largest landowners of the Llano Grande. As a land speculator and lawyer, Manso was in an excellent position to acquire *derechos* from family members of the Hinojosa, Ballí, and Cavazos families. Manso was a wealthy land speculator who arrived in the colonial town of Victoria in the mid-1830s, located within the De León colony.³⁹² With the help of Fernando de León, Manso brought individuals from Tamaulipas and Monterrey to settle in the De León colony in order to request a league of land from the De León family. Manso, with this plan, then purchased these properties at a minimal cost from these individuals and avoided the expense of acquiring a land grant as well as the land policies restricting ownership. Such a plan allowed him to purchase outright over fifteen leagues of land for only five thousand dollars.³⁹³ Having a connection with Tamaulipas, he also purchased the rights to lands that belonged to many Llano Grande descendants.

Cipriano, Manuela, and Vicente Hinojosa's descendants sold some of their rights to Manso, who consolidated ownership of the Llano Grande. Quito and Alejos Hinojosa, Cipriano's children, sold their rights completely to individuals, who then sold or deeded them to Manso. Alejos sold his *derecho* to Juan de Dios Saenz on July 22, 1834, which Leonardo Manso purchased it for twice the price that Juan de Dios paid in April 1838. Only Jose Antonio set up the ranch La Cruz and left his partition to his widow, Gregoria Longoria, and their son Cipriano.³⁹⁴ Manuela Hinojosa, on the other hand, gifted her *derechos* as an inheritance to her

³⁹² Ana Carolina Castillo Crimm, *De León: A Tejano Family History* (Austin: University of Texas Press, 2003), 79, 129. De León colony was established by Martín de León in 1824.

³⁹³ *Ibid.*, 132.

³⁹⁴ "Abstract of Title of Lands of the Llano Grande Plantation Co., Inc., in the Llano Grande Grant, Hidalgo County, Texas. 1926," 13, Folder 9, RGABS 11 A:2, Land and Title Records, Museum of South Texas History, Edinburg, Texas.

son, Ramon Cavazos, on February 7, 1820. Within 20 years, Cavazos sold his rights for \$300 to Leonardo Manso.³⁹⁵ Vicente Hinojosa's four children maintained the property under the family, yet Maria Josefa Hinojosa, Vicente's daughter, sold her portion, or 1/5 of Vicente's *derechos*, to this same individual.³⁹⁶ Using a similar tactic to his acquisition of property in Victoria, Manso came to own the most extensive property within the Llano Grande – 4,958.330 varas – upon its distribution in 1848.³⁹⁷ From the sale of these *derechos*, Manso sought to push for the dissemination of the grant.

The Llano Grande remained intact by distributing *derechos* among descendants of Juan José and by selling to non-family members, yet the *derecho* owners began arguing over various aspects of managing and owning portions of the grant. Julio Garza, Leonardo Manso, Antonio Ballí Cavazos, and Cipriano, Cirildo, and Laureano Hinojosa, among others, claimed that Rosa María sold land within the Llano Grande without their approval.³⁹⁸ As collective owners, they argued that the purchases by Don Francisco Galvert and others threatened the integrity of the Llano Grande. These individuals argued that Rosa María Ballí's descendants sold land and rights in the La Feria and Llano Grande grants "without permission or consent of us their co-owners of said grant."³⁹⁹ The interested parties argued that the Ballí's were deceitful characters who had "a few days afterward the aforesaid boundary was made to disappear in such a way that not a small particle remained of the same, and this attempt alone shows who may have done it along with the

³⁹⁵ *Ibid.*, 15-16..

³⁹⁶ *Ibid.*, 12-13.

³⁹⁷ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso in the Llano Grande Grant, composed of 4,958 and 31 hundredths varas front upon six leagues deep," 336, Instrument Date March 16, 1848, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas. The property was measured at the northern boundary and the extension of the measuring rope provided the width of the property since the length was the same for all the properties.

³⁹⁸ *Ibid.*, 337-338, 330-332.

³⁹⁹ *Ibid.*, 329.

reason expressed.”⁴⁰⁰ It is hard to say if the boundary markers delineated with mesquite trees or rock were torn down by the Ballí family, yet the sentiment of hostility and threat was visible. As such, those who spearheaded the distribution of the grant excluded the descendants of Rosa María Ballí.⁴⁰¹ The Ballí family, interestingly, came to acquire some of the most substantial grants in the Rio Grande region.

For fifty years, the Llano Grande belonged to a single owner, Juan José Hinojosa, since the Spanish into the Mexican period, yet by 1848 descendants and *derecho* owners began to push for private property signaling a significant shift in the history of the grant. Before this transformation, descendants of the original grantee did not own land but gained the right to use the land. It was open for any owner of a *derecho* to use, which allowed for the grazing of the entire grant and access to water. With the death of Don Juan José Hinojosa, they Hinojosa descendants argued that the land belonged to the eight children of Maria Antonia and Juan José “who enjoyed it in common, as it has been enjoyed until date.”⁴⁰² It was argued that even though property was sold to Don Francisco Galvert by Rosa María’s descendants, it violated the permission and consent by the rest of the family who only had rights to the property. The threat of selling physical property jeopardized the integrity of the Llano Grande, as such they sought to acquire physical property to secure a piece of the grant without ambiguous boundaries or shared spaces. The division of the Llano Grande set out to “remove all motive of doubt or disagreement...[and] at the same time avoiding all inconveniences resulting from owning jointly and being more binding as the number of shareholders increases.”⁴⁰³ The grant would come to be

⁴⁰⁰ *Ibid.*, 332.

⁴⁰¹ *Ibid.*

⁴⁰² *Ibid.*, 331.

⁴⁰³ *Ibid.*, 332.

divided into eight shares in what was known as the Dupouy Partition and no longer maintained the cohesive borders for decades

During the last few months of Mexican control over the Rio Grande region, the Llano Grande was held together by a tradition of communal land ownership, yet things changed in the 1840s. Due to internal political turmoil as well as increasing pressure from the U.S., family members began selling portions of the Llano Grande, sometimes to unscrupulous buyers. Instead of dividing the grant into hundreds of small properties providing land to every individual, both descendants and owners of *derechos*, the grant was distributed to reflect eight shares for the eight children of Juan José Hinojosa and María Antonia Benavides. Throughout the first half of the nineteenth century, rights to the Llano Grande came to be purchased by non-family members, such as Leonardo Manso. He was also the attorney for Ygnacia Hinojosa and her heirs. Manso pushed to “create true boundaries” where “each participant should circumscribe himself and remove forever all motive of doubt or disagreement at the same time avoiding all inconveniences resulting from owing jointly and being more binding as the number of shareholders increases among them.”⁴⁰⁴ Owners in the Llano Grande sought to possess private property instead of having rights to the grant, which only allowed them to use the land and not actual title.

The Dupouy Partition, named after its surveyor, marked a drastic shift in land ownership within the Llano Grande. Don Alfredo Dupouy was a court-appointed surveyor paid three dollars a day for the survey of the grant that ran from January 3 to March 29, 1848.⁴⁰⁵ Leonardo Manso, the representative of the family and non-family *derecho* owners, was tasked to begin the process

⁴⁰⁴ Authorization, “Translation, Title of Property Owned by Don Leonardo Manso in the Llano Grande Grant, composed of 4,958 and 31 hundredths varas front upon six leagues deep,” 330, Edinburg, Texas.

⁴⁰⁵ “Abstract of Title of Lands of the Llano Grande Plantation Co., Inc., in the Llano Grande Grant, Hidalgo County, Texas. 1926,” 17, Folder 9, RGABS 11 A:2, Land and Title Records, Museum of South Texas History, Edinburg, Texas.

of land distribution through the Mexican court of Matamoros in January of 1848.⁴⁰⁶ Hinojosa children's names marked the eight shares of the Llano Grand that encompassed 127,625 acres or "twenty-four sitios of ganado mayor, one of ganado menor, two ¼ caballerias and one solar."⁴⁰⁷ All representatives of the eight shares, except for Rosa María's heirs, paid the costs for the distribution and survey of the grant.⁴⁰⁸ Descendants and owners of *derechos* used the Mexican courts, particularly that of Matamoros, as a means to register the division and make it official within the Mexican state. Intriguingly, the Dupouy Partition is occurring when the Treaty of Guadalupe Hidalgo was being signed and ratified in both the Mexican and American congresses. Residents along the Rio Grande, particularly Hinojosa, Manso, and others, turned to Mexican courts to register the partition of the Llano Grande.

⁴⁰⁶ *Ibid.*,9.

⁴⁰⁷ Greaser, *New Guide to Spanish and Mexican Land Grants*, 312; Authorization, "Translation Title of Property Owned by Don Leonardo Manso," 331.

⁴⁰⁸ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso in the Llano Grande Grant, composed of 4,958 and 31 hundredths varas front upon six leagues deep," 229, Edinburg, Texas.

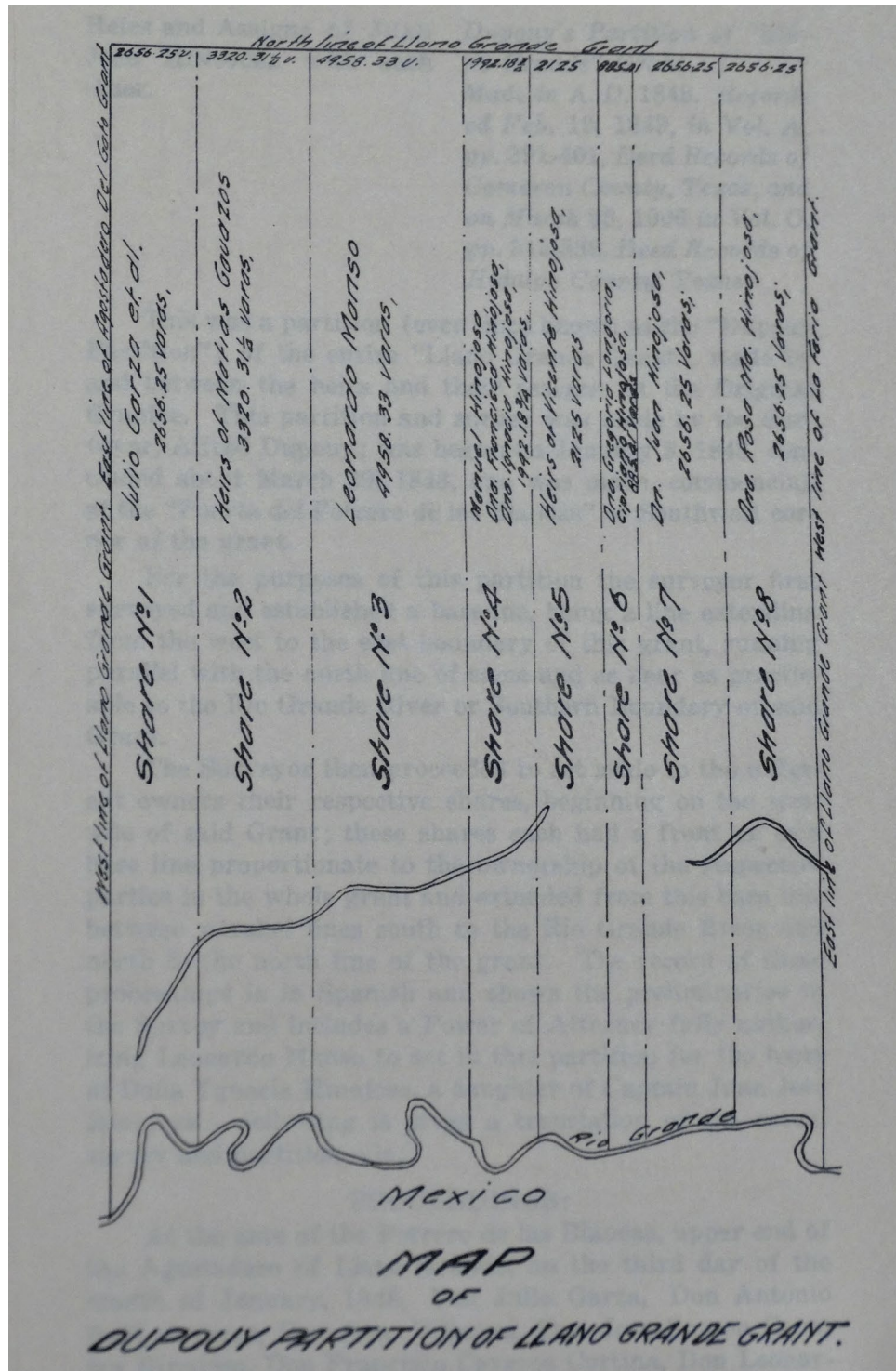


Illustration 3.1: Dupouy Partition of the Llano Grande Grant, Museum of South Texas History, Land Title Records, Abstract of Title in the Land of Llano Grande Plantation, Co.

With the survey underway on January 3, 1848, Dupouy set out to first mark the baseline of the grant, the corners, and then moved to create the boundaries of the eight shares. The shares became the legal descriptions of each of the eight properties granted reserved for each of Juan José Hinojosa's children. From January 3 through January 11th, Dupouy set out to survey the boundaries of the grant, and by January 14th, began to divide the grant into eight properties making sure to mark its corners.⁴⁰⁹ The shares resembled porciones, which were narrow and long. Instead of using surveyor tools, the length and size of the property were measured by a cordel. The cordel was a rope that measured 50 varas in length, in which two people stretched the rope repeatedly until they reached the opposite corner from which they started. Thus, the surveyor calculated the boundary of the grant by multiplying the number of times the corded extended by the 50 varas the rope measured.⁴¹⁰ The first share, as it came to be known, was dedicated to Juana Esmerejilda's heirs, yet Julio Garza purchased her *derechos* and acquired the first share of the Llano Grande. Because the cordel extended 108 times with an additional fifty-three hundredths, Garza acquired 14,115.68 square varas.⁴¹¹ An ebony tree became the marker between the first and second shares, which only measured the width of each share since the length of the grant did not change.

In the following weeks, the survey moved east and created boundaries amongst the rest of the shares in the Llano Grande. Josefa Hinojosa's *derechos* in the Llano Grande were purchased by Matias Cavazos before the Dupouy Partition and acquired the second share with the

⁴⁰⁹ "Abstract of Title of Lands of the Llano Grande Plantation Co., Inc.," 19, Folder 9, RGABS 11 A:2, Land and Title Records, Museum of South Texas History, Edinburg, Texas; Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 334.

⁴¹⁰ Greaser, *New Guide to Spanish Land Grants in South Texas*, 179.

⁴¹¹ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 334; Hidalgo and Starr Counties Abstract Company, *Abstract of Title to that Part of Beamer Syndicate and J.C. McDowell Properties*, 6; The 2656.29 varas is the width of the property which is multiplied by the length of 30,000 varas. The 79, 688,700 square varas is the equivalent of 14,115.68 acres.

distribution process in 1848. The surveying party extended the cordel 125 varas for a total of 17,671.06 acres procured by Cavazos.⁴¹² Non-family acquired the first and second shares, which indicated that many Hinojosa's descendants did not have firm control of the grant. This trend continued in the third share owned by Leonardo Manso, which was a combination of Manuela Hinojosa's entire inheritance and share, one-fifth of Vicente's, and two-thirds of Cipriano Hinojosa's *derechos* that created the largest share in the grant that encompassed 26,349.08 acres.⁴¹³ María Ygnacia's children received the fourth share encompassing 10,506.69 acres, which was assigned to their mother in the Dupouy Partition. However, only three of her four children acquired the fourth share because one of her daughters sold her rights to María Ygnacia's land before the distribution of the grant.⁴¹⁴ The first four shares indicate that non-family came to acquire large swaths of the Llano Grande, except for Maria Ygnacia's share, and the size is a reflection of the shifts in land ownership.

Because Leonardo Manso acquired a considerable number of properties from the descendants of Juan José Hinojosa, the properties looked drastically different from one another yet maintained the original boundaries of the grant. Vicente Hinojosa's descendants acquired the fifth share with 11,292.47 acres, yet his daughter Feliciana was one of the individuals who sold her share to Manso.⁴¹⁵ Cipriano Hinojosa's sixth share was one of the smallest shares in the grant

⁴¹² Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 334; Duval West, Esq., Attorney-At-Law, *Out of the 2nd and 3rd Shares of the Dupouy Partition of 1848*, 3. For the second share the cordel was extended 125 varas for a total of 3,325.31 $\frac{1}{4}$ varas equating a total of 99,759,375 square varas that translated to 17,671.06 acres.

⁴¹³ Duval West, Esq., Attorney-At-Law, *Out of the 2nd and 3rd Shares of the Dupouy Partition of 1848*, 4; Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 335; The cordel was extended 201 times which equal 4,958.330 square varas for a total of 26,347.11 acre for the third share.

⁴¹⁴ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 335; The cordel was extended 81 times for a total length of 1,992.18 $\frac{3}{4}$ varas.

⁴¹⁵ "Abstract of Title of Lands of the Llano Grande Plantation Co., Inc.," 13, Folder 9, RGABS 11 A:2, Land and Title Records, Museum of South Texas History, Edinburg, Texas. The fifth share encompassed 63,750,000 square varas which converts to 11,292.47 acres.

measuring 4,705.16 acres, which was granted to the descendants of his son José Antonio, primarily his widow, Gregoria Longoria, and son, Cipriano Hinojosa. His two other children sold their derechos to Manso.⁴¹⁶ As the seventh share, Juan José Hinojosa's son of the same name received 14,083.71 acres.⁴¹⁷ Lastly, Rosa María Ballí's descendants obtained the easternmost property of the Llano Grande. The 8th share was the property that was leftover for Rosa María's descendants, which encompassed 14,115.59 acres adjacent to the La Feria Grant. The interested parties involved in the partition articulated that the Ballí's absence was legal because of the previous misgivings, selling Llano Grande land without their approval, and their lack of contact with them.⁴¹⁸

From this point on, the grant was no longer a cohesive unit, and individuals grappled and fought for the acquisition of land instead of *derechos*. The Dupouy Partition represented the opening of a new chapter in the histories of the Ballí and Hinojosa families. Descendants of the Llano Grande did not have a monopoly on the grant, and its distribution redrew the physical markers and boundary lines. The San Juan de Carricitos, on the other hand, was not divided and faced forced distribution of land that benefited Richard King and others after the American government took over the northern bank of the Rio Grande.⁴¹⁹ Land grants had different outcomes, and the strategy to divide the grant created more tangible ownership than the previous system of *derechos*.

⁴¹⁶ Abstract of Title of Lands of the Llano Grande Plantation Co., Inc., in the Llano Grande Grant, Hidalgo County, Texas. 1926," 13, Folder 9, RGABS 11 A:2, Land and Title Records, Museum of South Texas History, Edinburg, Texas.; Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 336; The cordel was extended 36 times which measured 885.41 varas in width.

⁴¹⁷ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 336.

⁴¹⁸ *Ibid.*, 336.

⁴¹⁹ Frank Daniel Yturria, *The Patriarch: The Remarkable Life and Extraordinary Times of Francisco Yturria* (Brownsville, Tx: The University of Texas at Brownsville and Texas Southmost College, 2006), 151-154.

The Llano Grande landowners shifted from communal land ownership, through *derechos*, to private property, with the Dupouy Partition that coincidentally, or not, began a mere weeks before the signing of the Treaty of Guadalupe Hidalgo. Garza, Hinojosa, Dominguez, Manso, and as well as other legal representatives not only articulated the problems with the Ballí's but also discussed the uncertainty to the political circumstances at the time. They stated that "patience teaches us to have present under the political circumstances of the say to protect our lands from the results that an error might cause in the formalities that are prescribed to us."⁴²⁰ Because judges and notaries were absent, they surveyed the land to establish clear boundaries as a means of protecting their property.⁴²¹ There was a need to gain access to land and not merely a right, that offered more protection in the transition into American sovereignty.

Even though Tejas had declared itself independent and claimed the Rio Grande as its boundary, the land south of the Nueces River belonged to the Mexican State of Tamaulipas. From the Rio Grande to the Nueces, residents continued to move north in search of additional property from the Mexican government with the October 19, 1833 law. The policy allowed a few border cities to acquire additional land at discounted prices, in which Camargo, Laredo, Mier, and Guerrero had the option to purchase a sitio for only ten pesos each.⁴²² An influx of Mexican citizens acquired land between the Nueces and the Rio Grande, yet Texas claimed the Rio Grande as part of its jurisdiction.

When the Republic of Texas established its government and created its congress, they passed a law declaring its boundaries. On December 19, 1836, the Texas congress stated that the jurisdiction of the state began on

⁴²⁰ Authorization, "Translation, Title of Property Owned by Don Leonardo Manso," 332-333.

⁴²¹ Ibid., 332-333.

⁴²² Greaser, *New Guide to Spanish and Mexican Land Grants in South Texas*, 118-119.

“the mouth of the Sabine river, and running west along the Gulf of Mexico three leagues from land, to the mouth of the Rio Grande, thence up the principal stream of said river to its source, thence due north to the forty-second degree of north latitude, thence along the boundary line as defined in the treaty between the United States and Spain to the beginning.”⁴²³

This Act, as contended by Texas, placed the land belonging to the Hinojosa, Ballí, and Cavazos families within Texas jurisdiction. However, the lack of funds and power of the Texas government impeded its implementation. Many Rio Grande residents still conducted their legal proceedings through Tamaulipas courts and government institutions. For instance, the courts of Matamoros processed the Dupouy Partition instead of the Texan counterparts in 1848. With the change in sovereignty, this breakdown of the grant was reregistered within the County Clerk’s office of Cameron and later Hidalgo County.⁴²⁴ Many land transactions that took place even in the 1860s used Mexican pesos as payment articulating the economic and social ties to Tamaulipas.

It was, however, the admission of Texas as a state of the United States and the claim that the Rio Grande was its southern boundary that led to the U.S.-Mexico War. Mexico believed Texas independence to be invalid and did not recognize them as a republic.⁴²⁵ The United States paid close attention to Texas independence, and many of its leaders sought the annexation of Texas, as a state, into the United States. President Andrew Jackson, specifically, in 1829, sent envoys to outright purchase land from Mexico, but the Mexican government rejected their

⁴²³ “An Act, To Define the Boundaries of the Republic of Texas,” December 19, 1836, 1193-1194, Hans Peter Marcus Neilsen Gammel, *The Laws of Texas, 1822-1897*, Volume 1, Book, (Austin: 1898), <https://texashistory.unt.edu/ark:/67531/metaph5872/>; (accessed September 11, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>.

⁴²⁴ Authorization, “Translation,” 338. The original date this document was created was on March 16, 1848 upon the American courts and was signed by a notary public that registered in Cameron. By 1906, this document was registered in Hidalgo County.

⁴²⁵ Greaser, *New Guide to Spanish and Mexican Land Grants*, 123.

proposition.⁴²⁶ James K. Polk, the president of the United States, was a clear embodiment of the ideas of Manifest Destiny and sought to find a way to acquire land that belonged to Mexico in the name of progress. By 1846, Polk sent General Zachary Taylor and his men to the Nueces River to the northern zone of the dispute. After a few weeks, however, his army crossed this zone and reached the Rio Grande opposite Matamoros. The Army of the North, under General Pedro de Arista, demanded Taylor's removal, yet this close contact provided the excuse for Polk to declare his war.⁴²⁷ With Arista protecting Mexican jurisdiction, both armies fired artillery cannons at one another, and casualties ensued. With American soldiers killed, Polk asked for Congress to declare war on Mexico. The first two battles occurred in Palo Alto and Resaca de La Palma in 1846.⁴²⁸ Even though Mexico well against American forces, the United States Army moved south, fighting its way into Mexico City. By March 1847, General Winfield Scott landed in Veracruz and marched inland and captured Mexico's capital in August 1847.⁴²⁹ The Mexican government faced a difficult situation over how much they would lose from the war.

Upon the capture of the capital city, the United States and Mexico began treaty negotiations that came to define the new border between both nations and altered the dynamics previously established. By September, Nicolas Trist, the envoy for the U.S. government, met with the Mexican government to negotiate terms for an armistice.⁴³⁰ Trist proposed the thirty-second parallel as the boundary line, yet the Mexican government disputed this term. After both nations congress approves the treaty, not without backlash, the Rio Grande became the new

⁴²⁶ Brian DeLay, *War of a Thousand Deserts*, 1-6, 28.

⁴²⁷ Zorilla, *Tamaulipas*, 166. Peter Guardino, *The Dead March: A History of the Mexican-American War* (Cambridge: Harvard University Press, 2017), 76-77.

⁴²⁸ Guardino, *A Dead March*, 80-81.

⁴²⁹ *Ibid.*, 186-191.

⁴³⁰ Zorilla, *Tamaulipas*, 171.

border that extended by land to the Pacific. Mexico lost the northern half of the nation, which included present-day California, Nevada, Utah, New Mexico, Arizona, Colorado, and sections that included Wyoming, Kansas, and Oklahoma.⁴³¹ The signing of the Treaty of Guadalupe Hidalgo between the United States and Mexico's commissioners occurred on February 2, 1848. The implications and effects of the Treaty of Guadalupe Hidalgo were significant, which also affected Mexican citizens who owned property north of the Rio Grande. The United States, in particular Texas, had to figure out a way to integrate Spanish and Mexican land grants into a completely different legal system.

For Mexican citizens such as Hinojosa and Ballí, who continued to enjoy wealth and influence in local governments, this shift in sovereignty transformed their status as citizens and landowners. When Mexico had gained its independence from Spain, many of the customs, such as inheritance practices and communal land tenure, remained relatively untouched, so the Hinojosa and Ballí continued to acquire, preserve, and even expand their land claims. Mexico's constitution removed formal consideration of race in its legal proceedings, but class and wealth continued to be dominant characteristics shaping political power and social status in the settlements along the Rio Grande. The continuity of these traditions benefitted the wealthiest families in the region. Juan José's grandson, from María Ballí, were military and political leaders, and their accomplishments further anchored their power and prestige. However, the change into a government based on American exceptionalism and Manifest Destiny placed the Mexicano in a vulnerable state despite their wealth and ownership of land. Class, however, played a role in the tools many landowners had available to retain their land, even when the U.S. annexed Texas. The Treaty of Guadalupe Hidalgo set out to protect landowners by respecting

⁴³¹ DeLay, *War of a Thousand Deserts*, 289.

their land claims, yet the decades following the 1848 Treaty revealed limits to their status and, conversely, the power of American views about racial identity.

With the Treaty of Guadalupe Hidalgo signed, the northern bank of the Rio Grande became part of the United States, thereby placing the land owned by the Hinojosa and Ballí families inside the boundaries of the new nation. The Llano Grande owners decided to divide the land into eight shares not only as a reactionary measure to calm growing internal strife but also to ensure their ownership in advance of the political uncertainties facing them under American law. Land ownership of the Llano Grande through *derechos* retained the land intact, but through the sale of rights to non-family members, proprietorship of the grant had become convoluted and complicated. The Dupouy Partition in 1848 was a way to resolve disputes over land use and create clear boundary lines based on notions of property and individual ownerships. The land tenure cycle of the Llano Grande created smaller properties for descendants of Juan José and María Antonia. The division of the Llano Grande helped its landowners' transition from Mexican to American state and protected their land for a more extended time. On the other hand, however, their citizenship status and property eroded until land companies outright monopolized land and sold it for profit.

Chapter 4: A Period of Transition: The Shifts in Citizenship and Incorporation of Mexican Lands in Texas, 1848-1860

On January 22, 1851, Secretary of State of the United States, Daniel Webster, wrote a letter to the Texas Governor, Peter Hansborough Bell. Within this document, Webster included a translated letter sent by the Mexican Minister, Luis de la Rosa, to the Department of State. A violation of the Treaty of Guadalupe Hidalgo's eighth and ninth articles was committed in Texas, which De la Rosa argued was meant to protect Mexican citizens in the United States.⁴³² As the Secretary of State, Webster requested to be appraised by Governor Bell of the "proceedings of authorities of that state touching lands or other property which Mexican citizens or their government may believe the Treaty intended to guaranty."⁴³³ Because Texas managed its public lands, Weber was required to turn to Governor Bell for updates on the regulations and policies enacted by the state regarding international treaties. Mexican residents living along the Lower Rio Grande Valley protested national treaties and policies affecting their properties in Texas and turned to Mexican officials in Tamaulipas for aid, as this letter articulates.

The Governor of Tamaulipas, Jesús de Cárdenas, elected in 1848 and reelected in 1852, received "with much pain" the grievances of Mexicans who feared to lose their property under the Texas government.⁴³⁴ Cárdenas received numerous complaints by Mexican landowners about

⁴³² Richard Griswold del Castillo, *The Treaty of Guadalupe Hidalgo: A Legacy of Conflict* (Norman: University of Oklahoma Press, 1990), 54-55; Joseph Richard Werne, *The Imaginary Line: A History of the United States and Mexican Boundary Survey, 1848-1857* (Fort Worth: Texas Christian University Press, 2007), 84; "Letter by Dan E. Webster to P.H. Bell," Folder 17, January 24, 1851, Box 301-20, Governor Papers: P.H. Bell, Texas State Library and Archives, Austin, Tx; "Letter by Luis de La Rosa Letter Translated by D. Webster," Folder 17, January 22, 1851, Box 301-20, Governor Papers: P.H. Bell, Texas State Library and Archives, Austin, Tx.

⁴³³ "Letter by Dan E. Webster to P.H. Bell," Folder 17, January 24, 1851, Box 301-20, Governor Papers: P.H. Bell, Texas State Library and Archives, Austin, Tx.

⁴³⁴ "Letter by Luis de La Rosa Letter Translated by D. Webster," Folder 17, January 1851, Box 301-20, Governor Papers: P.H. Bell, Texas State Library and Archives, Austin, Tx; Juan Fidel Zorilla, Maribel Miró Flaquer, and Octavio Herrera Pérez, *Tamaulipas: Una Historia Compartida, I, 1810-1921* (Mexico: Universidad Autónoma de Tamaulipas, Instituto de Investigaciones Históricas, 1993), 203.

mistreatment and illegal taxation by Texas authorities. Mexican proprietors feared to lose their land entirely.⁴³⁵ Mexico's agent, De La Rosa, explained that the Mexican landowners, who were now within the boundaries of the U.S., were not being treated equally as "the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guarantees equal ample as if the same belonged to citizens of the United States."⁴³⁶ The prescribed benefits of their newfound citizenship, guaranteed to Mexicans living in the U.S. after 1848, were not being met, and Mexican authorities sought to intervene.

Defining these complex constructs, such as citizenship and national identity, in the past five decades in the borderlands was no easy task, as the region experienced tremendous war and upheaval. Conflicts and shifts in sovereignty altered the ideas of belonging and the relationship between the state and its citizenry. The Grito de Delores of Father Miguel Hidalgo y Costilla in 1810 saw Spanish control give way to the Mexican nation-state, which was displaced by the Republic of Texas and subsequently by the American government with the U.S.-Mexico war in 1846. For instance, the Treaty of Guadalupe Hidalgo mandated the U.S. to grant Mexican residents the same rights and benefits enjoyed by Anglo-American citizens. Put into practice, however, these advantages were displaced by the everyday realities of Manifest Destiny, notions of racial supremacy, new laws, different forms of taxation, a new regime of individualized private property, a cash-based economy, and the painful economics of class privilege.

De La Rosa's letter to the Secretary of State is a poignant example of the biases, injustices, and racism that these Mexican families faced in the new legal and political system of the United States. In response to this discrimination, the Mexican government sought to protest

⁴³⁵ "Letter by Luis de La Rosa Letter Translated by D. Webster," Folder 17, January 1851, Box 301-20, Governor Papers: P.H. Bell, Texas State Library and Archives, Austin, Tx.

⁴³⁶ *Ibid.*

the injustices of the Mexican landowners in Texas as these new citizens struggled to survive under a new national flag.⁴³⁷ Mexico, itself a young republic, sought to maintain the stipulations of the Treaty of Guadalupe Hidalgo by protecting its former citizens within the new national sovereignty. This letter offers a view into the complexity of citizenship in the borderlands, as the United States and Mexico negotiated the mutual creation of new national spaces of sovereignty and belonging in the mid-nineteenth century.

This chapter focuses on how the shift in national sovereignty from the Mexican to the American nation-state and its impact on the Llano Grande landowners, as well as the Mexican communities and landholders of South Texas more broadly. Analysis of the tactics and actions taken by these families to protect their land is vital to examine. Notably, this chapter examines the citizenship principles established by the Treaty of Guadalupe Hidalgo and the effects on these landowners. As representative Louis de la Rosa articulated, the implementation of the Treaty of Guadalupe Hidalgo negatively affected the Mexican landed class in Texas. However, many of these families possessed the financial wherewithal and the social status to pursue their claims in court. Pre-existing social status, property wealth, and political influence under Spain and Mexico informed the Ballí and Hinojosa's unique sense of civic privilege and claims upon the nation-state. Elites, who acquired land from their service to Spain and Mexico in the conquest of the northern frontier, felt their labor and sacrifice earned them a set of rights and privileges that demanded respect by the civil governments. They also believed that the war between the U.S. and Mexico—what many Mexicans believed was an invasion from the Yankee aggressors—and the resulting Treaty of Guadalupe did nothing to extinguish those hard-won rights and privileges. The transition from Mexican to American control and sovereignty,

⁴³⁷ Ibid.

nevertheless, led to tension, confusion, and compromise not only for the elite families but for nearly all residents of the Lower Rio Grande Valley. American notions of individual property rights and land tenure, in turn, created a unique and blended legal system in Texas. In the face of these new land laws, a cash economy, individualized property rights, and the prevailing racial norms of the new society, the Hinojosa and Ballí families, as descendants of Juan José Hinojosa, José María, and Rosa María Ballí, navigated American policies as best as they could, by crafting new and creative approaches to citizenship and by valiantly struggling to define their relationship with the American nation-state.

With the laws, policies, and traditions that created an opportunity for individuals such as Rosa María Ballí and Juan José Hinojosa to acquire large land grants no longer an option, these elite families struggled to maintain their privileged social, political, and economic position. Mexicans, particularly the elite, who used the ideas of honor and service as a means of acquiring and accumulating wealth, faced land speculators, taxes, and new parameters for citizenship. Confronted with ideas of Manifest Destiny, whiteness, and territorial expansion, Mexicans now living within the new boundary navigated a system not meant for them to thrive. This system questioned their racial fitness, expressed skepticism about whether they were worthy to participate in representative government, and marginalized them for their perceived social and cultural difference. Despite the racism and hostility, some wealthy and elite families used their privilege to successfully navigate the United States government as American citizens to their advantage to a certain degree.

After the dust settled from the U.S.-Mexico War and the ratification of the Treaty of Guadalupe Hidalgo defined the citizenship status of the ex-residents of Mexico, the United States debated how to incorporate these communities into the national body politic properly. These

debates over the status of Mexican citizens into the United States revolved around questions of race and access to rights and benefits. As Laura E. Gómez articulated, “the core issue, both for pro-war Democrats and anti-war Whigs, was the ‘Mexican problem.’”⁴³⁸ After 1848, Mexicans expected to enjoy the same rights as white male citizens; but in practice, their status and rights were quite limited in their interactions with local counties, the state of Texas, and the U.S. federal government. Citizenship, in its basic terms, is a set of rights and obligations, yet, as Margot Canaday articulated, it created “internal differentiation and hierarchy” through the integration of a people into citizenship. Also, it created a “denigrated status” meant to exclude certain groups.⁴³⁹ Mexicans gained formal access to citizenship, or membership, tied to the nation-state, yet their rights and participation were restricted and limited by the state of Texas and even the federal government.⁴⁴⁰

Alternatively, the borderlands residents created spaces where they took advantage of the fluidity of the border and constructs of citizenship not clearly defined in the tumultuous landscapes of the Lower Rio Grande Valley. The nation-state legitimized their power through new civic institutions, national laws, and the construction of local governments, yet, as Omar Valerio-Jiménez observed, the border residents created “spaces of resistance” to national norms based on Anglo-Saxon male citizenship.⁴⁴¹ The new border failed to disrupt the familial and cultural connections on both sides of the Rio Grande, and crossing the border between sovereign states offered a form of resistance against national policies. Many Llano Grande landowners

⁴³⁸ Laura E. Gómez, *Manifest Destinies: The Making of the Mexican American Race* (New York: New York University Press, 2007), 17.

⁴³⁹ Margot Canaday, *The Straight State: Sexuality and Citizenship in the Twentieth-century America* (Princeton: Princeton University Press, 2009), 10; Valerio-Jimenez, *River of Hope*, 3.

⁴⁴⁰ T.H. Marshall and Tom Bottomore, *Citizenship and Social Class* (Sterling, VA: Pluto Press, 1992) [Part II: Bottomore, 1992; Part I, Marshall 1950], 66-68.

⁴⁴¹ Valerio-Jiménez, *River of Hope*, 2-3.

continued to live in Mexico with property in the United States that speak to the fluidity of the borderlands.

The incorporation of elite landowners of Spanish and Mexican descent called into question the limits of citizenship for white males. Only recently had the U.S. Congress granted voting rights to poor white men who could not meet the wealth and property requirements that granted full citizenship to wealthy white men for decades. As Congress and the Courts limited citizenship rights for African Americans in the South and Native groups west of the Mississippi River, it expanded the rights of poor white males. Thus, when the U.S. brought propertied Spanish speakers into the national body politic in 1848, the meanings of white male citizenship were in flux. To state the question directly, where these ex-Mexican national residents of the borderlands white enough to fully participate in American democratic institutions? Just a few years prior, expansionists and proponents of Manifest Destiny justified their conquest of the Mexican North by asserting that Mexicans were a “mongrel race,” so where would these “mixed-race” people fit into a Republic that was itself actively limiting the rights of people of color? These questions, among others, defined the national parameters of debate facing Spanish and Mexican land grant holders in South Texas.

Signing the Treaty of Guadalupe Hidalgo ceased the conquest of Mexico by the United States, yet it also established a tense and uncertain relationship between both nations. In large part, the conquest of Mexico ceased with the signing of the Treaty of Guadalupe Hidalgo, and this original document established the protocols between the United States and Mexico. On August 27, 1847, Nicholas Trist met with the Mexican Treaty Commissioners at Inquisitor Alfaro’s home in Atzacotalco, a subdivision of Mexico City.⁴⁴² Contrary to popular belief,

⁴⁴² Werne, *The Imaginary Line*, 6.

Mexico was an active participant in the negotiations despite the fact of their military defeat. Historian Joseph Richard Werne argued that Trist and the Mexican Commissioners were involved in a back and forth interchange in negotiating the terms of surrender and creating the boundary line between both nations.⁴⁴³ These negotiations ended hostilities with the first three articles within the treaty setting up the guidelines for peace and removing the United States blockade in Mexico. Additional articles outlined the plan to pay Mexico, restore custom houses within sixty days of ratification, establish fortifications along the new border, and craft the parameters of citizenship, among other protocols.⁴⁴⁴ These articles severely affected the border dynamics and the relationship between Mexico and the United States. Despite this, Richard Griswold del Castillo argued that the ratification of the treaty was an “imperfect document” that left “ambiguities and errors...[leading] to boundary disputes, a near renewal of warfare, and the drafting of another treaty [the Gadsden Purchase], in 1853, that ceded even more territory to the United States.”⁴⁴⁵ Ambiguity in the treaty opened an avenue for the displacement of the incorporated territory even though there were definite articles designed to protect Mexicans in the transition.

Debates over the ratification of the articles of the Treaty of Guadalupe Hidalgo within Congress highlight the longstanding conflict in U.S. history over federalism, “state’s rights,” and more centralized notions of government. For instance, the tenth article of the treaty was one of

⁴⁴³ Werne, *The Imaginary Line*, 7.

⁴⁴⁴ Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 183-199; U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein; the messages, with Correspondence between Executive Department, General Scott and Mr. Trist, and other papers and proceedings of the Senate in Relation thereto, from which the injunction of secrecy has been Removed*, 30th Congress, 1st Session, December 06, 1847, S.exdoc.52, serial 509, sessional vol. 7, https://0-congressional-proquest-com.lib.utep.edu/congressional/docview/t47.d48.509_s.exdoc.52?accontid=7121 (accessed February 2018), 38-66.

⁴⁴⁵ Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 43.

the most contentious in the confirmation process. It openly protected Mexican property in the transition to American sovereignty, allowing landowners to resume and complete their application for valid titles. President James K. Polk gravely objected to its inclusion, stating “that no instructions given to Mr. Trist contemplated or authorized its insertion.”⁴⁴⁶ An egregious violation of Trist’s powers on the negotiation table occurred, Polk argued, which also violated Texas’s right to control its public lands upon annexation by the U.S. immediately preceding the outbreak of the war. The Texas General Land Office, established in the late 1830s, was the rightful source of confirming all titles to land within the state.⁴⁴⁷ Not only would Article Ten invalidate Texas control, but, as Polk argued, it also opened the door to applications previously deemed null and void.⁴⁴⁸ On the Senate floor, the article, as it stood, was not acceptable. Words such as “but” and “void” were removed from the original treaty in the Senate’s initial votes on March 2, 1848. In the end, the tenth article ceased to be part of the treaty.⁴⁴⁹ Mexico was forced, in large part, to approve the ratification, yet questioned the removal of the tenth article and modification of the ninth.⁴⁵⁰ In short, the debates over the treaty encapsulated the changes between the state and the national concerns over land claims, property rights, and relations between citizens and the multiple levels of government.

⁴⁴⁶ U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 3.

⁴⁴⁷ *Ibid.*, 5, 10, 3; Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 44.

⁴⁴⁸ Greaser, *New Guide to Spanish and Mexican Land Grants*, 129.

⁴⁴⁹ U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 5, 10, 3; Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 33-34.

⁴⁵⁰ Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 54-55.

The elimination of the tenth article from the treaty severely affected Mexican property ownership, which affected large portions of Mexican citizens with imperfect titles.⁴⁵¹

Acquisition of land grants was a long process, and even Juan José and Rosa María struggled for decades to gain official title to the Llano Grande and La Feria grants. Spanish and Mexican governments previously distributed the land as a reward for service and those whom it favored. Due to the centralized nature of a process requiring government officials and representatives from Mexico City to confirm the title, many applications remained incomplete. The Hinojosa and Ballí families used the rhetoric of service to acquire extensive land grants, but the U.S. land system was different in a variety of ways. Mexican citizens who used land without an official title were disproportionately affected by the change in sovereignty and the incorporation of a new land tenure system.

American land policy, from its foundation, sought to protect private property, which differed from Spanish and Mexican land tenure. The Northwest Ordinance of 1787, for example, not only delineated the process of admitting states into the United States but also protected private property and civil liberties.⁴⁵² For American citizens, acquiring land in the United States was tied to the Homestead Act, passed by Congress in 1862, which provided 160 acres of “public domain to citizens and noncitizens...who would live upon the land and farm it.”⁴⁵³ Honor and service were not at the forefront of property ownership for the American citizens. Aiding citizens who sought to farm arid lands, Congress passed the Desert Land Act in 1877. This land policy permitted citizens to purchase 640 acres for one dollar and fifty cents in the West if they could irrigate their property within three years of acquiring it. Unfamiliar with the environment and

⁴⁵¹ *Ibid.*, 48.

⁴⁵² Richard White, “*It’s Your Misfortune and None of my Own*”: *A New History of the American West* (Norman: University of Oklahoma Press, 1991), 155-156.

⁴⁵³ *Ibid.*, 142-144.

difficulty in setting up irrigation, Americans failed to accomplish this requirement within the given date.⁴⁵⁴ United States land policies provided its citizens with land, yet it was the central government that sold and distributed land.

Lower Rio Grande Valley land tenure focused on individual land ownership, communal land grants were not as common, yet honor and service were key factors in the distribution of land. American land tenure through its legislation providing its citizens the opportunity to own land and adhere to the yeoman farmer ideal. Without the ratification of the tenth article, Mexican landowners faced dispossession under American jurisdiction. Validating land grants became a significant concern for Mexican citizens, which highlighted the “irreconcilable differences between the two property regimes.”⁴⁵⁵ Both nations viewed land ownership and its implications differently from one another, which placed Mexican landowners at a disadvantage along the Rio Grande.

The removal of Article X, as Galen D. Greaser stipulates, did not have an immediate impact on the land grant owners in the trans-Nueces region.⁴⁵⁶ Land grants on and along the Rio Grande, acquired during the Spanish and Mexican era, were claimed by the Republic of Texas, yet they were not able to exert their power, both judicially and legally, and influence in the region. Between 1836 and 1848, the Rio Grande Valley residents maintained civic connections to Tamaulipas even though the Republic repeatedly claimed the region as its jurisdiction. Llano Grande landowners, for example, still used Mexican courts in Matamoros, Tamaulipas, in the distribution of the Llano Grande in early 1848.⁴⁵⁷ Indeed, Texas' claim of the area between the

⁴⁵⁴ *Ibid.*, 151-152.

⁴⁵⁵ María E. Montoya, *Translating Property*, 47-48.

⁴⁵⁶ Greaser, *New Guide to Spanish and Mexican Land Grants*, 130.

⁴⁵⁷ Authorization, “Translation, Title of Property Owned by Don Leonardo Manso in the Llano Grande Grant, composed of 4,958 and 31 hundredths varas front upon six leagues deep,” Instrument Date March 16, 1848, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

Nueces and the Rio Grande was one of the most significant factors in fueling the U.S. invasion of Mexico and the eventual war between both nations. Property ownership was primarily still connected to Mexican residents in the Lower Rio Grande Valley, and uncompleted applications were not the norm in this region.

On the other hand, the Republic of Texas saw a massive influx of Anglo Americans from *empresario* contracts and others that displaced a large number of Mexicans in the area.⁴⁵⁸ Article X would have permitted landowners who applied for land before 1836 to finish their land claims. As it was, the Republic of Texas previously established the Texas General Land Office in 1836 to regulate its public lands. Four classes of headrights were created based on seniority, which granted a specific number of acres to individuals who classified for a specific category. The first class included Texas settlers or military soldiers who arrived before Texas Independence. They received a league and a labor of land.⁴⁵⁹ By 1837, the Texas Congress created the 2nd headright class that provided 1,280 acres to families who arrived from 1836 and 1837. Single men were only eligible to receive 640 acres.⁴⁶⁰ The third class included residents who arrived in Texas between October 1837 and January 1840, and families received 640 acres. Single men were only eligible to acquire half the acreage received by families in this class.⁴⁶¹ The Fourth Class had similar property rights to the third headright class, yet families were required to settle in Texas between 1840 to 1842. Male residents were required to arrive with “his family, and who is a free

⁴⁵⁸ Andrés Tijerina, *Tejanos and Texas under the Mexican Flag, 1821-1836* (College Station: Texas A&M University Press, 1994), 46-47.

⁴⁵⁹ “Categories of Land Grants: Land Grants for Immigration of Texas,” Texas General Land Office, accessed March 8, 2020, <https://www.glo.texas.gov/history/archives/forms/files/glo-headright-military-land-grants.pdf>.

⁴⁶⁰ Thomas Lloyd Miller, *The Public Lands of Texas 1519-1970* (Norman: University of Oklahoma Press, 1972), 30-31.

⁴⁶¹ “Entitled an Act to Extend to late Emigrants, or Those Who May Emigrate Within a Specified Time a Donation of Land,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897 Volume 2*, book, 1898; Austin, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph6726/>; accessed March 11, 2020), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>, 35.

white person,” was entitled to the 640 acres of property.⁴⁶² Texas General Land Office distributed property depending on their arrival in Texas, yet South Texas did not register land with this office until the 1850s. Even though Texas claimed the Rio Grande as its border, it did not capitalize and exert real control until 1848.⁴⁶³

With the tenth article removed from the treaty, the debates over ratification turned to other articles within the treaty and the broader issues they represented. In particular, the eighth and ninth articles encapsulated the concerns of the American government over the status, rights, and obligations of the new citizens in the annexed territory. The eighth article granted formal citizenship to Mexicans living within the new boundaries of the United States. By outlining the procedure and plan for the integration of Mexican citizens into the United States, the eighth article of the treaty allowed Mexican citizens the option to leave for Mexico or remain in the U.S. with full membership. Also, Mexicans could remain in the United States with Mexican citizenship. For individuals who did not claim either one, the U.S. automatically granted citizenship within one year of the ratification of the Treaty of Guadalupe Hidalgo.⁴⁶⁴ Formal rights to citizenship and access to both civil and political rights in the American system provided by the eighth article implied autonomy in choosing which nation to align their identity and loyalty.

Ostensibly this article provided individuals a means to preserve their land under American sovereignty, yet it only benefited individuals with legal titles and not people with

⁴⁶² “An Act Granting Land to Emigrants,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 2, book, 1898; Austin, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph6726/>; accessed March 11, 2020), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>, 90.

⁴⁶³ Miller, *The Public Lands of Texas 1519-1970*, 9.

⁴⁶⁴ U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 46-47; Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 62.

incomplete applications throughout the northern frontier before the U.S.-Mexico War. Under the eighth article, Mexicans could remain in the U.S. and maintain “the property which they possess[ed] in said territories.”⁴⁶⁵ However, the eighth article only protected individuals who previously acquired land or to heirs of these properties. Mexicans who obtained property “shall enjoy, with respect to it, guarantees equally ample as if the same belonged to citizens of the United States.”⁴⁶⁶ Not only did this article outline the privileges of citizenship, such as the right to vote to Mexicans, it implicitly, though perhaps only theoretically, also articulate land tenure policies that protected the rights of landowners *as citizens* in the annexed territory.

Residents who accepted Mexican citizenship and remained in the U.S. or those who moved south of the border, but sought to hold onto their land, could feasibly do that under the treaty. The eighth articles stated that “the property which they possess in the said territories...thus property of every kind, now belonging to Mexicans not established there shall be inviolably respected.”⁴⁶⁷ Mexican residents, such as the Hinojosa, Ballí, and Cavazos families, preserved their land on the northern banks of the Rio Grande, yet could sell it without penalty or taxes. Absentee owners, people not living within the United States jurisdiction who kept land in the U.S., also procured the same benefits as those who chose to live in the U.S. Laura E. Gómez stated that an estimated four thousand Mexicans crossed and moved south of the Rio Grande boundary, immediately after the ratification of the Treaty.⁴⁶⁸ Many U.S. citizens remained

⁴⁶⁵ México, *El Tratado de Guadalupe Hidalgo, 1848. Treaty of Guadalupe Hidalgo, 1848* (Sacramento: Telefact Foundation in cooperation with California State Department of Education, 1968), 55-55.

⁴⁶⁶ *Ibid.*, 8, 55-56; U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 46-47.

⁴⁶⁷ México, *El Tratado de Guadalupe Hidalgo, 1848. Treaty of Guadalupe Hidalgo, 1848* (Sacramento: Telefact Foundation in cooperation with California State Department of Education, 1968), 55-55.

⁴⁶⁸ Gómez, *Manifest Destinies*, 43.

closely tied with Reynosa and kept residences on the southern bank of the Rio Grande. The great-grandchildren of Ygnacia Hinojosa and José Narciso Cavazos, Hermenegildo, and Juliana Cavazos y Cavazos sold their rights to the Llano Grande and the San Juan de Carricitos to Bernardo Yturria in 1883. Within the warranty deed or act of sale, Matamoros, Tamaulipas in the Mexican Republic, was named as their place of residence.⁴⁶⁹ Both are examples of the dynamics associated with property ownership that transcended the newly established border between the United States and Mexico.

As an extension of the eighth article, the ninth demarked the actual requirements for Mexicans' transition into American citizens. Debates over and changes to the actual article focused on the issues of religion, citizenship, and the political rights of "Mexican-Americans." The ninth article, before revisions, dictated that Mexicans living in the American territories "shall be incorporated into the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights of the citizens of the United States."⁴⁷⁰ Mexicans would obtain full rights as American citizens and thus be able to claim their civil rights, ownership of land, and "their liberty."⁴⁷¹ Following the patterns seen in territories conquered by the United States, such as Louisiana and Florida, the U.S. promised equal rights to the Spanish populations in these provinces. The U.S. Senate, however, changed the language of the original article. The ninth article initially authorized religious institutions in the conquered territory, primarily Roman Catholicism, to keep their properties and institutions

⁴⁶⁹ Deed, Hermenegildo and Juliana Cavazos y Cavazos to Bernardo Yturria, July 1883, Deed Records, County Clerk's Office, Hidalgo County, Edinburg, Texas.

⁴⁷⁰ U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 20-21.

⁴⁷¹ *Ibid.*

without the annexation of its lands.⁴⁷² In the revision, the religious component was nearly eliminated, which threatened the protection of the Catholic church's property. It was only the "free exercise of their religion" that remained in the vote taken by the Senate on March 8, 1848.⁴⁷³

Additionally, the Senate's revisions of the ninth article altered its original intent to incorporate the Mexican population expeditiously into the United States with full rights and benefits. The Senate voted to remove the "admitted as soon as possible" phrase and replace it with "as soon as may be consistent with the principles of the Federal constitution" clause.⁴⁷⁴ Language is powerful. While the treaty incorporated Mexicans as American citizens, the ambiguous terminology created loopholes to avoid their full inclusion. It was the Senate and overall government that was reluctant to provide full and immediate citizenship, which reflected the prevailing view of Anglos that Mexicans were racially deficient and inherently incapable of participation in a Republican form of government.

Mexicans incorporated into the U.S. faced a convoluted process even though they technically acquired citizenship in a nominal sense through the Treaty of Guadalupe Hidalgo. On March 8, 1848, the senate integrated the following phrase: Mexicans "shall be incorporated into the Union of the United States, and be admitted, at a proper time, (to be judged of by the Congress of the United States), to the enjoyment of all the rights of citizenship of the United States, according to the principles of the Constitution."⁴⁷⁵ This language solidified the idea that it would be up to the U.S. Congress to judge the individuals they incorporated into the United

⁴⁷² *Ibid.*

⁴⁷³ U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 25-26, 27.

⁴⁷⁴ *Ibid.*, 21.

⁴⁷⁵ *Ibid.*, 27.

States. Even though Mexican citizen's "liberty and property" and their ability to "free[ly] exercise...their religion" were protected throughout the ratification period, the revision to the ninth article of the Treaty of Guadalupe Hidalgo showed the state's resistance to incorporate a people that did not fit the constructs of citizenship that tied to whiteness, Manifest Destiny, and land ownership.⁴⁷⁶ Nothing in the final Treaty or related discussions at the federal level hinted at mechanisms for protecting Mexican citizens when the state of Texas or local counties violated their citizenship rights.

Treaty of Guadalupe Hidalgo offered protections and rights; nonetheless, the ratification process revealed a disinclination to embrace a people that inhabited the land taken by the U.S. Citizenship, as Canaday articulates, has many layers beyond rights and benefits and includes inclusion, exclusion, hierarchies that shape the ideal citizen, and anti-citizen through legislation.⁴⁷⁷ The ideal citizen—a yeoman farmer whose land ownership granted access to civic participation in the United States—applied to a specific archetype: the white male Protestant farmer. In the eyes of the U.S. government, the "Mexican Americans" were legally white, yet, on the ground, they were secondary citizens unable to practice "substantive citizenship" or participate in civic, political, social duties.⁴⁷⁸ The reluctance to offer full and equal status to the new citizens of Spanish or Mexican descent is rooted in the racialized views of the founding fathers, in documents such as the 1790 Naturalization Law, which limited citizenship to immigrants deemed "white" because they were the only ones who possessed a "fitness for self-

⁴⁷⁶ *Ibid.*, 27.

⁴⁷⁷ Canaday, *The Straight State*, 8-10.

⁴⁷⁸ T.H. Marshall and Tom Bottomore, *Citizenship and Social Class* (Sterling, VA: Pluto Press, 1992) [Part II: Bottomore, 1992], 66.

government.”⁴⁷⁹ Laura E. Gómez argues as well that citizenship was limited to white individuals, and the Treaty of Guadalupe Hidalgo created a fragile, fluid, and shifting notion of legal whiteness because the prevailing American views at the time viewed Mexicans as a mixed-race people with questionable qualifications as white.⁴⁸⁰ Mexicans consequently gained the status of whiteness in a narrow legal sense and sought to use their privileges to their advantage. In the aftermath of the war, the relationship between the United States and the incorporated Mexican population was tenuous, and the lack of inviolable articles allowed for the Mexican, now “Mexican American” population, to be marginalized.

The Hinojosa and Ballí’s were some of the elite families who controlled the economy and politics in the region before 1848, but their status and influence did not translate well into a system that valued whiteness and a particular form of land ownership. These elite families were in a unique position of being considered white, and their wealth offered some protection against a complete displacement of their power and land. However, they could not maintain large properties without scrutiny by the state of Texas or the envy of the white Americans moving into the region. For instance, San Salvador de Tule was not validated by the Texas legislature in 1852. This property, which was one of the most extensive grants in Hidalgo County, was placed in limbo for decades as landowners in the grant fought in courts for its approval. Texas recognized and registered the grant in 1904.⁴⁸¹ Incomplete applications or titles were the most exposed and at the mercy of the state for their validation.

The vulnerable position of the new U.S. citizens of Mexican descent was codified and formalized in numerous American institutions and across a range of policies and political spaces.

⁴⁷⁹ Matthew Fry Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1999), 7.

⁴⁸⁰ Gómez, *Manifest Destinies*, 83.

⁴⁸¹ Greaser, *New Guide to Spanish and Mexican Land Grants*, 197.

In the 1850 U.S. census, was the first to integrate Mexican conquered in the U.S-Mexico War and officially classified them as white. Classifications and categorizations of race not only conveyed the state's perception of Mexicans but also defined them through the census and its policies. Lauriano Hinojosa and his family acquired the designation of white within the 1850 census. Farming was their occupation, and they owned \$2,000 in property value. The patriarch, Lauriano, was born in 1791 during the Spanish control of both Nuevo Santander and Tejas.⁴⁸² However, the 1850 Census labeled his birthplace as Texas. Because Lauriano was born north of the Rio Grande, an assumption can be made that the United States labeled those born north of the Rio Grande to be part of Texas jurisdiction.⁴⁸³ Furthermore, their designation as white citizens afforded them access to citizenship and whiteness, which was integral for full citizenship.

Although Mexican surnames in the 1850 and 1860 census records carried the designation of white by the American government, people of color, contrarily, were simply noted as colored. Cirildo Hinojosa, in the 1860s census, did not have any marking in the "race" category, which indicated he was white. He was fifty years old, born in Mexico, but his children were under ten years old, born under the Republic of Texas. Similar to Cirildo, their names did not have a designation of color next to their names.⁴⁸⁴ On the other hand, Emily Jackson, a 35-year-old female of Hidalgo County, was designed as "m" for mulatto.⁴⁸⁵ Race and access to citizenship were interconnected, but the census shows how the United States categorized its citizens in

⁴⁸² U.S. Census; Year, 1850; Census Place: *Rio Grande, Cameron, Starr, and Webb, Texas*; Roll: *M432_909*; Page: *671B*; Image *166*. Heritage Quest Database. Association with National Archives and Records Administration: Lauriano was 59 years old at the time of the census and his children Lauriano and Juan Ynojosa were twenty-one and twenty, respectively.

⁴⁸³ *Ibid.* Lauriano was 59 years old at the time of the census and his children Lauriano and Juan Ynojosa were twenty-one and twenty, respectively.

⁴⁸⁴ U.S. Census; Year: 1860; Census Place: *Hidalgo, Texas*; Roll: *M653_1297*; Page: *65*; Image *138*; Family History Library Film: 805297. Heritage Quest Database. Heritage Quest Database. Association with National Archives and Records Administration.

⁴⁸⁵ *Ibid.*

Hidalgo County. Mexicans, such as the Hinojosas and Ballí's, were considered white in the eyes of the federal government, mainly due to the Treaty of Guadalupe Hidalgo. Nevertheless, Mexican citizens did not fully benefit from being classified as white, nor did they enjoy the entire range of rights associated with citizenship. The lack of explicit language in the treaty often placed the burden on the Mexican, now Mexican American, community, to defend its status as equal citizens with protections and rights guaranteed by the Constitution of the United States.

Despite the intent of the Treaty of Guadalupe Hidalgo to respect the property rights of individuals, complaints about the violation of the treaty quickly reached the U.S. Secretary of State Daniel Webster through a letter by Mexican Minister, Luis de La Rosa, in 1851. Mexicans holding US citizenship with land in Texas complained to the governor of Tamaulipas that they were subjected to “unjust” taxes and lived in “daily fear of losing said property altogether” even though they were ensured protection under the Treaty of Guadalupe Hidalgo.⁴⁸⁶ De La Rosa stated that “rent collectors of Texas made their appearance and levied upon the Mexicans very large by way of Territorial contributions, threatening them with sale and forfeiture of their lands, if they did not comply with the demand made upon them.”⁴⁸⁷ Many paid these fees as a means to protect their land. The Bourland and Miller Commission also financially affected the Lower Rio Grande Valley landowners by requiring “the sum of five dollars was also demanded, at the same time, for every ground lot, and five dollars more for a legal certificate” for the registration of their property with the state of Texas in the 1850s.⁴⁸⁸ De La Rosa argued that this violated the eighth and ninth article and placed a terrible financial burden upon Mexican landowners,

⁴⁸⁶ “Letter by Luis de La Rosa Letter Translated by D. Webster,” Folder 17, January 1851, Box 301-20, Governor Papers: P.H. Bell, Texas State Library and Archives, Austin, Tx.

⁴⁸⁷ *Ibid.*

⁴⁸⁸ *Ibid.*

particularly those with fewer means of survival. The shift in national sovereignty affected property ownership but changed the relationship between the state and landowners in the region.

As the Treaty of Guadalupe Hidalgo outlined the parameters of citizenship, land tenure in Texas created a complicated relationship between the state and the federal government. De La Rosa argued that Texas' control of land tenure of the incorporated territory, relating to the Lower Rio Grande Valley, violated the treaty itself. Besides, he argued that the eighth and ninth article demonstrated it was the right of the federal government, not the state, to deal with the validation of land claims.⁴⁸⁹ Due to the vagueness of the articles and removal of the tenth article in the Guadalupe Hidalgo treaty, Mexicans in the process of acquiring land under the Mexican government, when the war broke, faced the possibility of losing their properties.

U.S. conquest of Mexico and the forceful imposition of U.S. sovereignty created new challenges for Lower Rio Grande Valley residents and shifted the legal codes from Spanish civil law to English common law. Land tenure was affected by the transformation in the legal code, yet, as Jean A. Stuntz argues, a blend of the two systems occurred in Texas. On January 18, 1836, the provisional government of Texas named common law as the principal legal code in dealing with crimes, while the Spanish civil code dictated civil matters.⁴⁹⁰ By January 20, 1840, Texas formally enacted the English common law and made it the precedence in the rule of law, with some concessions. It not only repealed all laws before September 1, 1836, but the act adopted English common law to regulate civil matters and marital rights, and it repealed “certain

⁴⁸⁹ *Ibid.*

⁴⁹⁰ Stuntz, *His, Hers, and Theirs*, 136-137.

Mexican Laws.”⁴⁹¹ With the 4th Congress of the Republic of Texas, Common Law became the prevailing legal system of the Republic.

Texas' adoption of common law, however, also outlined a variety of exclusions regarding this legal code. First, common law could not contradict the Texas constitution or “Laws of the Consultation and Provisional Government, now in force.” The exception regarded laws “exclusively [related] to grants and the colonization of lands in the State of Coahuila and Texas.”⁴⁹² Texas made significant exemptions because the common law legal code excluded the regulation of Spanish land grants. As such, both legal codes informed land ownership in Texas. Even though the incorporation of the Lower Rio Grande Valley did not occur until 1848, this amalgamation of legal codes illustrated the complexity of incorporating and registering land grants in this state. It revealed an essential example of how borderlands life and culture was indeed a hybrid of Spanish, Mexican, and U.S. culture and law. The consolidation of both systems impacted the region significantly because most Spanish and Mexican land grants were tied to this incorporated legal code.

Under common law, married women did not have the right to maintain separate property from the husband as he owned her property upon marriage. As only nominal citizens of the United States, women had considerable obstacles as property owners. Unlike the Spanish civil law, women with land—acquired through inheritance, purchase or via a gift—transferred their ownership of the property to their husbands at the time of marriage. Even though statutes noted

⁴⁹¹ “AN ACT: To Adopt the Common Law of England, —to repeal certain Mexican Laws, and to regulate the Marital Rights of parties,” December 19, 1836, 4th Congress, Republic of Texas, 1840, 177-178, Hans Peter Marcus Nielsen Gammel, *The Laws of Texas, 1822-1897*, Volume II, (Austin: 1898); (<https://texashistory.unt.edu/ark:/67531/metaph5872/>;) accessed (October 10, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>); Jean A. Stuntz, *Hers, His, and Thiers: Community Property Law in Spanish and Early Texas* (Lubbock: Texas Tech University Press, 2010), 138.

⁴⁹² *Ibid.*

formally that property such as land “shall remain the separate property of the wife,” this right was highly circumscribed and, in practice, resulted in very little independence for married women.⁴⁹³ In effect, the husband enjoyed the right to maintain and manage the land during the marriage, and women’s agency or voice regarding her property was curtailed and limited. Women, despite this, maintained the right to own land and rights in the “Adopt the Common Law of England” Act of 1840, yet, in order to be valid, it required the validation of a male figure in the county and state courts.⁴⁹⁴ County officials interviewed married women and obtained a statement of their corroboration and understanding of the sale of the property. Thus, women retained very little formal agency in matters of land use and management of their property. While the legal code did not erase women as actual landowners after 1848, it created significant obstacles for women to retain land with the change in sovereignty.

In the Llano Grande, the 1840s common law impacted the policies and procedures of county courts as they addressed land transactions and the rights of women. In 1853, for instance, Doña Josefa Hinojosa, representing herself and her deceased husband, along with Sirildo Hinojosa and Don Francisco Reyes, sold a quarter of their rights in the Llano Grande to Elisha Basse and Robert H. Hord. County representatives did not interview Josefa for this transaction. Under different circumstances, A.J. Krummel, Justice of the Peace for Hidalgo County, questioned Rosario Cano on November 14, 1895, when Lauriano, her husband, and herself sold 309.54 acres in the Llano Grande to Silverio Solis and Jesus Cano. In Krummel’s report, which was integrated into the warranty deed, Rosario was “examined by me privily, and apart from her husband...acknowledged such instrument to be her act and deed and...declared she had willingly

⁴⁹³ *Ibid.*

⁴⁹⁴ *Ibid.*

signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.”⁴⁹⁵ Rosario’s signature and consent were required to sell the property to Silverio and Jesus, and thus her presence in the legal system was vital. Even though the sale of property diminished their land ownership, women were involved, and their names continued to be part of the land transactions in the Llano Grande well into the early 1900s.

The Lower Rio Grande Valley navigated and implemented state policies regarding women ownership, yet Texas held jurisdiction over the validity of Spanish and Mexican land grants in the region. This responsibility created confusing and sometimes contradictory interpretations of the Treaty of Guadalupe Hidalgo. In other newly acquired territories, such as California, residents took their legal disputes relating to land claims to the national capital in Washington, D. C., or they dealt with federal representatives located in the respective territorial capital. Texas residents, on the other hand, traveled to Austin, Texas, to the General Land Office, which opened its doors in 1837, for the confirmation of their properties. Approximately 26 million acres of land in Texas were categorized as Spanish or Mexican land grants by 1848.⁴⁹⁶ For Mexicans living in the Texas border, particularly along the Rio Grande, their experiences were different from other Mexican landowners in the rest of the land annexed to the United States.

The United States held no control of the public property within the state, yet opposition to this claim of sovereignty arose from citizens in the Lower Rio Grande Valley. Governor P.H. Bell petitioned the Texas legislature to create a commission, or some similar legal entity, to settle

⁴⁹⁵ Warranty Deed, Pauriano Hinojosa and Rosario Hinojosa to Silverio Solis and Jesus Cavazos, Instrument Date: November 14, 1895, Book “C” of Real Estate in Pages 448 and 449, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁴⁹⁶ Virginia H. Taylor, *The Spanish Archives of the General Land Office of Texas* (Austin: The Lone Star Press, 1995), 2.

land claims in the trans-Nueces region, the area between the Rio Grande and Nueces River, but criticism emerged from the Lower Rio Grande Valley. A group opposed the creation of this commission and investigation on their lands.⁴⁹⁷ On February 2, 1850, a public meeting in Cameron County asked citizens to demand the region “lying East of the Rio Grande and South of the line of New Mexico distinct from the former province of Texas” be under federal jurisdiction.⁴⁹⁸ Because the trans-Nueces was not originally and officially part of the Republic of Texas, some residents felt that the United States, not Texas, should oversee its land claims and the demands of citizenship as well. Some residents went so far as to urge the United States to recognize them as a separate state, apart from Texas. As noted in *The Texas State Gazette*, Texas was the enemy of “fellow-citizens” who sought to force them into unrelenting litigation by the land titles between the Rio Grande and the Nueces rivers.⁴⁹⁹ This meeting proposed the creation of a convention with ten delegates from the Counties of Cameron, Starr, Webb, and Nueces and another ten from the “uncategorized” portions of the territory in question.⁵⁰⁰ The movement for federal control articulated that the Texas investigations of land claims hurt landowners and hindered economic growth.

⁴⁹⁷ Greaser, *New Guide to Spanish and Mexican Land Grants*, 133.

⁴⁹⁸ “Mass Meeting of the Citizens of Cameron County,” *Texas State Gazette*. (Austin, Tex.), Vol. 1, No. 27, Ed. 1, Saturday, February 23, 1850, newspaper, February 23, 1850; Austin, Texas, 200, (<https://texashistory.unt.edu/ark:/67531/metaph80917/>: accessed November 20, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>; crediting The Dolph Briscoe Center for American History.

⁴⁹⁹ “Preamble and Resolutions adopted by the Meeting and Mass Meeting of the People on the Rio Grande, assembled at Brownsville, in the County of Cameron,” *Texas State Gazette*. (Austin, Tex.), Vol. 1, No. 27, Ed. 1, Saturday, February 23, 1850, newspaper, February 23, 1850; Austin, Texas, 200, (<https://texashistory.unt.edu/ark:/67531/metaph80917/>: accessed November 20, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>; crediting The Dolph Briscoe Center for American History.

⁵⁰⁰ *Ibid.*, 151.

Known as territorialists, this group sent two petitions to the U.S. Congress to make the trans-Nueces region as a United States territory. The first was sent in February 1850 and included over a hundred signatures with Mexican surnames, which indicated support from Mexican residents who recently “become Americans” with the creation of the border.⁵⁰¹ The second petition included Anglos such as “Richard King, Stephen Powers, Elisha Basse, Robert H. Hord, and Sam Beldon.”⁵⁰² This multi-racial coalition of citizens questioned state jurisdiction over lands in the Lower Rio Grande Valley, which they considered to be invalid, and demanded federal control of the region and the incorporation of land through the federal government.⁵⁰³

While the proposed Rio Grande “territory” garnered the support of many Lower Rio Grande Valley, it was also met with criticism that carried racial undertones and promoted nascent ideas of Texas exceptionalism. Local citizens and agents of the state disapproved of Texas control of public lands in the Rio Grande Valley. De la Rosa argued this violate the Treaty of Guadalupe Hidalgo and the February 2 meeting also argued for a separate territory. However, this group was received with criticism and labeled an “insurrectionary movement” by the publishers of the *Texas State Gazette*. Unsure how to deal with the news of the meeting, they opined that if the advertisement was not merely a joke, it spoke to the “corrupt efflorescence of the diseased and disaffected popular sentiment, engendered in an inordinate selfishness and

⁵⁰¹ Armando C. Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900* (Albuquerque: University of New Mexico Press, 1998), 150-151; Galen D. Greaser and Jesús F. De la Teja, “Quieting Title to Spanish and Mexican Land Grants in the Trans-Nueces: The Bourland and Miller Commission, 1850-1852,” in *The Southwestern Historical Quarterly*, 95, no. 4 (Apr., 1992): 451-451, <https://www.jstor.org/stable/30242000> (accessed February 17, 2013).

⁵⁰² Alonzo, *Tejano Legacy*, 150-151; Galen D. Greaser and Jesús F. De la Teja, “Quieting Title to Spanish and Mexican Land Grants in the Trans-Nueces,” 452.

⁵⁰³ “Preamble and Resolutions adopted by the Meeting,” *Texas State Gazette*. (Austin, Tex.), Vol. 1, No. 27, Ed. 1, Saturday, newspaper, February 23, 1850; Austin, Texas, 200; Alonzo, *Tejano Legacy*, 151.

fostered and encouraged by the base cupidity of some, the infamous ambition and factions insubordination of others.”⁵⁰⁴ Even though the movement dissipated, it created negative labels of Mexicans involved in the territorial movement.

These labels created revealed Anglos’ stereotypes of Mexican peoples. The gazette argued that Mexicans participated in the movement in large numbers that led to “revolutions” under Mexico, and they constantly acquired what they “wanted...by a *pronunciamiento*.”⁵⁰⁵ The disruption of the Lower Rio Grande Valley, as the publishers argued, was due to the subversive involvement of Mexican national citizens and foreign agitators.⁵⁰⁶ Despite these suspicions of a Mexican Revolution in the U.S., it was the Mexican population facing land displacement after 1848 under the new land laws. Predictably, and considering the complexity of the land policies, the distance of Washington DC, and the reluctance of the federal government to intervene on behalf of Mexicans newly incorporated into the U.S., the movement was short-lived.

As the alleged revolution fizzled out, Governor P.H. Bell pushed forward with an investigation of property claims with a small commission sent to the Lower Rio Grande Valley and other portions along the Rio Grande. The “Act to provide for the investigation of land titles in certain counties therein mentioned,” created a commission designed to hear claims, collect testimony, and report back on what lands should be confirmed or not. Governor Bell appointed, with senate approval, William H. Bourland, James B. Miller, and Robert Jones Rivers as the commission’s two representatives and lawyer, respectively.⁵⁰⁷ All titles and land claims were

⁵⁰⁴ “The Rio Grande Territory!” *Texas State Gazette*. (Austin, Tex.), Vol. 1, No. 27, Ed. 1, Saturday, February 23, 1850, newspaper, February 23, 1850; Austin, Texas, 200.

⁵⁰⁵ *Ibid*.

⁵⁰⁶ *Ibid*.

⁵⁰⁷ Greaser, *New Guide to Spanish and Mexican Land Grants*, 134-135; Texas General Land Office, *Report of James R. Miller and W.H. Bourland Commissioners to Investigate Land Titles West of the Nueces* (Austin: General

examined within the counties of Kinney, Webb, Starr, Cameron, Nueces, Presidio, El Paso, Worth, and Santa Fe and validated under the Bourland and Miller Commission.⁵⁰⁸ Because these were agents of the state representing Texas, Bourland and Miller could not accept any land as donation serving in their positions or recommend any fraudulent or forged claims.

Offices were open in each county seat, as dictated by section three of the act, as mentioned earlier, to investigate the land claims.⁵⁰⁹ Originally they were to begin the inquiries in Kinney on the first Monday of May, yet they began the investigation in Laredo, the county seat of Webb County, on July 15, 1850, due to some delays.⁵¹⁰ As for Cameron, the jurisdiction for the Llano Grande and La Feria grants, the Bourland and Miller Commission set up in Brownsville and began to investigate claims on the first Monday of January of 1851 for a total of four months. The Texas legislative branch created the parameters to examine the land claims in the counties named, yet the commission was granted certain flexibility and powers, largely the calling of witnesses, in how to conduct their investigation.⁵¹¹

Bourland and Miller Commission, which delineated the process from the notices, claim requirements, and the types of land claims investigated. With the establishment of offices in each county, as dictated by the legislative act, notices, written in both English and Spanish, were posted in “most noted places” within the county to publicize the session times and dates for the

Land Office, 1852), 36; Alonzo, *Tejano Legacy*, 152; Greaser and De la Teja, “Quieting Title to Spanish and Mexican Land Grants,” 453-454.

⁵⁰⁸ “Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898; Austin, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph6728/>; accessed August 10, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>, 582-583.

⁵⁰⁹ *Ibid.*, 582-583.

⁵¹⁰ Greaser, *New Guide to Spanish and Mexican Land Grants*, 135; “Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898, 583.

⁵¹¹ “Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898, 584.

landowners to present their case.⁵¹² Applicants provided a written statement, in English, describing their property, including boundaries and size of the grant, titles, or rights, as evidence of their claim.⁵¹³ This information was to be investigated by the commissioners who examined three types of grants that had different conditions of validation for each. The first was *porciones* grants that were granted by Spain for the villas del Norte in Nuevo Santander after 1767. Second, large land grants, such as the Llano Grande and San Salvador de Tule, granted to elite citizens who petitioned for them, mainly from Reynosa and Camargo, to the Spanish crown for service. Lastly, the Commission investigated lands granted by the Mexican State of Tamaulipas.

With each land claim filed, an abstract, with the information on the grant, was created. Located within these documents, the commission provided a statement on the “genuineness and validity” of the land grant evidence provided, and whether the property should be confirmed or not.⁵¹⁴ The Act articulated that a property could be confirmed: “if the title was perfect, or when imperfect, when the same might have been matured into a perfect title under laws, usages, and customs of the government under which it originated.”⁵¹⁵ Leniency was accorded to properties connected with other national sovereignties. If citizens who had fled due to conflict or hostilities but returned within five years, it was not marked against them in the validation process.⁵¹⁶ The commission would determine the fate of landowners in the Lower Rio Grande Valley.

As representatives of the state, the Bourland and Miller Commission investigations of land grants proved taxing on the Mexican and Mexican American landowners. The process was not only in English, but many residents, as the U.S. Census indicates, were illiterate, which

⁵¹² *Ibid.*, 583.

⁵¹³ *Ibid.*, 134.

⁵¹⁴ *Ibid.*, 584.

⁵¹⁵ Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898, 584.

⁵¹⁶ Galen D. Greaser, *New Guide to Spanish and Mexican Land Grants*, 134-135.

compounded the problems for Mexican landowners. The categorization as “illiterate” is problematic, however. It is unclear as to what language, or level of literacy that the new citizens demonstrated outside the marking of a box in a governmental form. With the investigation requiring written statements in English, it was difficult for many to submit their documentation and retain their property, as was their right dictated in the Treaty of Guadalupe Hidalgo. Some members of the Hinojosa family, as indicated in the 1850s census, were categorized as illiterate by the United States government. Jose María Ynojosa, along with his wife Francisca were categorized as illiterate, even though they could read and write in Spanish.⁵¹⁷ Despite the categorization in the Census and on these applications under U.S. sovereignty, the class status and wealth of the Hinojosa family offered some protection against displacement from the investigation of land claims.

Class status, political ties, social standing, and wealth were essential components of the validation of land grants in the Lower Rio Grande Valley due to the fees that were required by the Bourland and Miller Commission. In section fifteen of the “Act to provide for the investigation of land titles in certain counties therein mentioned,” every petitioner was to pay two dollars for applying. Additionally, citizens had to pay an additional fee of five dollars for every *sitio* or league of land that was greater than a *labor*.⁵¹⁸ Historian David Montejano states that Mexican landowners had “fixed” or “landed capital” wealth tied to their livestock or property, while Anglo Americans had “merchant capital” or “regenerative wealth” that largely associated with cash and access to credit.⁵¹⁹ The validation of land grants required currency, yet

⁵¹⁷ U.S. Census; Year: 1850; Census Place: Rio Grande, Cameron, Starr, and Webb, Texas; Roll: M432_909; Page: 6179A; Image: 165.

⁵¹⁸ “Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898, 586; Greaser, *New Guide to Spanish and Mexican Land Grants*, 134-135.

⁵¹⁹ Montejano, *Anglos and Mexicans in the Making of Texas*, 50.

much of Mexican wealth was tied to the land and its livestock, and these new U.S. citizens frequently lacked cash and could not obtain loans from newly established banks. These differences in the definitions of wealth made it challenging to secure cash unless they sold their cattle or property. Besides navigating the bureaucratic and legal system of Texas, financial constraints were another obstacle in securing their property that many Mexican landowners had to face. Thus, to register and protect their land grants, they had to sell land and property, thereby losing that same land in the process.

In the Lower Rio Grande Valley, several massive land grants acquired by the Ballí, Cavazos, and Hinojosa families faced these exorbitant fees for the validation of their land grants. However, landowners within both grants applied for small portions or leagues of the grants as their own. Francisco Guerra, for example, applied for only eight and a half leagues, and heirs of Juan José Ynojosa and Rosa María de Ballí applied for twenty-five and a half leagues of the Llano Grande and twelve leagues of the La Feria.⁵²⁰ Cipriano Hinojosa, great-grandson to Juan José Hinojosa and grandson of Cipriano Hinojosa, paid ten pesos, for his rights in the Llano Grande, to the commission investigating the land in Cameron County. The money was to go towards the fees for the acquisition of the titles, yet this money was granted to F. Galbert, indicating that they used lawyers or legal representatives to navigate the Texan bureaucracy.⁵²¹

Moreover, the Bourland and Miller Report stated that the Hinojosa and Ballí families were wealthy and had a social standing within the community. Considerable witnesses

“prove[d] the grants were made by the proper authorities to said Juan José Ynojosa and Rosa María Ballí, and that the original grantees and their families have occupied and cultivated the lands for over 50 years having many settlements upon same with large

⁵²⁰ Greaser, *New Guide to Spanish and Mexican Land Grants*, 312-313. Unsure if Juan José is son or grandson.

⁵²¹ “Recibí del Señor Cipriano Hinojosa,” Folder 6: Records & Papers 91.105.01f, Box B:25 193B 1991, Margaret H. McAllen Memorial Archives, Museum of South Texas Archives, Edinburg, Texas.

herds of stock, with servants, farms, etc., that the title was recognized and genuine by the Mexican authorities and have never heard it disputed by any person.”⁵²²

The Ballí and Hinojosa’s wealth was obvious and had been so since the early colonization era, and this benefited them in the submission of the claim for both the Llano Grande and La Feria Grants. The Hinojosa, Cavazos, and Ballí families had amassed considerable ranching livestock during the Spanish and Mexican era, and this was evident in the witness testimony presented that it was maintained. Rosa María alone amassed a large number of livestock and properties and was considered one of the first “cattle queens” of Texas.⁵²³ As previously presented, many of the Hinojosa and Ballí descendants were able to pay the financial cost required for the validation of their grants.

The validation of title required the confirmation of the original grantees, and in the case of the Llano Grande and La Feria, this referred to Juan José Hinojosa and Rosa María Ballí.⁵²⁴ It is unclear as to the dynamics or arrangements between all landowners, or parties, for the submission of the Llano Grande and La Feria’s claim to the Bourland and Miller Commission. Previously, the descendants and non-family buyers argued over the legitimacy of ownership in the Llano Grande, mainly Rosa María’s descendants who sold land in the Llano Grande without permission from the rest of the owners. Adding to this confusion was the uncertainty that emerged with the change in sovereignty in 1848, which led to the Dupouy partition less than two years before the commission set out to conduct its investigation into land grants. So, it is curious to observe that both families, and all other parties, submitted a claim for both grants jointly. With

⁵²² Greaser, *New Guide to Spanish and Mexican Land Grants*, 312-313.

⁵²³ Teresa Palomo Acosta and Ruthe Winegarten, *Las Tejanas: 300 Years of History* (Austin: University of Texas Press, 2003), 16; Minnie Gilbert, “Texas’ First Cattle Queen,” in *Roots by the River: A Story of Texas Tropical Borderland - Book II*, Valley By-Liners eds. (Mission: Border Kingdom Press, 1978), 15.

⁵²⁴ Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898, 586.

the contribution of Cipriano Hinojosa to pay the commission, it can be surmised that all owners paid their share, either in rights or property, of the fees expected of the Llano Grande. While the family dynamics are uncertain, it is, however, clear that their class and wealth were two essential factors in the validation of their grants.

Not all land grant owners were successful in submitting their claims or in having their claim recommended by the Bourland and Miller Commission, and this was the case for some of the most significant land grants in the Lower Rio Grande Valley. San Juan de Carricitos, granted initially to José Narciso Cavazos, was not recommended at first by the Commission due to the abandonment of the property because of indigenous hostilities after 1811, and the failure to develop, or use, the grant to a level required to justify its large size. However, Commissioner Miller argued that “the grant conveyed the land in fee” and, as such, should be validated, which Texas did validate the grant. A similar case occurred with the Las Mesteñas, Petitas, y Abra grants belonging to the Vicente Hinojosa.⁵²⁵ Abandoning large land grants created an obstacle for its owners to register the grant within the Texas General Land Office. The Llano Grande, as Armando C. Alonzo contends, was not recommended by the commission, yet the Texas legislature validated the grant. Alonzo argues that it was mostly due to the Hinojosa and Ballí family’s class and influence that persuaded them to override the commission's original comments.⁵²⁶ In recognition of the variable and gendered dimensions of the process, Rosa Maria Ballí had her name permanently associated with the legal recognition of the land grant in Texas, even though her husband Jose Ballí originally received the grant under Spain. She was the one

⁵²⁵ Greaser, *New Guide to Spanish and Mexican Land Grants*, 135-136.

⁵²⁶ Alonzo, *Tejano Legacy*, 154-155.

who fought and used her wealth to push for the acquisition of the grant in 1790, and she remained the public face of the grant after 1848.⁵²⁷

In addition to differences under Spain, Mexico, and the U.S. regarding property, title, and gender, competing views on optimal land use caused difficulties for the approval of grants under the Bourland Miller Commission. The purpose of most large land grants north of the Rio Grande was for grazing lands. Rights to the grants, instead of its permanent sale or distribution, was a practice allowed for additional landowners to use the property while maintaining the integrity of the grant. The Spanish and Mexican traditions of rights held by multiple people to one land grant—even though one person may have officially held title to the grant—caused dilemmas for the Bourland Miller Commission. Spain and Mexico protected *derechos*, and they weighted court, though the laws categorized them as secondary rights beneath the rights of the land grant titleholder. The development of the grant was imperative for the Spanish and Mexican eras, and this translated into land used by multiple people. Nonetheless, it carried different connotations under the new regime. U.S. laws governing land use and property rights generally ignored or rejected claims like this, or the courts—in this case, the state of Texas—only recognized the owner and titleholder to the land. With multiple people using the land, properties generally lacked clear rights in the U.S. system. Many, therefore, lost their primary source of income.

The U.S. imposed a new system of mapping and cartography on the Spanish and Mexican land grants. Boundaries for the Spanish and Mexican land grants were marked by nature, marking a rock or mesquite with the sign of the cross or other symbols. These natural features and topographical landmarks were well known and agreed upon by the land grant owners, those with use rights, and the surrounding community in general. Local knowledge held legal weight in

⁵²⁷ Greaser, *New Guide to Spanish and Mexican Land Grants*, 312-313, 196.

the courts. In contrast, the American system used modern cartographic tools to support a system based on grids, latitude, and longitude.⁵²⁸ These systems and methods reflected an “objective” and scientific approach to the land that claimed neutrality and superiority over the system based on general topography and local knowledge. Finally, and perhaps most importantly, the U.S. philosophy of private property and individual ownership within a capitalist marketplace classed with the Spanish traditions of ownership and use.⁵²⁹

The notion of improving the land through permanent human alteration, in the form of buildings such as homes, the establishment of agriculture, construction of walls, and the expansion of irrigation reflected their cultural bias towards “unimproved” land as raw, wild and untamed. Improvements by mixing human labor, particularly the labor of white men, with the soil, demonstrated possession and ownership of the land as property, and by extension, the citizenship of the Anglo male landowner. The land was not only racialized but tied with constructs of nationhood, which altered over time. Moreover, property shaped landowners’ identity but also was a form of contention, as David Chang articulates.⁵³⁰ This is especially true after U.S. control of the Lower Rio Grande Valley.

Landowners felt trepidation about all these innovations as well as the process of surveilling, categorizing, and possibly selling the land throughout the Trans-Nueces region, yet it would be the commission’s troubles that placed many land claims in jeopardy. Residents of Rio Grande City, the county seat of Starr, fought the commission by refusing to present claims to the commission.⁵³¹ In Cameron County, the commission received claims that included the Llano Grande, La Feria, Padre Island, and Las Mesteñas, Petitas, y Abra grants. All claims, as indicated

⁵²⁸ Montoya, *Translating Property*, 2-3, 167.

⁵²⁹ Montoya, *Translating Property*, 47-48.

⁵³⁰ Chang, *The Color of the Land*, 1-4.

⁵³¹ Alonzo, *Tejano Legacy*, 153.

by the “Act to provide for the investigation of land titles in certain counties therein mentioned,” had to include official titles and evidence of ownership. Taken by the Commission, these documents and fees collected were destined for Austin after the completion of the investigation. Miller traveled with these documents via steamboat to Austin to submit the report, yet the ship *Anson*, which he was traveling on, sank about fifteen miles outside Matagorda. In his letter to Governor Bell, Miller stated that “this document was signed by every man in Cameron County...[and] the loss of these papers overwhelms me with regret and mortification.”⁵³² The lifeline of landowners in the Lower Rio Grande Valley, particularly the Hinojosa and the Ballí, were tied to their titles and evidence presented to the Commission in their claims. For a government that was insistent on the validation of lands and securing its public lands, this was a blow to landowners.

With the evidence lost, the Texas legislature sent out the Commission to recollect the evidence and material gathered once more. By February 10, 1852, the Texas Legislature validated the grants lost by the commission, including the Llano Grande, La Feria, and Las Mesteñas, Petitas, y Abra Grants. Governor Bell, in his April 17, 1851 letter, asked for Miller to join Bourland at Eagle Pass to investigate the land claims in the Lower Rio Grande Valley. According to the governor, the residents in the area had a “strong desire...to have their titles examined and their lands secured” by the state of Texas.⁵³³ The reexamination and collection of evidence were of “great importance” in order for its residents to “enjoy all the advantages contemplated by the Legislature...[and] reap the full benefit of our valuable and much desired

⁵³² “Letter: Jas B. Miller to P.H. Bell on November 28, 1850,” Folder 15: November 28, 1850, Box 301-20, Texas Governor Peter Hansborough Bell: An Inventory of Records, Texas State Library and Archives, Austin, Tx.

⁵³³ “Letter from P.H. Bell to Miller on April 17, 1851,” Folder 20: April 1851, Box 301-20, Texas Governor Peter Hansborough Bell: An Inventory of Records, Texas State Library and Archives, Austin, Tx.

services” in the fulfillment of the investigation.⁵³⁴ Once again, the Bourland and Miller Commission traveled to the Lower Rio Grande Valley to investigate after the Texas legislature approved the investigation on February 8, 1851, and reached Brownsville, the county seat of Cameron County, on the first Monday of July of 1851. Residents were asked to bring their claims and submit them to the board “as required by law” and have testimony ready.⁵³⁵ It was not until February 10, 1852, that the Texas legislature approved the Spanish land grant titles, including the Llano Grande and La Feria grants, in the Lower Rio Grande Valley

Without the federal government investigating land grants, Texas delineated the expectations and requirements for the validation of property. With “An act to relinquish the right of the State to certain lands therein named approved February 10th, 1852 and being all the interest inherited by the grantors,” Texas approved 234 claims throughout South Texas.⁵³⁶ Texas courts approved the land grants of Padre Island, San Juan de Carricitos, and porción 72 of Jose María Ballí in favor of the Hinojosa, Cavazos, and Ballí families.⁵³⁷ Also, the Texas Legislative Act approved the Llano Grande’s twenty-five and a half leagues and Rosa María Hinojosa de Ballí’s twelve leagues of the La Feria grant in 1852. Both grants were numbered, thirteen in the legislative act, in Cameron County. Texas, as such, relinquished its rights to any portion of the Llano Grande and La Feria grant, amongst others approved, and could not take away or use it as public lands.⁵³⁸ Not all landowners had the resources to submit a claim, fight through it, and be

⁵³⁴ *Ibid.*

⁵³⁵ “Notice: April 24, 1851” Folder 20: April 1851, Box 301-20, Texas Governor Peter Hansborough Bell: An Inventory of Records, Texas State Library and Archives, Austin, Tx.

⁵³⁶ Deed, Pedro García Cavazos et al. to Florencio Saenz, Instrument Date: May 1, 1886, Book “D” of Real Estate in pages 620, 621, 622, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas; Greaser, *New Guide to Spanish and Mexican Land Grants*, 137.

⁵³⁷ “Chapter LXXI: Act to relinquish the Right of the State to certain Lands therein named,” Gammel, Hans Peter Mareus Neilsen, *The Laws of Texas, 1822-1897*, Volume 3, Book, 1898; Austin, Texas, <https://texashistory.unt.edu/ark:/67531/metaph6728> (accessed November 7, 2013), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>, 947.

⁵³⁸ *Ibid.*

able to have their property registered with the state of Texas. As such, it was Texas who released its rights to control property within the Lower Rio Grande Valley.

Without this validation, many landowners who had purchased rights or actual land from many of the substantial land grants had been at risk of having their sale or purchase invalidated. In the first Act, creating the Bourland and Miller Commission, section eighteen stated that “no sale by any claimant of lands under the provision of this act shall take place...[and] all sales of lands, or claims to lands, shall be void, and no claims to lands in the hands of a third person shall be recognized by the Board of Commissioners.”⁵³⁹ The only lands exempt were lands purchased or sold before the investigation in 1850.⁵⁴⁰ For the Lower Rio Grande Valley, Spanish settlers acquired the vast majority of property lining the Rio Grande river in 1767, and via *composición* throughout the latter half of the eighteenth century, or by Mexico, who also granted land grants. If the validation of these grants did not occur, many property owners in the grant who acquired it by sale from the original landowners might not have legal title to those properties.

Commissioner Miller, in his letter to the governor, stated that his recommendations, in the absence of the original applications and titles lost by Miller, the land claims should be approved by the Texas legislature. He argued that “it is a matter of great importance...[and] some action should be had immediately as the Mexicans are anxious to sell a portion of their land and the Americans are equally anxious to purchase if the titles I had with me had reached Austin and received confirmation.”⁵⁴¹ Anglo Americans had entered the Rio Grande during and after the confirmation of these land grants, so there was minimal land they could claim in the

⁵³⁹ Chapter CXXII [122]: An Act to Provide for the Investigation of Land Titles in Certain Counties Therein Mentioned,” Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897* Volume 3, book, 1898, 586-587.

⁵⁴⁰ Ibid.

⁵⁴¹ “Letter: Jas B. Miller to P.H. Bell on November 28, 1850,” Folder 15: November 1850, Box 301-20, Texas Governor Peter Hansborough Bell: An Inventory of Records, Texas State Library and Archives, Austin, Tx.

public domain or purchase from the state. Anglo Americans faced few options beyond purchasing land from Mexican American landowners, many of whom were reluctant to sell land, which they had fought hard to preserve. However, some Mexican landowners did agree to sell land, even in the Llano Grande. For example, a few months after the validation of the grant, Julio Garza, along with his wife, Manuela Martinez, and his mother-in-law, Francisca Gómez, sold approximately 14,116 acres for 1300 dollars to John Young on June 15, 1852.⁵⁴² While the land loss of Mexican American landowners in the Lower Rio Grande Valley was a gradual process, unlike other regions in Texas, the validation of grants solidified the land claims of many Mexican American property owners. It also created the opportunity for the sale, both legal and illegal, of land to Anglo Americans entering the region after the U.S-Mexico War. The decline of Mexican American ownership in the Llano Grande was to come from local political and economic factors as well as the continued subdivision of the grant. Mexican Americans were able to remain the leading number of landowners within the boundaries of the Llano Grande until the latter half of the nineteenth century.

The investigations into land claims placed many Mexican property owners, including non-descendants of grants, in peril of losing their land, yet those who were approved, at least on paper, maintained ties to the Spanish and Mexican legacy. The original land grantee names became part of every legal document and transaction tied to the original boundaries of these land grants. As stated in a warranty deed involving Pedro García, the court record affirmed that the property had been confirmed by the Texas legislature, “confirmation number thirteen (13) for

⁵⁴² Hidalgo and Starr Counties Abstract Company, *Abstract of Title to that Part of Beamer Syndicate and J.C. McDowell Properties That Lie in the “Llano Grande” and “La Blanca” Grants in Hidalgo County, Texas* (Edinburg, TX: The Company, 1918), 32-33; Deed, Julio Garza et al., to John Young, Instrument Date: July 15, 1852, Book “E” of Real Estate in pages 353, 354, and 355, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

Cameron County, Texas,” named the Llano Grande and Juan José Hinojosa as the original landowners.⁵⁴³ The legacy of Spanish and Mexican land grants is part of every document created in the county courts of Texas in the borderlands. A connection between the Spanish history and the land transactions in the Lower Rio Grande Valley, even though people of Mexican were displaced as landowners and were considered second class citizens.

The citizenship of Mexican Americans derived from the Treaty of Guadalupe Hidalgo, yet Texas was very keen on the incorporation of land from the annexed territory. The relationship between the state and the federal government was complicated, yet, as mentioned earlier, the legacy of Spanish and Mexican land grants never left the documents within the state capital and the local bureaucratic records. In the Biennial Report from the Texas General Land Office on November 1, 1853, the report by the Bourland and Miller Commission from 1852 provided an accounting of the acres owned by the state and its residents. The Commission and the February 10, 1852 Legislative Act accounted for three million acres that were incorporated and registered with the General Land Office.⁵⁴⁴ The relationship between Texas and its Lower Rio Grande Valley residents was a crucial factor in the confirmation and approval of land grants. Even though Bourland and Miller presented a positive relationship between the commission and the citizens along the new border, the push by territorialists and the criticisms by Mexican landowners, as De La Rosa articulated in his letter to the secretary of state over the unjust policies enacted by Texas, speak otherwise.

Shifts in sovereignty had a resounding effect on those that lived along the Rio Grande, which imposed a border that affected the region’s society, economy, and politics. Many had

⁵⁴³ Deed, Pedro García Cavazos et al. to Florencio Saenz, Instrument Date: May 1, 1886, Book “D” of Real Estate in 620, 621, 622, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁵⁴⁴ “Biennial Report: Texas General Land Office,” Folder 9, Box 1, Commissioner Reports (1853), Biennial Report, Commissioner Stephen Crosby, November 1, 1853, Texas General Land Office, Austin, TX.

crossed the Rio Grande and moved to the Mexican towns, such as Camargo and Reynosa. Nuevo Laredo, established south of the border in 1849, stood as an example of some Mexicans' suspicions about the American legal system and promises of equality. The elite families in the region symbolized many of the challenges, contradictions, and opportunities for residents of the borderlands because they could claim citizenship rights, and they held land, property, and wealth. These economic factors brought them class status and social privileges, which in turn opened some doors and provided some promises associated with whiteness within the American racial landscape.⁵⁴⁵ The descendants of Hinojosa and Ballí within this new system did not have the same benefits that Juan José, Jose María, and Rosa María who fought for and obtained the La Feria grant from Spain.

While their ancestors struggled to settle the colony by conquering and pacifying the indigenous populations of the villas del Norte, the grandchildren and great-grandchildren of the original Spanish settlers faced a new and perplexing legal regime, an economic system based on capitalist commodification of land as private property, and a racial landscape that only tentatively saw them as white citizens.⁵⁴⁶ Under United States sovereignty, and, more specifically, with Texas, Lower Rio Grande citizens no longer shared the same goals and expectations with the nation-state and did not have the same benefits and rewards guaranteed to them as full-fledged citizens. Mexican landowners had to prove that they had acquired their land grants, which had been used by generations of descendants, or others, in either *derechos* or actual land ownership that often did not coincide with the expectations of Texas and land surveyors. As the nineteenth century wore on, debates and conflicts over the exact boundaries of land grants

⁵⁴⁵ Valerio-Jiménez, *River of Hope*, 140.

⁵⁴⁶ Osante, *Orígenes del Nuevo Santander*, 131; Vicente Hinojosa, "Testimonio, de tierras de Don Vicente de Hinojosa, Expedido por el Juzgado 1º. de Reinosá Tamaulipas," 2, Trans-Nueces Records, File number SC 000136:10, Vicente Hinojosa, Texas General Land Office, Austin, Texas.

became contentious and often required legal courts for resolution. Citizens were also burdened in their new positions dealt with taxes, lawyer fees for representation, and the loss of political control.

In conclusion, the Hinojosa and Ballí family's wealth mitigated the transition between Mexican to American sovereignty, yet expectations and responsibilities altered their power base. In the long run, however, that wealth could not protect them against a racial system in Texas that refused to recognize them as full citizens. Politically, they were not the equivalent of *justicia mayores*, *capitanes*, or other positions in the new bureaucratic system, as Anglos moved into South Texas and usurped their political power and passed laws that disadvantaged them as landholders and as citizens. Their affluence provided some protection, at least financially, from the changes that were emerging, yet there were no Hinojosa or Ballí surnames as part of the county offices such as District Clerk, County Treasurer, Tax Collector, or Chief Justice in Hidalgo County.⁵⁴⁷ As Armando Alonzo articulates, Tejanos were active political members, as they adhered to the requirements of landed white individuals, who voted in local elections, but they did not wield real political power. Mexican Americans, more broadly across the borderlands, experienced systematic disenfranchisement and restrictions in voting practices, as well as *de jure* and *de facto* segregation in terms of access to public schools.⁵⁴⁸ Individuals with Mexican surnames won very few state offices.⁵⁴⁹ This lack of control in county governments came to affect land ownership into the mid to late nineteenth century in the Lower Rio Grande Valley.

⁵⁴⁷ J. Lee Stambaugh, *History of Hidalgo County Elected Officials 1852 to 1963* (Austin: The Pharr Press, 1963), 1-8; However, from 1849-1852 Cameron county was so extensive that it contained parts of present-day counties of Hidalgo, Willacy, Kennedy, and Brooks County. From 1852 onward the county continually divided creating the previously mentioned counties. Hidalgo County was established in 1852.

⁵⁴⁸ Montejano, *Anglos and Mexicans in the Making of Texas*, 33, 39.

⁵⁴⁹ Alonzo, *Tejano Legacy*, 125.

With the new government system, Mexicans who chose to reside north of the Rio Grande and acquire American citizenship faced changes that were more drastic than the shift from Spanish colonial rule to Mexican sovereignty. The new bureaucratic system altered the power dynamics that allowed those elite families to gain wealth and maintain status. Furthermore, as the following chapter examines, the new expectations and obligations of American citizens slowly jeopardized their ability to hold onto their lands. Expectations of property taxes and the use of Anglo-American lawyers not only provided a means for the wealthy elite to maneuver the new system but also allowed these individuals to acquire land as payment. They used the courts, often in conjunction with unscrupulous lawyers, to exert their rights to maintain their land. What it meant to be a member of a community changed with the imposition of American sovereignty, in which the establishment of the English common law over the Spanish civil law, property taxes, and land tenure changed the power base of the landed elite such as the Hinojosa and Ballí families. Even though there were exclusions, it is vital to see the presence of Mexicans in the legal, political, and economic systems established by the American sovereignty.

Chapter 5: Vultures in the Land: Shifts in Land Tenure, Anglo Networks, and Adaptability of Tejano proprietors in the Llano Grande, 1848-1890

During the late spring of 1848, the heirs of Vicente Hinojosa faced United States troops, stationed in Corpus Christi and other nearby locations, destroying “two frame houses, two stockpens, and [taking] all the cattle” and other livestock. In the James B. Wells notes, claim 506 by the Vicente Hinojosa heirs to the federal government that U.S. troops took their livestock from their property in “Los Tanques,” located two and a half leagues from Brownsville, without payment.⁵⁵⁰ Antonio, José María, and Martina were seeking over 217,358.80 dollars in damages. The original owner of the property, Vicente Hinojosa, as the claim indicated resided in Matamoros, but his (grand)children sought to maintain his property north of the Rio Grande.⁵⁵¹ Destruction of property by the U.S. military during the U.S. war with Mexico was commonplace. Still, relatively few Mexican landowners successfully filed claims after the war, when the new boundary placed them under a foreign legal system.

The war and the associated damage to their land grants, as well as the pervasive loss of livestock, were the unwanted results of a war that many landowners held ambivalent views about. Residents of the present-day Lower Rio Grande Valley, such as the Hinojosa and Ballí families, struggled to survive at the edges of the Spanish and Mexican frontier, where they enjoyed considerable independence from the institutions, laws, and policies of their home country. With the War and their sudden incorporation into the U.S., men, and women, mainly from elite families, tried to obtain compensation for their losses by using the new legal system to their advantage. Considering the political tensions associated with life in post-War Texas, it is

⁵⁵⁰ “Claim of heirs of Vicente Hinojosa,” Folder 2: Records, Box 2H 185, James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, University of Texas at Austin, Austin, Texas, 3.

⁵⁵¹ *Ibid.*

somewhat surprising that individuals such as Mrs. Guadalupe Ballí were able to procure Anglo lawyers to successfully navigate the new American legal system to maintain her property or in some cases, to seek restitution from the federal government.⁵⁵² That she did obtain that restitution speaks to the fluidity and unpredictability of life in the borderlands, particularly along the lines of race, gender, and citizenship.

Interactions between longtime residents and landowners and the new state of Texas in the Lower Rio Grande Valley were taking place within the political and legal systems established by the nation-state. As Margot Canaday expresses, the state is visible through its institutions and its practices.⁵⁵³ For citizens in the new order between 1848 and the end of the nineteenth century, the county courts were the local connection with the new sovereign state of both Texas and the U.S. more broadly. These “new citizens” had rights and obligations, and in the case of elite families who owned large land grants, they had the resources to bring claims to court to seek restitution or other forms of legal transactions. Descendants of Hinojosa and Ballí navigated a complex foreign system that often worked against their interests. As ranching elite, the Hinojosa, Cavazos, and Ballí families amassed large amounts of property and had the resources to fight for their rights. However, they also had responsibilities that included paying state and county taxes, which sometimes required them to sell land and raise cash to pay the officials. These new rights and duties reflected the painful reality of life in an economy based on the American dollar and the ubiquity of debt-spending, the persistent presence of local tax collectors, a racial regime that frequently questioned the citizenship status of Mexicans in Texas. The ability to fight for the

⁵⁵² “Claim of Mrs. Guadalupe Ballí,” Folder 2: Records, Box 2H 185, James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, University of Texas at Austin, Austin, Texas, 19; Largely, these were cases found in James B. Well’s records, as one of the main lawyers and political bosses in the region.

⁵⁵³ Margot Canaday, *The Straight State: Sexuality and Citizenship in the Twentieth Century America* (Princeton: Princeton University Press, 2009), 6-7.

protections were available and were used by these mostly elite families after the shift in sovereignty from control by Spain and the Mexican national government, to the Republic of Texas, and ultimately to the United States.

In the decades between the end of the Civil War and the early twentieth century, Anglos gained control of the region's economy and political structure and thus transformed the Lower Rio Grande Valley. Anglos held positions of authority as official arbiters of state policy, such as sheriffs, mayors, county clerks, and tax collectors, and manipulated that power by colluding with lawyers, land speculators, and other business elites to extract profits from the land. Mexican landowners were not always directly or outright displaced in the first generation or two following the aftermath of the U.S. War with Mexico and the Treaty of Guadalupe Hidalgo because they could use the new legal system to defend their property and fight for their rights. Over time, however, the cumulative weight of new taxes, a cash and debt economy, large scale export commercial agriculture that supplanted the ranching economy, and a latest racial regime began to chip away at the power base of even the wealthiest Mexican American landowners.⁵⁵⁴ Thus, in the decades between 1860 and 1900, Anglos consciously employed new measures through taxation, a cash and debt economy, and political manipulation to purchase more substantial and more significant tracts of land within the Llano Grande. By 1900, the descendants of the once powerful and well-respected Hinojosa and Ballí families owned a fraction of the vast and sprawling empire in the Lower Rio Grande Valley.⁵⁵⁵

Building on the observation by Andres Recendez, that the “Mexican National Project unfolded *on the ground*,” this chapter will examine the impacts of national and state policies on the residents and their land claims after the Treaty of Guadalupe Hidalgo. This chapter will first

⁵⁵⁴ Montejano, *Anglos and Mexicans in the Making of Texas*, 41-50.

⁵⁵⁵ *Ibid.*, 52, 107-109.

discuss the complex process of confirming grants through the latter half of the nineteenth century. It then explores the changes in land ownership from primarily Mexican Americans to Anglo Americans, though the latter's manipulation of new land and tax policies, as well as the implications of collusion between Anglo lawyers, land speculators, and officials of the state to displace the once-powerful Mexican elite in the Lower Rio Grande Valley. Set in the context of post-Civil War reconstruction, the early phases of industrialization, the expansion of the railroad system, and the introduction of large scale agriculture oriented towards national markets, this contestation over power in South Texas ultimately benefited the well-connected Anglo elite. Simultaneously, this chapter pays close attention to the instances of Mexican American's exerting and using their rights within the legal system to their advantage. Citizenship was a status that defined them within the American system as co-equals to Anglos, yet it was also a status that required the exertion of those rights in practice.⁵⁵⁶ Obtaining legal representation, particularly by lawyers, is a critical component of Mexican residents' ability to engage the legal system and thus transform hypothetical rights as citizens into concrete demands for justice and equal treatment before the law. Only the most elite landowners—those such as the descendants of the Ballí and Hinojosa families—had limited success in their demands for justice, and that most Mexicans in South Texas found themselves marginalized and dispossessed, lacking the economic and political control to maintain the livelihoods that they enjoyed before the U.S. invaded Mexico.

In the decades after the U.S.-Mexico War, the reorganization of political and economic life shifted the Mexican American power base. Shifts in nationality began with the creation of cities north of the Rio Grande and the establishment of the county system as a way to create legitimacy of the nation-state. County names came to be associated with the U.S.-Mexico war

⁵⁵⁶ Canaday, *The Straight State*, 7-8.

soldiers, American heroes, or Anglo American residents, as was the case with Cameron County.⁵⁵⁷ The Spanish named them after regions of Spain where elite citizens or governors derived from, and Mexicans named them after heroes of the war of independence. With the annexation of the Lower Rio Grande Valley, counties and cities came to reflect Anglo heritage and names even though there were close connections with Mexican towns established during the Spanish colonial era. Brownsville, Edinburg, and Davis Ranch connected with the cities of Matamoros, Reynosa, and Camargo, respectively.⁵⁵⁸ As Omar Valerio-Jiménez articulated, towns such as La Feria and counties such as Hidalgo, named after Miguel Hidalgo y Costilla, maintained part of the Mexican culture because Anglo “officials hoped to gain electoral support from Mexicans.”⁵⁵⁹ The bureaucratic and political change was swift in the Lower Rio Grande Valley, yet there was a period of accommodation and acculturation by Anglos in the economy and culture.⁵⁶⁰

While national policies and treaties, such as the Treaty of Guadalupe Hidalgo, created the parameters of citizenship and the geopolitical boundaries of the nation-state, it was the county bureaucracy that shaped and informed the lives of the residents in the region. One of the most visible changes was the reorganization of the county and county system, in which citizens of the Lower Rio Grande Valley dealt with their concerns, complaints, and the use of courts and payment of taxes. The Texas legislature created the counties in the Rio Grande Valley. Texas approved Cameron County on February 12, 1848. Santa Rita was initially designated to be the

⁵⁵⁷ Valerio-Jiménez, *River of Hope*, 1-3, 147.

⁵⁵⁸ *Ibid.*, 147.

⁵⁵⁹ *Ibid.*, 147.

⁵⁶⁰ Valerio-Jiménez, *River of Hope*, 148; Montejano, *Anglos and Mexicans in the Making of Texas*, 25.

county seat. Its jurisdiction began at the mouth of the Rio Grande, west to Reynosa.⁵⁶¹ The new bureaucratic system, created under the state of Texas, altered the power and societal dynamics that affected the Hinojosa and Ballí families.

The Texas legislature, on January 24, 1852, passed an Act that divided Cameron County and created Hidalgo County, and thus directly affected the Llano Grande and La Feria Grants.⁵⁶² The boundary line between Cameron and Hidalgo County was the dividing line between the Llano Grande and La Feria grants. The Llano Grande came under the jurisdiction of Hidalgo County, while La Feria remained part of Cameron County. During the Spanish era, both grants were part of one application, yet with the creation of a new county placed the grants in two separate counties and split their influence and power into two. However, Cameron County led the transition by running the election for county officers for the new county. The chief justice of Cameron issued “certificates of election to the officers of Hidalgo County” and “discharged of their several duties.”⁵⁶³ Edinburg was named the county seat.⁵⁶⁴ Hidalgo County became the government institution where Llano Grande landowners interacted with the state, used its courts, and paid their taxes.

⁵⁶¹ “Chapter 35: A Bill to be entitled An Act to create the county of Cameron,” Gammel, Hans Peter Marcus Neilsen. *The Laws of Texas, 1822-1897*, Volume 3, book, 1898; Austin, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph6728/>: accessed November 7, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>.

⁵⁶² “Chapter XLII: An Act to Create the County of Hidalgo,” Gammel, Hans Peter Marcus Neilsen. *The Laws of Texas, 1822-1897*, Volume 3, book, 1898; Austin, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph6728/>: accessed November 10, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>, 910-911.

⁵⁶³ *Ibid.*, 911.

⁵⁶⁴ “Transcript: ‘Hidalgo County, Texas, place names,’ by Sarah Weaver,” SMC: 32, Folder 7: Hidalgo Co., Place Names by S.S. Weaver, SMC 32, RG DOC 2, Box B1 SMC 27, C.E. Craig Collection of the Turner Track Documents, Museum of South Texas History, Edinburg, Texas; Edinburg was the original County Seat of Hidalgo County, yet geographically it was located in what is today Hidalgo, Texas. At one point in the 1900s, the county seat was moved to Chapin, Tx (now present-day Edinburg, Tx) and the old county seat was renamed as Hidalgo, TX.

The Llano Grande proprietors continued to purchase property, rather than appeal to the state for assistance, to expand their holdings in the Lower Rio Grande Valley. The rhetoric of loyalty, honor, and service for land, as had once been the case with the Spanish empire, did not translate to the American land system. Juan José Hinojosa and Rosa María Ballí obtained the grant using their rhetoric of service, but, as indicated in the consolidation of grants throughout the mid to late nineteenth century, it was land purchases that offered the means to consolidate land not only for Mexican Americans but also Anglos entering the region after the U.S.-Mexico War. This pattern is evident in the Llano Grande, where the purchase of derechos and land became the primary strategy for property ownership. Hinojosa and Ballí were no longer the agents of the state, nor were they uniquely privileged colonists with exclusive ties to the government. The Llano Grande was divided into eight properties, one of each child of Juan José Hinojosa, and its descendants purchased property or rights within the grant primarily from relatives. Land tenure in the Llano Grande did not follow a linear pattern, but it was a mixture of land loss and displacement with the consolidation of property by Hinojosa and Ballí descendants. These families were active in searching for the means to maintain their land claims through the exercise of their citizenship rights and benefits. At the same time, Anglos, as privileged agents of the state, used their positions to acquire considerable acreage in the Llano Grande by the 1900s.

For Hidalgo County, Mexican landowners were the leading owners in the early 1850s and 1860s, and that resonated with the Llano Grande that had Mexican surnames as part of the land transactions during this era. Armando Alonzo stated that from the 1850s to 1870, Mexicans were the dominant landowners, with over 80 percent of all property in Hidalgo County.⁵⁶⁵ Anglos were a small percentage of the population and could not take over the land as quickly they did in

⁵⁶⁵ Armando C. Alonzo, *Tejano Legacy*, 162.

other regions of Texas, such as San Antonio.⁵⁶⁶ Sales within the grant reflected this statistic with primarily Mexican descent individuals purchasing land from the Mexican descent landowners. Descendants of original grantees accounted for most of the landowners in the Lower Rio Grande Valley. Most of the grants concerning the Hinojosa and Ballí families were validated by the Bourland and Miller Commission, except for a few, such as the case of the San Salvador de Tule grant. The Llano Grande, on the other hand, was approved in 1852. Nonetheless, Anglos began purchasing property within the grant as soon as the State approved the validation of the grant of Texas.

Land grant owners throughout most of Texas faced a rapid loss of their titles, but the process was much more complicated in the Lower Rio Grande Valley, where the original grantees had more financial resources and political influence to defend against the efforts of Anglos to obtain land through force or fraud. Descendants of Hinojosa and Ballí and those with rights or property to the Llano Grande and La Feria grants faced a more nuanced relationship with the new regime and those seeking land. While the first share of the Llano Grande was sold to John Young, a Scotsman who moved to the region during the U.S-Mexico War, a few years after 1848, the descendants of Juan José Ballí, grandson of Juan José Hinojosa, used the courts to seek the validation of San Salvador de Tule.⁵⁶⁷ Many, as the case with Florencio Saenz, consolidated property within the grant through a series of purchases in the Llano Grande and established the Toluca Ranch in the 1880s.⁵⁶⁸ Because of the isolation of the region, only a small

⁵⁶⁶ Valerio-Jiménez, *River of Hope*, 148.

⁵⁶⁷ Amberson, *I Would Rather Sleep in Texas*, 66.

⁵⁶⁸ American Rio Grande Land & Irrigation Co., *Out of the 4th, 5th, and 6th Shares of The Dupouy Partition of 1848*, 5-6; Mario L. Sanchez, ed., *A Shared Experience: The History, Architecture, and Historic Designations of the Lower Rio Grande Heritage Corridor*, 2 ed., (Austin: Los Caminos del Rio Heritage Project and The Texas Historical Commission, 1991), 110.

number of Anglos lived in the Lower Rio Grande Valley, which aided the control of Hinojosa and Ballí descendants to maintain their properties within the Llano Grande. With little free land, Anglos used their political, social networks, and capital to purchase land in the Llano Grande. This was a slow process that failed to displace Tejano landowners swiftly.⁵⁶⁹

Shares, as described within this chapter, were the sections of property granted to each offspring of Juan José and María Antonia in the Dupouy Partition in 1848, which over the decades became smaller properties due to inheritance practices that continually divided, through derechos or physical property, the land in the decades that followed. Many Llano Grande landowners, such as Antonio Ballí Cavazos, amalgamated property within the grant instead of continuing the pattern of dividing the grant into smaller and smaller properties. As the original owner after the Dupouy Partition, Matias Cavazos divided the second share into three equal parts amongst his three children Lino, Antonia, and Ramon.⁵⁷⁰ The division of the property continued to occur because of inheritance customs amongst the consecutive generations of descendants. It was Antonia's son, Antonio Ballí Cavazos, who purchased land from his relatives and siblings and consolidated the second share of the Llano Grande to his name.

With over seven thousand acres within the Llano Grande, Antonio came to acquire the second share through warranty deeds and other deeds of sale from his relatives in the second share. From his cousin, Bernardo Cavazos, he bought 250 varas on March 22, 1848. Having received property from their parents, Antonio focused on acquiring the second half of his immediate family's land. Ysidro sold 550 varas to his brother Antonio on January 21, 1851. Court documents do not show the familial relations amongst the Cavazos family, and it is unclear if this was a strategy to consolidate land with one owner or only a sale to a family member to

⁵⁶⁹ Montejano, *Anglos and Mexicans in the Making of Texas*, 30-31.

⁵⁷⁰ Duval West, Esq., Attorney-At-Law, *Out of the 2nd and 3rd Shares of the Dupouy Partition of 1848*, 4-5.

mitigate financial troubles. Antonio acquired 7,011.90 acres in the second share of the Llano Grande and expanded his property instead of it shrinking with the passage of time and inheritance practices.⁵⁷¹ Many of the cultural practices of inheritance and *derechos* continued to be part of the Mexican American land tenure in the Llano Grande well into the late 1800s. Antonio Ballí Cavazos offers an example of inheritance practices that continued to distribute land among all children within a family that remained after the shift in sovereignty, Treaty of Guadalupe Hidalgo, and the confirmation of grants with the state of Texas.⁵⁷²

Juan José Hinojosa's daughter, María Ygnacia Hinojosa, received a portion of her father's land in the Llano Grande, designated the fourth share in the Dupouy Partition, and offers another example of consolidation instead of the collapse of Hinojosa descendants' property in the first few decades of United States sovereignty. Maria Ygnacia distributed her share amongst her three children: Manuel, María Ygnacia, and Francisca Hinojosa. María Ygnacia, the daughter, purchased her brother and sister's property and consolidated the fourth share. Francisca, also, granted some of her property within the fourth share to her niece, María Josefa.⁵⁷³ Maria Ygnacia, the daughter, consolidated the property that once belonged to her mother, and in turn, divided the property into four properties, each for her four daughters, which continued the cycle of inheritance in the Lower Rio Grande Valley. Inheritance practices were a crucial factor in the distribution of land to all descendants of Juan José Hinojosa.⁵⁷⁴ Still, inheritance distributed the land associated with specific sections, or shares, and did not affect the entirety of the grant. The Dupouy Partition made sure that the Llano Grande was no longer tied

⁵⁷¹ *Ibid.*, 5-7.

⁵⁷² *Ibid.*, 4-7.

⁵⁷³ American Rio Grande Land & Irrigation Co., *Out of the 4th, 5th, and 6th Shares of the Dupouy Partition of 1848*, 5-6.

⁵⁷⁴ *Ibid.*

to a single owner, as was the case when the grant was under Juan José Hinojosa's name until 1848.

With the distribution of the fourth share amongst María Ygnacia's descendants, it was Florencio Saenz, a wealthy rancher with political influence in Hidalgo County, who purchased various properties from her descendants in the late 1880s. Sostenes Cano de Saenz, his wife, was tied to the Llano Grande through her father, Antonio Cano, who owned the third share of the Llano Grande.⁵⁷⁵ Saenz himself had a connection with the Llano Grande descendants through his distant cousin, an heir of María Josefa Hinojosa, and from whom he purchased 5,898 acres of land.⁵⁷⁶ Through the purchase of property from individuals in the grant allowed Saenz to consolidate the fourth share. From Manuel García Cavazos, for instance, he purchased 3,087.47 acres for a total of 1,743.00 dollars on May 1, 1886. Saenz was a Mexican American with wealth, an integral participant in the ranching economy, but also was part of the elite political sphere throughout the Lower Rio Grande Valley. At one point, he was elected as County Commissioner for Precinct One in Hidalgo County.⁵⁷⁷ Because of his wealth and class, the doors opened to participating in the American political system established in this county.

Saenz acquired land within the Llano Grande and continued to purchase property to consolidate the fourth share to his name, yet his wife, as well as many other women, owned and sold land in the Llano Grande. On October 24, 1887, Florencio sold part of his property to his wife Sostenes, which he had acquired by the heirs-at-law of María Josefa Cavazos, descendants of María Ygnacia owner of the fourth share. The property in question was bordered by the Rio

⁵⁷⁵ American Rio Grande Land & Irrigation Co., *Out of the 4th, 5th, and 6th Shares of The Dupouy Partition of 1848*, 5-6; Alonzo, *Tejano Legacy*, 117.

⁵⁷⁶ Frances Wyatt Isabel, "Thaddeus M. Rhodes: Political Leader," in *Rio Grande Roundup: Story of Texas Tropical Borderland*, Valley By-Liners, (Mission: Border Kingdom Press, 1980), 99.

⁵⁷⁷ *Ibid.*

Grande as its southern border and extended north six Mexican leagues.⁵⁷⁸ Saenz sought for his “lawful wife” in “consideration of the love and affection, which I [Saenz] have and bear unto her,” provided her with “separate property.”⁵⁷⁹ Sostenes was not a passive participant, but this warranty deed indicates she was an active agent who acquired property outside of her marriage. While it is true the property derived from her husband, it indicates the level of trust and respect that allowed Florencio to transfer property to Sostenes. Women’s names continued to be part of county records and transactions well into the twentieth century, as legal individuals.

The Act “To Adopt the Common Law of England” passed by the 4th Congress of the Republic of Texas in 1840, yet women continued to purchase and sell a property within the Llano Grande after 1848.⁵⁸⁰ One of the first transactions after 1848 involved María Isabella Hinojosa de Dominguez, the widow of José María Dominguez, who sold her rights to Indalesio Dominguez for two hundred dollars on November 13, 1850.⁵⁸¹ Her ability to sell property in her own right speaks to her agency as a landowner, yet, at the same time, lost access to her property in the Llano Grande. As María Isabella sold her rights to a Hinojosa descendant, others sold to Anglo American lawyers. Josefa Hinojosa, Sirildo Hinojosa, and Francisco Reyes sold one-fourth of their rights in the Llano Grande to Elisha Basse and Robert H. Hord on January 27, 1853. Josefa stood for herself as one of the sellers in the transaction, but she also represented her

⁵⁷⁸ Deed, Florencio Saenz to Sostenes Cano de Saenz, Instrument Date: October 24, 1887, Book “H” of Real Estate in pages 96 and 97, Deed Records, County Clerk’s Office’s Office, Hidalgo County Court House, Edinburg, Texas.

⁵⁷⁹ *Ibid.*

⁵⁸⁰ “AN ACT: To Adopt the Common Law of England,—to repeal certain Mexican Laws, and to regulate the Marital Rights of parties,” December 19, 1836, 4th Congress, Republic of Texas, 1840, 177-178, Hans Peter Marcus Neilsen Gammel, *The Laws of Texas, 1822-1897*, Volume II, (Austin: 1898); (<https://texashistory.unt.edu/ark:/67531/metaph5872/>;) accessed (October 10, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>

⁵⁸¹ Warranty Deed, María Isabella to Indalesio Domínguez, Instrument date: November 13, 1850, Book “A” of Real Estate in Pages 104,105,106, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

deceased husband's estate.⁵⁸² She was a prominent individual, in name, in the sale of rights, or *derechos*, in the Llano Grande shortly after the change in sovereignty.

In most cases where women were part of a party selling property, public officials, such as the county clerk, required an interview with the woman to authenticate that the sale was made without coercion.⁵⁸³ Thaddeus M. Rhodes, the County Clerk, interviewed Josefa to determine if she sold her rights out of her own volition or forced to sell the property along with Sirildo and Francisco to the lawyers Basse and Hord.⁵⁸⁴ Her actions and choices, as with many other women in Texas courts, were essential to the sale of a property. Moreover, Josefa also represented her husband's estate in the sale, which highlighted the practice of the widow managing and controlling her deceased husband's estate. County officials conducted interviews primarily on women for land sales, yet for this particular transaction, they also questioned Sirildo to determine if his participation was "a free act."⁵⁸⁵ Sirildo's interview is a stark contrast to the county transactions within the Llano Grande. Moreover, *derechos*, as is presented, were a significant part of land tenure in the Llano Grande in the early decades of American control that spoke to the continued merger of common law and civil law in the county government and courts.

⁵⁸² Warranty Deed, Serildo de Hinojosa and Doña Josefa de Hinojosa, and Don Francisco Reyes to Elisha Basse and Robert H. Hord, Instrument Date; January 27, 1853, Book "A" of Real Estate in Pages 26, 27, and 28, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas

⁵⁸³ "AN ACT: To Adopt the Common Law of England, —to repeal certain Mexican Laws, and to regulate the Marital Rights of parties," December 19, 1836, 4th Congress, Republic of Texas, 1840, 177-178, Hans Peter Mareus Neilsen Gammel, *The Laws of Texas, 1822-1897*, Volume II, (Austin: 1898); (<https://texashistory.unt.edu/ark:/67531/metaph5872/>;) accessed (October 10, 2019), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>.

⁵⁸⁴ J. Lee Stambaugh, *History of Hidalgo County Elected Officials 1852 to 1963* (Austin: The Pharr Press, 1963), 3; Rhodes was the county clerk of Hidalgo County from 1852 to 1858, when he was replaced by Francisco Garza and managed all the real estate issues and transactions in the county.

⁵⁸⁵ Warranty Deed, Serildo de Hinojosa, Doña Josefa de Hinojosa, and Don Francisco Reyes to Elisha Basse and Robert H. Hord, Instrument Date; January 27, 1853, Book "A" of Real Estate in Pages 26, 27, and 28, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; This was one of the first and few instances seen where a man is interviewed, usually it is women, to see if he agreed with the transaction and was not coerced in the group sale.

Derechos continued to be sold within the property that integrated additional landowners into the Llano Grande well into the 1890s. Mexican Americans in the region continued to practice, as can be speculated, to maintain their lands for grazing cattle or as a means to protect against the shift in the county government. However, outside family members, including Anglos, came to purchase *derechos* in the grant. Bernardo Yturria, for instance, in 1883 purchased rights from the descendants of María Ygnacia, the Garcia and Cavazos families, in Mexican currency.⁵⁸⁶ Yturria, who, after acquiring rights to land in the Llano Grande, sold some of his rights and property to Pauline Wells, the wife of Cameron County's political boss and land lawyer in the 1880s and early 1890s. In the Lower Rio Grande borderlands, the Llano Grande land tenure became more complex and less and less tied to the descendants of Juan José Hinojosa and Rosa María Ballí. The descendants of these families continued to be successful rancheros with substantial properties but lost ground towards the end of the nineteenth century.

Most real estate sales referred to the original owners of Spanish land grants as a means of legitimacy, which was the case with the Llano Grande land sales that traced a connection to Juan José Hinojosa. Maria Isabella was a legitimate heir-at-law of Juan José Hinojosa and used her ties to the Llano Grande's original grantee as validation and connection to her rights within the grant. She sold her property to Indalesio Dominguez on November 13, 1850.⁵⁸⁷ Similarly, Severo de Jesus Hinojosa fought for a connection to María Ygnacia's property in the grant, to solidify his wife's, María Clotilde Rodriguez, rights. Many *derecho* owners pushed this

⁵⁸⁶ Deeds, Hermenegildo y Juliana Cavazos to Bernardo Yturria, Hidalgo July 19, 1883, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Deed, Santo Garcia Cavazos to Bernardo Yturria, July 19, 1883, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Deed, José María Cavazos García et al. to Bernardo Yturria, July 19, 1883, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Deed, Santos García Cavazos de Contreras to Bernardo Yturria, September 28, 1885, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

⁵⁸⁷ Warranty Deed, María Isabella to Indalesio Domínguez, Instrument date: November 13, 1850, Book "A" of Real Estate in Pages 104,105,106, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

narrative. Lauriano was the great-grandson of Juan José Hinojosa, the original owner of the Llano Grande, and owned one-fifth out of the one-fourth rights to the grant owned by his father, Lauriano. The warranty deed follows the lineage of rights to Juan José Hinojosa's seventh share of the Dupouy Partition.⁵⁸⁸ The sale of properties continually made these connections to the original landowners to solidify their land claims.

Establishing the lineage of a land grant continued to be imperative to the authenticity of land grants. It was of utmost importance that lawyers, land and irrigation companies, and Anglos continually denoted and delineated these connections. James B. Wells, a lawyer, documented the family tree of the grantee's descendants and private property in the heirship of the Llano Grande. Legally, the Llano Grande landowners came to be associated with the shares given to Juan José Hinojosa's eight children. Wells sought in this "Llano Grande Heirship" to trace the land ownership to Juan José Hinojosa. For example, Don Vicente Hinojosa's children, Sirildo, Agapita, and Petra, who lived in Camargo, owned the fifth share. Josefa sold her share to Ramon and Lino Cavazos, who, on the other hand, lived on their share of the Llano Grande.⁵⁸⁹ Having an explicit knowledge of the history of the grant was imperative to prove that an individual's ownership of land within these grants was valid and secure.

Within the first decades following the change in sovereignty, the Lower Rio Grande Valley did not have a massive influx of Anglos before the U.S. Mexico War, yet those that did

⁵⁸⁸ Release, Lauriano Hinojosa to Indalesio Dominguez, Instrument Date: August 2, 1854, Book "A" of Real Estate in Pages 106, 107, and 108, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Juan José was the son of Juan José Hinojosa; Rentfro & Cole Attorneys-At-Law, *Abstract of Title of Lands of Llano Grande Plantation Co*, 13; "Booklet Narciso Cavazos," Folder 1: Census Book, no dates, Box 2H 175, James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, University of Texas at Austin, Austin, Texas, 48, 60-61.

⁵⁸⁹ "Mesteñas, Llano Grande Heirship", Folder 5: Legal Materials, Undated, Box 2H 165, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

settle in the region made their way to Matamoros, in Mexico. As a port city, Matamoros was strategically connected to other maritime commerce, such as New Orleans and New York City, and linked the Atlantic World with inland trading routes such as Saltillo and San Luis Potosi.⁵⁹⁰ Matamoros, as Alicia M. Dewey states, had a metropolitan population with an influx of Europeans and Anglos.⁵⁹¹ Charles Stillman, who arrived in Matamoros in 1828, was one of the first Anglos who was able to establish a business that flourished due to his access to credit. It was not the case for many Mexican landowners or merchants.⁵⁹² Dewey argued that many of the merchants who entered the Lower Rio Grande Valley created connections with the established families in the region, as was the case with Charles Stillman.⁵⁹³ David Montejano, as well, states that Anglos had “merchant capital” or “regenerative” wealth, which was not the case for Mexicans in the region. Mexican landowners had “fixed” wealth that derived from their control of the land.⁵⁹⁴ This difference limited the ability of Mexican merchants to borrow capital, invest it, and expand their business operations, and ultimately repay their debts with the profits. Trade was one of the incentives for Anglos to enter the region but was the U.S.-Mexico War that led to a rise in Anglos entering the Lower Rio Grande Valley.

The first substantial number of Anglos arrived in the region during and immediately after the U.S. Mexico War and used the unstable political and economic circumstances to their advantage. Edward Dougherty, John Young, Stephen Powers, Richard King, and Mifflin Kenedy

⁵⁹⁰ Alicia M. Dewey, *Pesos and Dollars: Entrepreneurs in the Teas-Mexico Borderlands, 1880-1940* (College Station: Texas A&M University Press, 2014), 24.

⁵⁹¹ *Ibid.*, 24-25.

⁵⁹² *Ibid.*, 26-27, 37; Marilyn McAdams Sibley, “Charles Stillman: A Case Study of Entrepreneurship on the Rio Grande, 1861-1865,” *The Southwestern Historical Quarterly* 77, no.2, (Oct. 1973): 229, <http://www.jstor.org/stable/30238259> (accessed June 11, 2012).

⁵⁹³ Dewey, *Pesos and Dollars*, 26.

⁵⁹⁴ Montejano, *Anglos and Mexicans in the Making of Texas*, 50.

were some of the soldiers who remained after the war and became wealthy merchants, lawyers, ranchers, and land speculators in the area.⁵⁹⁵ King and Kenedy, in particular, purchased steamboats and controlled all steamboat trade along the Rio Grande. These individuals sought to take advantage of the resources and markets available in the Lower Rio Grande Valley, as well as having access to capital within the new sovereign state.

With the onset of the Civil War in the 1860s, the Lower Rio Grande Valley faced both racism, inequality, but a means of accumulating wealth. Edward Dougherty, for instance, sought to pass a bill for the “creation of a peonage system in Texas similar to what existed in Mexico.”⁵⁹⁶ the Texas legislature failed to pass it, though, and Angel Navarro was one of its fiercest opponents.⁵⁹⁷ Dougherty perpetuated the idea that Mexicans were an excellent labor force and sought to continue the system of elite *patrones* or hacendados with peons at their service. Hinojosa and the Dougherty family, in contrast, knew each other and established a connection of respect. While many relationships and connections between Anglos and Mexicans in the Lower Rio Grande Valley were tense, many elites established amicable networks and familial connections.

Others, as was the case with Juan Nepomuceno Cortina, the conflict, racism, and land loss by Mexican residents, was a clear point of contention between Mexicans and Anglos in the region. The Cortina Wars from 1859-1861, as they came to be known, highlighted the inequalities in Brownsville and double standard that was usual in Cameron County.⁵⁹⁸ After

⁵⁹⁵ Alonzo, *Tejano Legacy*, 109; Mary Margaret McAllen Amberson, et al., *I Would Rather Sleep in Texas: A History of the Lower Rio Grande Valley and the People of Santa Anita Land Grant* (Austin: Texas State Historical Association, 2003), 100.

⁵⁹⁶ Jerry Thompson, *Cortina: Defending the Mexican Name in Texas* (College Station: Texas A&M University Press, 2007), 36.

⁵⁹⁷ *Ibid.*

⁵⁹⁸ *Ibid.*, 29.

viewing a ranch hand being pistol-whipped by City Marshall Robert Shears, who was working for Stephen Powers of Cameron County, Cortina asked him to stop, and when Shears did not, Cortina shot him. This act began a bloody conflict between Mexican and American citizens in the region. After crossing the river to escape persecution, Cortina attacked Brownsville as a means of retribution against the injustices against Mexicans in the Lower Rio Grande Valley. However, this led to the Texan Rangers to retaliate indiscriminately against Mexican citizens north of the Rio Grande.⁵⁹⁹ With the start of the Civil War, Cortina had invaded Brownsville two times and had seen considerable violence.

For the Lower Rio Grande Valley, the Civil War exasperated the violence between Anglos and Mexicans, yet it also created an economic opportunity via the smuggling of cotton. Smuggling was not a new practice but one that existed throughout the Spanish colonial period. The Rio Grande Valley became the epicenter for smuggling Confederate cotton across the international border to Mexico, which shipped the cotton to international markets via Mexican and European vessels.⁶⁰⁰ King, Stillman, and Kenedy became immensely wealthy through the smuggling of cotton, which was a cash crop procured from slavery that also flourished in Texas.⁶⁰¹ Using his wealth, King sought out landowners in tenuous circumstances and purchased their lands to create his massive ranch. Lawyers, such as Stephen Powers and James B. Wells, also bought land and transferred title to King's name.⁶⁰² Often intimidation tactics or taking advantage of tumultuous land grants in the region. For example, Richard King, Francisco Yturria, and Charles Stillman purchased rights to the San Juan de Carricitos grant. They then

⁵⁹⁹ *Ibid.*, 39-45, 62-63.

⁶⁰⁰ Ronnie C. Tyler, "Cotton on the Border, 1861-1865," *The Southern Historical Quarterly* 73, no. 4 (April 1970):458, <http://www.jstor.com/stable/30236595> (accessed July 3, 2013).

⁶⁰¹ *Ibid.*, 477.

⁶⁰² Dewey, *Pesos and Dollars*, 41.

filed a lawsuit in 1881 against the descendants of Narciso Cavazos to force the distribution of land amongst derecho and property owners.⁶⁰³ By the end of the nineteenth century, Anglos were the largest landowner in the region, which was mostly due to business ventures, purchases, intimidation, or the use of the courts to their advantage.

Anglos, who entered the region as primarily merchants and lawyers, used their knowledge, access to capital, and privileged status in Texas to gain wealth, power, and land. While they did not have control of the economy or land in proportionate numbers, Anglos controlled the county government and political system that placed them in a position of power in Hidalgo County.⁶⁰⁴ Many, as was the case with Charles Stillman, named the cities and streets north of the Rio Grande, and, in connection with other merchants, created lines of credit and businesses along the border between Mexico and the United States.⁶⁰⁵ Beyond businesses, many Anglos and Mexicans in the Rio Grande Valley also participated in smuggling. Crossing the border avoided the nation-state policies and its jurisdiction, and they earned money smuggling cotton. For a few decades, Anglos expanded their businesses and law firms, creating the opportunity to acquire wealth and property from Mexican landowners in the region, both by legal and illegal means.

In the Llano Grande, specifically, many Anglos who purchased land had close connections with the American political parties and their agendas in the Lower Rio Grande Valley. In the Democratic Party, Thaddeus M. Rhodes and Peter S. Champion were some of the political officials that purchased land established ranches within the Llano Grande. On the other

⁶⁰³ Frank Daniel Yturria, *The Patriarch: The Remarkable Life and Extraordinary Times of Francisco Yturria* (Brownsville, TX: The University of Texas at Brownsville and Texas Southmost College, 2006), 153-154.

⁶⁰⁴ Alonzo, *Tejano Legacy*, 167; Valerio-Jiménez, *River of Hope*, 148-149.

⁶⁰⁵ Thompson, *Cortina: Defending the Mexican Name in Texas*, 25.

hand, the Republican Party comprised John McAllen amongst others who set clear divisions and political ties within the county politics.⁶⁰⁶ Edward Dougherty and his family, as well, was not only a landowner in the Llano Grande, but he served as the county judge, sheriff, and other positions of power in Hidalgo County.⁶⁰⁷ John Closner, an Anglo landowner within the grant, was the political boss of this county and held power for decades after the Civil War. The sheriff not only enforced the laws in the county but also took on the responsibility to collect taxes as well. Because the sheriff and other county officials, particularly the county clerk, were connected via political parties, or familial or business networks, several properties sold in the Llano Grande were sold to family, colleagues, or allies, and thereby strengthened the political connections and networks amongst Anglos in the region.

As Anglos consolidated their control of the government, politics, and capital, Mexican elites struggled to maintain their status and influence in the Lower Rio Grande Valley. Mexican surnames did not disappear from the records, such as taxes, census, or warranty deeds, and continued to be part of the political life in Hidalgo and Cameron County. The Ballí, Cortina, and Cavazos families, with substantial property, participated in the county government in a small minority.⁶⁰⁸ José María Ballí, for instance, was described as being a “well known...loyal citizen of this County and is worthy to be trusted” by the Hidalgo County sheriff, A.Y. Baker.⁶⁰⁹ This document, written in the early twentieth century, is an example of how the Hinojosa family was able to exert some control for a considerable amount of time. Although this was not the only

⁶⁰⁶ Amberson, *I Would Rather Sleep in Texas*, 310.

⁶⁰⁷ Lucy H. Wallace, “The Brothers Daugherty,” in *Roots by the River: A Story of Texas Tropical Borderland - Book II*, Valley By-Liners eds. (Mission: Border Kingdom Press, 1978), 54-55.

⁶⁰⁸ Valerio-Jiménez, *River of Hope*, 150; J. Lee Stambaugh, *History of Hidalgo County Elected Officials 1852 to 1963* (Austin: The Pharr Press, 1963), 1-8.

⁶⁰⁹ “A.Y. Baker, Sheriff, Hidalgo County letter of Jesus María Hinojosa,” Folder 79.13.25a_1829-1918, Box D4, RG DOC 193B 159 175, Documents: Hinojosa Papers, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Tx.

instance of working together, it was one that used the rhetoric of loyalty and citizenship tied to the local county instead of the nation-state. It is a testament to the importance of this family and its connection with the political network controlled by Anglos.

Mexican Americans maintained their land during and after the transition between Mexican to American rule, and the accommodation to the pre-established social and class hierarchies allowed many rancheros to hold onto their power as the ranching industry defined the region well into the late 1800s. Because the Tejano elite controlled most of the property in the Llano Grande, land acquisition by Anglos was a complicated process. The post-Civil War era, as David Montejano presents, was characterized as a period of acculturation and accommodation between Anglos entering the region and the Tejano elite. Omar Valerio-Jiménez expanded on this concept articulating that the Tejano elite sought this “peace structure” to maintain the control of their land. These efforts to maintain power and create a semblance of parity between Anglos and Mexicans nonetheless placed the Mexicans as a subordinate group in the political spectrum.⁶¹⁰ Anglos established trade relations with the local Mexican elite, entered the ranching business, and frequently married women from elite families who held the vast stretches of ranching property in the Lower Rio Grande Valley. As the established hierarchy and class structure were maintained, elite families reaped the rewards of their association with Anglos. This class architecture, however, slowly disadvantaged the Tejano elite over time. The transition between Tejano and Anglo land tenure in Hidalgo County was a slow process and “as a result of this accommodation.”⁶¹¹ Montejano, Alonzo, and Dewey argue that the displacement of elite Tejano landowners was a slow and gradual process.

⁶¹⁰ Valerio-Jiménez, *River of Hope*, 148-149.

⁶¹¹ Dewey, *Pesos and Dollars*, 41-42; Dewey speaks about Anglos learning Spanish, converting to Catholicism, and marrying Tejana women as examples of accommodation.

After the War with Mexico, ranching expanded across Texas, but the racialized views of Anglos in the industry caused challenges for Mexican ranchers in the borderlands. Throughout the 1860s and 1870s, ranching boomed in connection with the Civil War, at the same time that confederate cotton was making the coastal town of Bagdad, near Matamoros, an important economic center.⁶¹² With the wealth from this prosperous enterprise, which increased prices in livestock and its products, Anglos purchased land and entered the business as well.⁶¹³ Thaddeus M. Rhodes established the Relampago ranch in the early 1850s within the land he purchased in the Llano Grande.⁶¹⁴ Commercial ranching in the 1870s and 1880s allowed Tejanos to continue their trade, yet also saw an increase of sales to Anglos due to a rise in competition for grazing lands.⁶¹⁵ Tejanos were still the principal landowners in Hidalgo County, yet they owned smaller and smaller properties by the end of the nineteenth century.⁶¹⁶

Anglos not only became part of the ranching economy via their participation in the trade and creation of ranches, yet intermarriage to landed Tejana women was also a vital component of Anglo and Mexican relationships in the borderlands. Alonzo articulates that intermarriage between Anglo men and Mexican women was considerably high throughout the 1860s but declined by the late 1890s.⁶¹⁷ The vast majority of Anglo and Tejano marriages were proportionally related to women of color marrying white men. Marriage to these families was strategic, offering Anglos a means to become part of landed families and for Mexican families to secure their access to whiteness and protection against land displacement. Anglo men,

⁶¹² Alonzo, *Tejano Legacy*, 195.

⁶¹³ Dewey, *Pesos and Dollars*, 42-43.

⁶¹⁴ Frances W. Isabell ed., *Hidalgo County Ranch Histories* (Edinburg: Hidalgo County Historical Society and Hidalgo County Historical Commission, 1994), 85.

⁶¹⁵ Dewey, *Pesos and Dollars*, 43; Alonzo, *Tejano Legacy*, 193.

⁶¹⁶ Alonzo, *Tejano Legacy*, 174, 180-181.

⁶¹⁷ Ana Cristina Downing de De Juana, "Intermarriage in Hidalgo County, 1860-1900," (Master's Thesis: University of Texas-Pan American, 1998) 100-101.

specifically, were not ostracized or chastised for marrying a woman of color, yet in the Llano Grande, as with many other cases, it was the wealth and opportunities with unions to Mexican elites that led to these specific dynamics. Salomé Ballí and Petra Vela, for instance, derived from the most elite families in the region, came to marry John McAllen and Mifflin Kenedy, respectively. These marriages created the opportunity for McAllen and Kennedy to acquire additional land from surrounding neighbors or their wife's family members.⁶¹⁸

Intermarriage spoke to the importance of women as integral characters in the land tenure of the Llano Grande. For the Cano family, two of their female members married Anglos with political and government connections. Gumercinda Cano, daughter of Antonio Cano, married Peter S. Champion, a member of the Democratic Party; and Gerarda Solis, a granddaughter of Antonio Cano, was the wife of A.J. Krummel. As the Justice of the Peace for Hidalgo County, Krummel was part of the political sphere that controlled the county.⁶¹⁹ These marriages offered a means to integrate themselves into the Anglo males who controlled the county governments. Some of these marriages were a means to maintain land by the elite families, and for Anglos, it was a door for the acquisition of property in the grant.

Women are visible in the court documents through the sale of property or rights to their land, and even though their names are the only portions of these documents, they are integral for the land tenure history of the Llano Grande. As either individuals or as members of a party, women's names appear consistently in the county records since its establishment in 1852 to the early twentieth century. Some of the first transactions in the Llano Grande involved women

⁶¹⁸ Dewey, *Pesos and Dollars*, 42.

⁶¹⁹ Duval West, Esq., Attorney-At-Law, Chain of Title: List of Recorded Instruments of Title to Lands in the Llano Grande Grant in Hidalgo County, Texas, *Out of the 2nd and 3rd Shares of the Dupouy Partition of 1848* (San Antonio TX: Passing Show Printing Co., 1912), 33; Deed, Lauriano Hinojosa and Rosario de Hinojosa to Silverio Solis and Jesus Cavazos, 1895, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

selling their land rights to both Anglo and Mexican individuals. Petra Hinojosa, a descendant of Juan José, sold her rights to the Las Mesteñas, Petitas, y Abra grant to Mifflin Kenedy for one thousand dollars on April 24, 1854, without any male representatives or family member.⁶²⁰

Women were not at the forefront in many legal documents, such as tax rolls, yet they are prominent in warranty deeds, census records, and the sale of land rights.

Anglo women, such as Pauline Wells, were also part of the history of land sales and transactions between lawyers, their wives, and land ownership in the Llano Grande. Pauline was the niece of Stephen Powers, the political boss of Cameron County, and wife of James B. Wells. Her husband was an associate of her uncle and who surpassed Powers as the political boss of Cameron.⁶²¹ The purchase of *derechos* or rights in the Llano Grande derived from a long-standing tradition in both the Mexican and American periods, and Pauline Wells purchased rights from Bernardo Yturria, a resident of Matamoros, in 1884.⁶²² Besides rights, Pauline also purchased 2,524.17 acres from Bernardo Yturria for only ten dollars with “other valuable considerations” on August 7, 1884.⁶²³ It was unclear as to what the other considerations that were attached to the sale of properties purchased by Pauline. She continued to buy and sell properties within the Llano Grande and the Rio Grande as a whole; at the same time, her husband was doing the same. In the Real Estate Records of Hidalgo County between 1880 to 1920, Pauline J. Wells appeared sixty-two times as either a seller or buyer of land in various properties in the Lower Rio Grande Valley but most prominently in the Llano Grande in the 1880s. Pauline

⁶²⁰ Warranty Deed, Petra Hinojosa to Mifflin Kenedy, Instrument Date: April 24, 1854, Book “A” of Real Estate in Pages 56, 57, and 58, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁶²¹ Amberson, *I Would Rather Sleep in Texas*, 353.

⁶²² Warranty Deed, Bernardo Yturria to Pauline Wells, Instrument Date: August 9, 1884, Book “D” in pages 385, 386, and 387, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁶²³ Rentfro & Cole Attorneys-At-Law, *Abstract of Title of Lands of Llano Grande Plantation Co*, 49; Examined the correspondence between Pauline and James B. Wells but was not able to find a letter detailing the purchases or the selling of land in the Llano Grande. Unsure if Pauline was acting on her own, but it can be speculated that she was working with her husband.

J. Wells was an active individual in the court records who expanded the Anglo land tenure of her family in conjunction with her husband.

As the nineteenth century wore on, Mexican Americans continued to own property in the Llano Grande while Anglos continued to purchase more and more property. Due to the networks and connections between lawyers, merchants, and land speculators, it is no coincidence that they were the first names that appear in the real estate records of the Llano Grande. At first, Anglos purchased extensive *derechos* and then gained actual property within the grant. With the rise of the ranching industry and the land speculation business, land ownership by Anglos was on the rise throughout the 1880s and 1890s. Elisha Basse, along with Mifflin Kenedy, were some of the first to acquire rights to the Llano Grande.⁶²⁴ Through *derechos*, purchases, lawsuits, taxes, and other means, Anglos came to monopolize the ownership of land by the beginning of the twentieth century.

Whereas Edward Dougherty, Basse, and Hord accumulated considerable land between 1848 and 1870, by the latter half of the nineteenth century, James B. Wells, John Closner, and Thaddeus M. Rhodes acquired land and established ranchers in the region. Wells owned the Capisallo Ranch, on what would become Mercedes, Texas, while at the same time being the leading political and judicial officials in Cameron County.⁶²⁵ Thaddeus M. Rhodes, along with José María Mora, purchased properties from various Tejano elites and established the

⁶²⁴ Warranty Deed, Serildo de Hinojosa and Doña Josefa de Hinojosa, and Don Francisco Reyes to Elisha Basse and Robert H. Hord, Instrument Date; January 27, 1853, Book "A" of Real Estate in Pages 26, 27, and 28, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Warranty Deed, Petra Hinojosa to Mifflin Kenedy, Instrument Date: April 24, 1854, Book "A" of Real Estate in Pages 56, 57, and 58, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

⁶²⁵ Frances W. Isabell ed., "Rosario Ranch" in *Hidalgo County Ranch Stories* (Edinburg: Hidalgo County Historical Society and Hidalgo County Historical Commission, 1994), 129-130; "Capisallo Ranch," Folder 1: Legal Material Jan.-April 1908, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

Relampago ranch. Sirildo, along with his wife, Clotilde Rodriguez, and Jesus Hinojosa, Delfina Rodriguez García, Adelado Rodriguez García, sold their rights to the Llano Grande to Thaddeus M. Rhodes for five hundred dollars.⁶²⁶ Purposely, Rhodes bought tax sale deeds at a low price to extend his land holdings in the Lower Rio Grande Valley. Many Anglos used this strategy to acquire cheap land from Tejano landowners. While both Anglos and Tejanos were part of the ranching business, Anglos control of the politics and county government of the Lower Rio Grande Valley allowed Anglos to acquire land, both legally and illegally.⁶²⁷ However, many Tejanos continued to use their rights as citizens to seek restitution to maintain their property.

Using the county courts to seek restitution, as indicated by the various ranching families in Cameron and Hidalgo County, reflected the expectation that their citizenship obligated the state to protect their rights and compensate them for their losses. The heirs of Vicente Hinojosa, as previously stated, submitted a claim for the reimbursement for the loss of livestock and destruction of “Los Tanques” property by U.S. troops.⁶²⁸ With the U.S. Army established along the Rio Grande, soldiers became the tangible representation of the U.S. government and its national policies on the ground. Because the military negatively impacted their private property and livelihoods, residents sought the courts as a means of restitution. The loss of buildings and livestock, their primary economic income, was a tangible effect of the national policies and the transition period between Mexican to American jurisdiction. Mexican Americans, even though they did not have the privileged status, used their wealth to mitigate land loss.

⁶²⁶ Warranty Deed, Jesus Hinojosa et al., to Thaddeus M. Rhodes, Instrument Date: May 2, 1878, Book “C,” pages 80, 81, 82, Deed Records, County Clerk’s office, Hidalgo County Court House, Edinburg, Texas.

⁶²⁷ Alonzo, *Tejano Legacy*, 266.

⁶²⁸ “Claim of heirs of Vicente Hinojosa,” Folder 2: Records, Box 2H 185 James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 3.

Landowners also sought the court system to settle disputes, as was the case with José María Mora and Thaddeus M. Rhodes over their property in the Llano Grande. Both parties established the Relampago Ranch in 1852 through the purchase of over 1,416 acres from Francisco Cavazos in the fifth share originally distributed to Vicente Hinojosa.⁶²⁹ Both divided the land equally, sixty-six varas, next to each other, yet conflicts arose over the boundary line between their two properties. Each believed that the other encroached on their property and took their case to Hidalgo County on August 5, 1876. Using the county courts offered a means to resolve the dispute between both parties, and the legal agreement created an official boundary that protected against encroachment or dispossession.⁶³⁰ Validation by the county courts adhered to the legal customs in place. Texas, in this instance, played an essential role in the validation of land claims through the Texas General Land office in Austin, yet for Mora and Rhodes, the county government offered a means to resolve their conflict.

In addition to using the courts to gain restitution or resolve boundary conflicts, many Llano Grande owners sought to protect rights to the Llano Grande. Severo de Jesus Hinojosa was “temporarily residing” in Hidalgo County in December 1877 and wanted to authenticate and promote the “deed of sale” that validated his wife María Clotilde Rodríguez García de Rodríguez’s rights to a portion of the Llano Grande. María Clotilde inherited property from her mother, María de Jesus García de Ramirez, yet it was Severo at the forefront of the petition and designated legal spokesperson of his wife.⁶³¹ English common law identified the husband as the

⁶²⁹ Frances W. Isabell ed., “Relampago Ranch” in *Hidalgo County Ranch Stories* (Edinburg: Hidalgo County Historical Society and Hidalgo County Historical Commission, 1994), 85-86.

⁶³⁰ Agreement, Thaddeus M. Rhodes and José María Mora, August 5, 1876, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas; “Abstract of Title of Lands of the Llano Grande Plantation Co., Inc., in the Llano Grande Grant, Hidalgo County, Texas. 1926,” 13, Folder 9, RGABS 11 A:2, Land and Title Records, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Texas.

⁶³¹ “Certified Copy of the Petition and Proceedings had in Regard to Placing in the Protocol a Deed of Sale and Donation promoted by the Citizen Severo de Jesus Hinojosa,” Folder 2: Legal Business, 1874-1893, Box 2H 168,

legal representative and property owner. As such, the husband at the forefront of the petition and in the courts. Securing these rights offered the opportunity to secure grazing lands that were of the utmost importance in the re Lower Rio Grande Valley. Because María's rights were not assured, Severo set out to petition to obtain the rights to these pasture lands.⁶³²

Severo exulted his wife's connection to Doña María Ygnacia, and his statement highlighted the laws and procedures meant to confirm María Clotilde's rights. To make his case, Severo stated that María Clotilde was the great-granddaughter of María Ygnacia Cavazos, the granddaughter of Juan José Hinojosa making a close connection with the family and owners of the Llano Grande. Poignantly, Severo indicated that María Ygnacia gifted María de Jesus, mother of his wife, *derechos* to grazing lands in the Llano Grande, which she firstly purchased from her brother Manuel Cavazos during the Mexican period.⁶³³ Not only was Severo appealing to his wife's family lineage, but the gift presented to his mother-in-law was vital to his argument. In many instances, Severo used the law to present his case and validate his land claims. The right to the use of the grant by María was a present, which Severo argued was "made [as] a pure and irrevocable gift and donation which in law is called intervivios."⁶³⁴ Using the rhetoric of fairness and equality, he ended his statement saying, "unto you I ask and pray that you do order accordingly as my request is just and I do hereby protect as required by law."⁶³⁵ Appealing to

James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas; It is unclear as to whether this arrangement was agreed upon by the parties involved or they were following the English Common law established by the state of Texas.

⁶³² "Certified Copy of the Petition and Proceedings," Folder 2: Legal Business, 1874-1893, Box 2H 168, James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas James B. Wells Papers, 1837-1926, Collection, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

⁶³³ *Ibid.*

⁶³⁴ *Ibid.*

⁶³⁵ *Ibid.*

customs and regulations offered Severo a way to justify and validate his claim for María Clotilde's rights in the Llano Grande.

Because the gift provided to María de Jesus, mother of María Clotilde, was only a small note in a deed of sale between María Ygnacia and her brother on June 22, 1832, that notation needed to be visible as evidence of the exchange. Documentation is vital. Because the document deteriorated and became illegible, it became difficult to prove that María Ygnacia had even gifted part of her property to one of her descendants.⁶³⁶ Despite this, the *alcalde*, or mayor, who processed the first deed of sale between María Ygnacia and Manuel Cavazos, also handled this deed of donation to María Clotilde. María Clotilde's case was presented and investigated in Reynosa, Tamaulipas, yet it was tied to land with American jurisdiction.

Even though a border divided the land into separate nation-state jurisdictions, families and individuals continued to have connections and property on both sides. The deed of sale occurred during Mexican sovereignty in 1832, yet it continued to have implications on the Llano Grande into 1877 when this petition takes place. María Clotilde's rights were confirmed by the *alcalde* constitutional of Reynosa, Vela, on account of the request presented by Severo.⁶³⁷ Women were visible in the records, but in many instances, they are overlapped by a male authoritarian figure, as was the case with María Clotilde. Her rights to the Llano Grande speak not only to the importance of ranching and grazing lands but also to the continued practice of *derechos*, family and gender dynamics, as well as the use of the county government interacting with international governments across the border.

Landowners used lawyers as legal representatives, yet attorneys were also land-grant owners attached to a vast network of land speculators, political bosses, and merchants. This

⁶³⁶ *Ibid.*

⁶³⁷ *Ibid.*

network sometimes worked to the unjust benefit of these Anglo newcomers and the detriment of some Mexican Americans in the Lower Rio Grande Valley. Law firms owned by James B. Wells and Basse and Hord cultivated deep ties to landowners in the Llano Grande, and in the process, became landowners as well. In the 1852 tax roll, for example, lawyers Basse and Hord represented M. Cardenas and heirs regarding their property initially granted to Juan José Ballí. The estate encompassed 265,680 acres with a value of 13,330 dollars.⁶³⁸ Using lawyers marked one of the many instances that Mexican Americans used Anglo lawyers for services within the new county government.

The clientele of James B. Wells, specifically, were both Anglos and Mexicans who needed assistance with legal representation, taxation, or drafting of warranty deeds on specific properties. Born in central Texas in 1850, Wells went on to attend the University of Virginia, where he acquired his law degree. He moved to Corpus Christi and established his law firm before moving to Cameron County, where he developed his political and legal base in the late 1800s.⁶³⁹ Wells represented both Anglos and Mexican Americans in a variety of cases that involved loss of revenue, cattle, or property. Specifically, Mexican Americans, as was the case with Luis Gutierrez Vela, sought his services for restitution of the “unlawful seizing horse stock.”⁶⁴⁰ Vela, a longtime resident of the region, sought representation from Wells to help him navigate the courts for compensation and to exercise his political and legal rights as a lawful citizen. Many of the Anglos, with considerable influence and property in the Lower Rio Grande

⁶³⁸ “Hidalgo County Tax, 1852,” Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas; While there is no detail in terms of the property, it can be speculated that it is the San Salvador de Tule grant that was granted to Juan José Ballí.

⁶³⁹ Evan Anders, *Boss Rule in South Texas: The Progressive Era* (Austin: University of Texas Press, 1982), 4.

⁶⁴⁰ “July 30, 1891: Luis Gutierrez Vela Lawsuit,” Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 52.

Valley, used Wells's services to help reduce their taxes to the county and state. John McAllen, John Young, as well as Bloomberg and Raphael, for instance, used Wells "professional services" for the "reduction of their taxable values" in the county of Hidalgo County on July 17, 1891.⁶⁴¹ The network between Anglos offered an avenue of support, regarding taxes, which Mexicans did not have unless they could pay lawyer fees.

Llano Grande landowners, including the descendants of Hinojosa and Ballí, frequently used Anglo lawyers for legal representation in the county courts. Wells also defended individuals charged with crimes, such as the stealing of cattle. Eпитacio Ballí, for instance, was represented by Wells for the charges of theft of horses on November 9, 1889.⁶⁴² With similar charges, on May 27, 1890, Juan N. Cavazos paid one hundred Mexican pesos to Wells to aid Manuel Cavazos.⁶⁴³ Others, such as Cledonio Garza, who purchased land in the Llano Grande from Miguel Herrera and his wife, sought the services of Wells to create an official deed for the exchange of property.⁶⁴⁴ Another example, which was of note, was the payment from José Angel García, who secured a mortgage on his property on the Llano Grande and paid eight hundred and eight dollars to Wells on November 6, 1889, for the defense against an indictment on his two

⁶⁴¹ "July 17, 1891: Received from Messrs. McAllen and Young," Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 50; "July 17, 1891: Bloomberg and Rafael to Wells, Stayton, and Kleberg," Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 52.

⁶⁴² "November 9, 1889: Received payment from Eulogio Ballí," Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 24.

⁶⁴³ "May 28, 1890: Received Payment from Juan N. Cavazos," Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 37.

⁶⁴⁴ "February 4, 1890: Cledonio Garza Draft Deed," Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 32.

sons, a son-in-law, and himself.⁶⁴⁵ This amount paid to James B. Wells was a substantial one that highlighted the pattern of repayment for legal services by selling property or rights.

As demonstrated by the examples above, elite Mexican families enjoyed access, however, tentative to legal mechanisms that protected their land, property, and status. Due to their class, elite Mexicans, with wealth and land, commanded some respect from Anglo lawyers who controlled access to the new court systems and political networks. With wealth tied to land ownership, Mexican land grant holders could afford the services of lawyers to represent their families, such as Hinojosa and Ballí, in various capacities in civil and criminal courts. Lawyers, who knew the laws and county courts, came to represent Mexicans as they exerted their rights as citizens in a new political environment. Some of the fees, as evident in Well's cases, were substantial and spoke to the elite family's availability of funds, either through cash or property, to exert their citizenship rights for representation in the county courts.

With the new legal system, which was a hybrid of American and Spanish traditions, there were numerous mechanisms available to lawyers and landowners seeking to further their specific objectives. Often, lawyers used Power of Attorney documents, granted by Mexican families, to navigate the legal system for property sales or tax representation. The Hinojosa heirs, Lauriano Hinojosa, Susana Hinojosa de la Garza, and Isabella Hinojosa Dominguez sought the representation of Stephen Powers through a Power of Attorney to settle the estate of their father of Juan José Hinojosa.⁶⁴⁶ The property included various porciones "or mercedes" in Reynosa and

⁶⁴⁵ "November 6, 1889: Received from José Angel García," Folder 3: Day Book March 17, 1888-May 31, 1894, Box 2H 176, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas, 23.

⁶⁴⁶ "Hinojosa Heirs, Power of Attorney," Folder 8: El Melado, 1855-1856, and Undated, Box 3G 48, Stephen F. Powers Papers, 1777-1885, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas; This is in reference, from the information presented, to Juan José Hinojosa's son of the same name.

nine leagues of the “agostadero del Llano de Melado.”⁶⁴⁷ By 1904, Severa de Jesus Hinojosa, in a similar case, appointed J.L. Hudson as her attorney and representative in her legal transactions as the “only living heir of Vicente Hinojosa.”⁶⁴⁸ Mexicans granted lawyers substantial power in the legal operations and their troubles within the law.

While Mexican landowners used lawyers to help them navigate the legal system or represent them within the local governmental courts, lawyers frequently parlayed their knowledge and position to accumulate land and property in the Lower Rio Grande Valley. Lawyers and merchants, as argued by Montejano, were the first to arrive in the region, and often were the first to acquire land. In particular, lawyers were “an integral member of the capital-based Anglo elite...who basically served to organize land market in the new territories.”⁶⁴⁹ In the Llano Grande, this was the case with Basse and Hord, who were the first to purchase land in the grant similar to John Young and Edward Dougherty. Elisha Basse, originally from New England, and Robert H. Hord, from Mississippi, created a law firm that represented both Anglos and Mexican clientele.⁶⁵⁰ In addition to representing clients, Basse and Hord purchased derechos in the Llano Grande from Sirildo de Hinojosa, Josefa de Hinojosa, and Francisco Reyes in 1853 and one-fourth of Petra Hinojosa’s property as well.⁶⁵¹ They came to acquire over fifteen hundred acres of land that they either purchased or otherwise obtained from Mexican families for

⁶⁴⁷ *Ibid.*

⁶⁴⁸ Deed, Severa de Jesus Hinojosa to J.L. Hudson, November 16, 1904, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁶⁴⁹ Montejano, *Anglos and Mexicans in the Making of Texas*, 43.

⁶⁵⁰ Amberson, *I Would Rather Sleep in Texas*, 67.

⁶⁵¹ Warranty Deed, Serildo de Hinojosa and Doña Josefa de Hinojosa, and Don Francisco Reyes to Elisha Basse and Robert H. Hord, Instrument Date; January 27, 1853, Book “A” of Real Estate in Pages 26, 27, and 28, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas; American Rio Grande Land & Irrigation Co., *Chain of Title List of Recorded Instruments of Title to Lands in the Llano Grande Grant in Hidalgo County, Texas, Out of the 4th, 5th, and 6th Shares of the Dupouy Partition of 1848. Including the Campacuas Addition (Palm Gardens) To the Capisallo Land District, A Subdivision of Said Grant and Said District* (Edinburg, TX: Hidalgo and Starr Counties Abstract Co, 1920), 20.

their legal representation.⁶⁵² Lawyers not only served their community but were part of the land tenure history of the Lower Rio Grande Valley.

In addition to representing Mexican families, attorneys also worked for Anglos searching to expand their land claims in the region. Hord and Basse purchased land in their name and transferred this property to Charles Stillman, Edward Dougherty, and Richard King, amongst others.⁶⁵³ With similar arrangements, James B. Wells also became the legal representative of Richard and Henrietta King and came to purchase land for King in the San Juan de Carricitos and Llano Grande grants.⁶⁵⁴ Overall, lawyers, both as representatives of others or in their own right, came to buy property in the Llano Grande and other grants in the first few decades of Anglo colonization, but these purchases intensified in the latter half of the nineteenth century.

While the United States and Mexico signed the Treaty of Guadalupe Hidalgo as the overriding document structuring life for residents of the borderlands after 1848, institutions and organizations shaped and gave meaning to the Treaty in the following years. For instance, the Treaty granted citizenship to Mexicans who chose to remain north of the Rio Grande, but governments and legislative policies, crafted predominantly by Anglos, began limiting the rights of Mexican citizens in Texas. Even though Mexican Americans, or Tejanos, were not familiar with some of the new processes, their participation was expected as U.S. Citizens. For many Hinojosas and Ballí's, one of the first encounters with the state was a payment of property taxes to the county of Cameron, and later Hidalgo County. Cipriano Hinojosa, for example, on October 30, 1849, paid fourteen dollars and ten cents for state and county taxes on his "real and personal

⁶⁵² Brian Robertson, *Wild Horse Desert: The Heritage of South Texas* (Edinburg, Tx: Published for Hidalgo County Historical Museum by New Santander Press, 1985), 100.

⁶⁵³ Amberson, *I Would Rather Sleep in Texas*, 67.

⁶⁵⁴ Folder 1, Legal and Business, 1894-1899, Box 2H 169, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

property.”⁶⁵⁵ In the early decades of American jurisdiction, Llano Grande proprietors held considerable acreages that affected the state and county taxes they paid as a resident of the state of Texas.

Through an examination of Hidalgo County tax rolls, some of the Ballí and Hinojosa families continued to have substantial acreages, yet a decline in landownership was noticeable by the end of the nineteenth century. In the 1852 tax roll, Juan Ballí owned 2,962 acres out of Juan José Hinojosa’s property. Additionally, Cipriano Hinojosa and Francisco Cavazos paid taxes on their 4,704 and 3,386 acres, respectively.⁶⁵⁶ It was Cirildo Hinojosa, who in 1852 held 39,850 acres of Vicente Hinojosa’s property and 2,770 acres in Juan José Hinojosa’s.⁶⁵⁷ Leonardo Manso owned 22,140 acres of property in the Llano Grande in 1852, yet Antonio Ballí acquired part of Manso’s property. In 1865, Ballí owned 6,642 acres, yet by 1880 his property decreased to 4,311 acres.⁶⁵⁸ So, the Hinojosa and Ballí maintained extensive properties, yet other Hinojosa and Ballí surnames only held a fraction of the acreages as the previous figures discussed. Others held no property, as was the case with Federico, Porfirio, and Apolemio Ballí and Margarito, Victoriano, Andres, Pedro L., Ramon, Limon, Lauriano, and Isidro Hinojosa.⁶⁵⁹ Dispossession was not unilaterally the same for all Hinojosa and Ballí individuals.

⁶⁵⁵ “Receipt: Cipriano Hinojosa, October 30, 1849,” Folder 79.13.25b: “Documents: Hinojosa Papers 1829-1918 (copy),” Box D:4: Hinojosa Papers, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Texas.

⁶⁵⁶ “Hidalgo County Tax, 1852” Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas, 1-2.

⁶⁵⁷ *Ibid.*

⁶⁵⁸ “Hidalgo County Tax, 1852” Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas; “Hidalgo County Tax, 1865” Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas; “Hidalgo County Tax, 1880” Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas.

⁶⁵⁹ “Hidalgo County Tax, 1890” Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas. While these properties tie to Juan José Hinojosa, in relation to his grandson José María Ballí de Hinojosa, it is unclear if the land ties to the San Salvador de Tule or Llano Grande.

Rights and privileges enjoyed by Mexican American citizens of the United States also carried the obligation of paying taxes to the state and county governments. During the Spanish era, colonists were offered land as an incentive to move and as a means of reward for their services. Through these practices, families, such as the Ballí and Hinojosa, acquired extensive land holdings and cemented themselves as wealthy and influential families in the region. By the 1850s and 1860s, the change in sovereignty placed a burden on these families, as a new currency system and a cash-based economy forced Mexicans to sell part of their land to pay taxes.

Cipriano Hinojosa, for instance, in 1852 owned 4,704 acres valued at 2,352 dollars out of which he paid four dollars and five cents in state taxes and six dollars and three cents in county taxes.⁶⁶⁰ By 1870, Cipriano owned 3,763 acres and paid four dollars and seventy-one cents in taxes.⁶⁶¹ He was able to maintain his property for a few decades, even though the size of his property diminished by 1870. Dewey argued that credit avenues available for paying taxes and surviving the decline of ranching in the latter half of the 1800s were limited.⁶⁶² Taxes were often a burden to the landed elite that relied heavily on the ranching economy and their land for survival. In sum, many of them were rich in land but poor in cash.

Anglos within the political influence often used their positions to make sure that Mexican landowners were keeping up with their obligation to pay for taxes. As was the case with Alexander J. Leo, sheriff between 1873-1876, oversaw the sale of tax sale deeds or tax-delinquent properties in Hidalgo County.⁶⁶³ Such a task allowed this officer of the county

⁶⁶⁰ "Hidalgo County Tax, 1852" Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas.

⁶⁶¹ "Hidalgo County Tax, 1870" Microfilm Reel 110801, 1852-1905, Texas State Archives and Library, Austin, Texas.

⁶⁶² Dewey, *Pesos and Dollars*, 39.

⁶⁶³ Stambaugh, *History of Hidalgo County Elected Officials 1852 to 1963*, 3-4; Amberson, *I Would Rather Sleep in Texas*, 205; Alonzo, *Tejano Legacy*, 109, 177.

government to be aware of what properties were delinquent on tax payments and use the system to their advantage. The Sheriff of Hidalgo County was the one in charge of making sure that citizens paid by collecting taxes between 1879-1909. If unable to pay, this same official sold the property as a tax sale, which was purchased by Anglos. For instance, Antonia Hinojosa, as argued by the court records, “failed and refused to pay” taxes on her property, La Jara, of over three thousand acres and her property sold to John E. Garey.⁶⁶⁴ Antonia’s experiences were not unique, and many individuals and families lost their property by the lack of payment. Anglos purchased extensive property at the cost of Tejano's difficulties. Delinquent taxes were one of the means of displacement that directly affected the Llano Grande landowners and Hinojosa descendants.

The county set up the procedure on how to sell a property that failed to pay taxes, and it was the responsibility of the sheriff to inform the county of the sale through the local newspaper. These properties were published in the newspaper, as was the case with the *Brownsville Daily Herald* in 1898. John Closner, as the tax collector, announced the properties that were delinquent for 1889 in the local newspaper. He, as will be further expanded on, came to be one of the largest landowners in the Llano Grande by the beginning of the twentieth century.⁶⁶⁵ Thorough many of these sales, it is clear that political officials were tied closely to the sale of the property to Anglos, both to their name or their networks, that displaced the landed elite that did not, as is

⁶⁶⁴ “Assessor’s Deed to John E. Garey” Folder 1: Legal and Business Papers, 1837-1873, Box 2H 168, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

⁶⁶⁵ “Lands Sold to the State or Reported Delinquent in Former Years, Not Redeemed and Delinquent for 1898, in Hidalgo County,” *Brownsville Daily Herald*, Folder 7: Legal Publications and Newspapers, 1900-1911 and Undated, Box 2H 188, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

evident, have the cash available for the payment of taxes, as was their duty as new citizens of the United States and Texas.

Thaddeus M. Rhodes was one of the government officers that benefited greatly from these tax sales. In 1877 alone, he purchased two properties owned by individuals who failed to pay their property taxes.⁶⁶⁶ When María Josefa Hinojosa could not pay the mandated fifteen dollars in taxes on her 3,027-acre property, Rhodes purchased it from the county.⁶⁶⁷ Between 1852 and 1866, when Rhodes served as County Clerk in Hidalgo County, he used his privileged position to purchase thousands of acres of land from Mexicans as they defaulted on loans or were unable to pay their taxes.⁶⁶⁸ Rhodes was one of the county officials who took advantage of the tax sales and purchased extensive land at low prices. The networks of lawyers and political officials were often crucial in the purchase of land from Mexican landowners, especially those that had delinquent taxes. It was no coincidence that the buyers of tax delinquent properties were Hidalgo County officials or those closely connected with the political system of Hidalgo County throughout the late nineteenth century.

The obligation of taxes and the use of lawyers often made Mexicans vulnerable to losing land through derechos, purchases, or tax sales. Taxes were often the means of displacement and impoverishment even though they represented the obligations of citizens towards the county and state institutions. For the landed elite, with considerable property, as was the case with Cipriano, taxes created an additional burden. First, they not only had to validate their status as white

⁶⁶⁶ Tax Sale Deed, Hidalgo County to Thaddeus M. Rhodes, Instrument Date: June 5, 1877, Book “C” of Real Estate on pages 12 and 13, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas; Tax Sale Deed, Hidalgo County to Thaddeus M. Rhodes, Instrument Date: June 5, 1877, Book “C” of Real Estate on pages 10, 11, and 12, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁶⁶⁷ American Rio Grande Land & Irrigation Co., *Chain of Title List of Recorded Instruments of Title to Lands in the Llano Grande Grant in Hidalgo County, Texas, Out of the 4th, 5th, and 6th Shares of the Dupouy Partition of 1848*, 11.

⁶⁶⁸ Stambaugh, *History of Hidalgo County Elected Officials 1852 to 1963*, 3-4.

individuals under the United States and the Treaty of Guadalupe Hidalgo but with the state of Texas. Under the Bourland and Miller Commission, they justified their land claims, proved ownership of their land, and in the process, they tried to maintain their political and social positions under the Mexican government in the transition of sovereignty. These laws and treaties greatly affected landowners in the Lower Rio Grande Valley, yet it was also the shift of sovereignty on the county level that affected residents most directly.

The exertion of citizenship by the landed elite was visible in the use of lawyers and the power of attorneys to navigate the county system, yet it was not often a symbiotic relationship. Payment for legal fees and services was usually made through the sale of *derechos* or rights to land owned by specific proprietors to land grants, as was the case with the Llano Grande grant. The Ballí and Hinojosa families used lawyers and fought for restitution with the government. Attorneys were used when their cattle were killed or taken by U.S. troops after the U.S.-Mexico War. Representation in the county government was essential as a means of expressing their rights in the judicial and political system. The Ballí and Hinojosa families are crucial in this regard because their class and wealth allowed them a modicum of power and influence in the transition of power, but they also held small county offices unlike what their families once had in the Mexican and Spanish eras. Anglos, particularly lawyers, in the Llano Grande were slow to overtake the Mexican landowners, but there was a gradual movement towards Anglo control through the purchase of *derechos* and property in the grant. Tejano landowners were not outright displaced because the Dupouy Partition already divided the grant, but with time Anglos, including women, came to purchase land and became crucial to ranchers in the region. This Anglo network came to completely rearrange the land use and ownership of the Llano Grande at

the beginning of the twentieth century with the creation of the farmland paradise advertised as the “Magic Valley.”

Chapter 6: An Agricultural Eden: The Arrival of the Railroad, Displacement of Tejano Landowners, and the Creation of the Magic Valley, 1890-1930

Down at the very 'Tip o' Texas is a section known as the Lower Rio Grande Valley, which has had more remarkable growth and development in the last score of years...From a cactus covered desert it has been converted into an evergreen garden. Today it is one of the most thickly populated, most intensively cultivated and most progressive communities of its size in the country. Often referred to as "the Magic Valley"...there is something very akin to magic in the way transportation has sped development and there is, seemingly, a trace of magic in the transformation wrought by the application of irrigation water to the fertile lands of the valley.⁶⁶⁹

By the turn of the twentieth century, land-use practices in the Llano Grande, and the Lower Rio Grande Valley as a whole, radically changed with the rise of commercial agriculture. Anglo newcomers, such as Yoakum, Wells, and Dougherty, worked together to create a "paradise" for incoming Anglos. They advertised the region as untouched and undeveloped with fertile lands ready to be exploited to their highest potential, even referring to them as "magical" in their promise to yield crops and wealth.⁶⁷⁰ Behind the rhetoric of fertile lands and untold riches, there was a conglomeration of land speculators, merchants, and lawyers, who were purchasing extensive property at the turn of the century and created business ventures that closely connected with the arrival of the railroad in 1904. Many of the land speculators that purchased the property in the Lower Rio Grande renamed themselves as "pioneers" of the region who brought in the railroad and created farming properties for sale.⁶⁷¹ Rather than a natural or even magical process, the transformation of the area was intentionally guided by a small group of men—mainly Anglos—who sought wealth and power despite its costs to the local inhabitants.

⁶⁶⁹ "The Lower Rio Grande Valley of Texas" booklet, Folder 33, Box 4, Publications, The Lower Rio Grande Valley of Texas, John Shary Collection, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Tx.

⁶⁷⁰ *Ibid.*

⁶⁷¹ Dewey, *Pesos and Dollars*, 59-62.

Land and irrigation companies rewrote how the land was used and demarked, in which blocks, subdivisions, and lot numbers marked the Llano Grande property. Anglo newcomers replaced physical markers, such as mesquite stands or rock outcroppings, which once demarked the boundaries with abstractions such as latitude and longitude, townships, and sections designated on a map. The construction of irrigation canals from the Rio Grande created the infrastructure to sell irrigation water to the Anglo buyers and, in a way, continued to profit from the initial land sales. Land that Spanish speakers once held over generations was transformed by capitalists, lawyers, bankers, and speculators into a commodity sold for profit. The Magic Valley, as the region is still known, became the symbol of progress and modernization to the Anglos entering the area in the early twentieth century.

Despite these radical transformations, some descendants of the Llano Grande's original grantees often used their status and wealth for representation, mainly through lawyers, to exert their rights as landowners and as citizens of the United States. Wealth, in particular, served the Hinojosa and Ballí descendants not only to use the legal system to resolve their claims but that privilege also offered them a means to be integrated into mainstream society as white and potentially "eligible for intermarriage and citizenship."⁶⁷² As Omar Valerio-Jiménez articulates, elite Tejanos could attain "privileges of whiteness" that poor Mexican could not, yet it was Anglos who controlled the definition of whiteness and citizenship.⁶⁷³ Class, as evidenced by the experience of elite Tejanos, was integral in their interconnection with the county government largely tied to Anglos and whiteness.

As citizens and members of the county government in Lower Rio Grande Valley, there were also expectations and obligations to follow the laws and maintain social order. Taxes were

⁶⁷² Valerio-Jiménez, *River of Hope*, 234.

⁶⁷³ *Ibid.*, 235-237.

a vital component of membership and constant reminders of citizens' obligations to the physical manifestations of the state on the local level. The state and local governments demanded payment of taxes in cash, and many Tejanos were “land rich and cash poor,” so they sold portions of their land or, when possible, take loans, to pay taxes.⁶⁷⁴ In both scenarios, Anglos took advantage of the system that placed them in a privileged status as bankers, politicians, or lawyers and purchased the tax-delinquent properties from Tejano landowners. By the twentieth century, this dynamic changed where land ownership became part of corporations that sold it for profit. While class offered a buffer for the Tejano elite, the arrival of the railroad and the modernization of the region left little place for the Spanish speaking ranching elite that once controlled the region.

With the decline of small scale and individual ranching and the rise of commercial, export-oriented agriculture in the first years of the twentieth century, this chapter examines the shift in land tenure and its implications on the Hinojosa and Ballí families. Modernization of the region and a more reliable connection to the capitalist markets of Mexico and the United States severely affected the status and livelihoods and property of Tejano landowners. Also, this chapter explores how modernization, as exemplified by the expansion of the railroad and growth of the export-oriented agriculture, transformed notions of race, class, and citizenship for landowners in South Texas in the twentieth century. It is specifically looking at the changing meaning of citizenship and how the Hinojosa and Ballí families defined and connected to the state through their participation within the local economy and political life. The arrival of the railroad affected their status, position, and property and led to the rise of the “Magic Valley,” but how did this transformation impact longstanding Spanish speaking families. With the economic

⁶⁷⁴ Montejano, *Anglos and Mexicans in the Making of Texas*, 50.

changes, did Tejanos mostly lost political power in the county government? While the Hinojosa and Ballí continued to be part of the legacy of the Lower Rio Grande Valley, their ownership of land declined. However, their power and influence were a complicated relationship with the Anglo elite. While this chapter does not overshadow the Mexican contribution to the development of the Lower Rio Grande Valley, it is crucial to evaluate the effects of Anglo networks that brought the railroad to the Lower Rio Grande Valley as well as the consequences of the “Magic Valley” promotional campaigns meant to bring Anglo Americans into the region to purchase farmland. The Magic Valley iconography is one of the lasting legacies in the Lower Rio Grande Valley that continues to describe the area to this day.

The rise of commercial agriculture, the arrival of the railroad, and modernization more generally occurred much later in the Lower Rio Grande Valley than in other places in Texas and the Southwest. Still, these processes displaced the Tejano elite who retained, in some shape or form, their property and businesses up to the early 1900s. While not all property was lost, the numbers were small in comparison to the first decades after 1848. Ranching allowed the Tejano elite to maintain a degree of power and control, which was the case with the Hinojosa, Ballí, and Cano families who were some of the first successful stock raisers in the Lower Rio Grande Valley.⁶⁷⁵ Armando C. Alonzo states that rancheros of Mexican descent controlled the cattle business from 1860 to 1880, and seventy-five percent of the property within the Lower Rio Grande Valley, as Alicia M. Dewey articulates, belonged to Tejano individuals in the 1880s.⁶⁷⁶ Rancheros, in the 1890s, continued to be part of the livestock trade in substantial numbers with

⁶⁷⁵ Alonzo, *Tejano Legacy*, 191.

⁶⁷⁶ Alonzo, *Tejano Legacy*, 215-216; Dewey, *Pesos and Dollars*, 44.

small herds. At the start of the twentieth century, the owners with large livestock declined and only averaged four percent of Hidalgo County.⁶⁷⁷

The Lower Rio Grande Valley experienced a rapid transformation in the ranching economy, affecting Tejano ranchers in the late nineteenth century. Land use shifted, particularly with the emphasis on agriculture, and led to the rapid dispossession of elite families. Anglos benefited from the changes in sovereignty, and integrated themselves in the ranching economy by purchasing, property, setting up ranches, and raising livestock. For Mexican ranchers, race played a role in their success as the cattle industry expanded throughout the latter half of the nineteenth century. Mexicans sold livestock to Anglo buyers acting as the middleman, who were often the vaqueros on the cattle trail moving the cattle to northern train depots.⁶⁷⁸ Tejano ranchers, however, were vulnerable to property taxes and legal fees in keeping up their operations. Furthermore, without many of the resources needed to modernize their operation, many were unable to keep up with the cattle industry.

As the decades wore on, Mexican rancheros with large livestock such as cattle shifted to small and medium animals, primarily sheep and goats, that spoke to the coping strategies enacted to sustain their livelihood. Only a few *rancheros* specialized and excelled in horse breeding, as was the case with Lino Hinojosa, whose business flourished well into the 1880s.⁶⁷⁹ Hidalgo County in 1882 counted 15,847 horses and mules, 22,230 cattle, and 14,955 sheep, among other animals from their county's residents.⁶⁸⁰ By 1900, South Texas, as a whole, still maintained 444,000 cattle. It is evident that Hinojosa descendants and other Mexican surnames maintained

⁶⁷⁷ Alonzo, *Tejano Legacy*, 215-217, 228-229.

⁶⁷⁸ Montejano, *Anglos and Mexicans in the Making of Texas*, 56-57.

⁶⁷⁹ Alonzo, *Tejano Legacy*, 219.

⁶⁸⁰ "Hidalgo County Tax Rolls, 1882" Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas.

extensive properties for the ranching economy, yet it was not the same for all residents. Antonio Ballí alone owned 7,311 acres, and Indalecio Dominguez, great-grandson of Juan José Hinojosa, possessed 2,992 acres. Ballí and Dominguez were some of the largest landowners in the grant, yet at the same time, others such as Eugenio Cano, Lauriano Hinojosa, and José María Cano owned small parcels of 305, 360, and 162 acres respectively.⁶⁸¹ Llano Grande landowners continued to be substantial throughout the early 1880s, and this indicates their strength in maintaining their property. The Dupouy Partition, which divided the Llano Grande into eight shares, or properties, for the eight children of Juan José and María Antonia. Antonio Cano, for instance, gained the right to the third share of the Llano Grande. However, while Mexican landowners maintained their property, Anglos established ranches of their own, as was the case with the Capisallo and Relampago Ranches.

The debts and general economic difficulties facing Tejanos, along with the regional decline of small scale and independent ranching in the late 1890s, correlated with Anglos acquiring large-scale properties, especially in the Llano Grande. Prices for cattle slowly declined in the 1890s, and the drought and disease on sheep saw the beginning of the deterioration of ranching as a commercial enterprise.⁶⁸² A few years after the registration of lands to the Texas General Land Office, the heirs of Rosa María Hinojosa de Ballí sold their property, the eighth share, to Nicholas Gisanti for one dollar. Both the children of Carmen and Francisco Ballí, the heirs-at-law of Padre Nicholas Ballí, and Gisanti resided in Matamoros. Carmen, Francisco, and Nicholas faced numerous challenges in owning land as non-citizens, yet the monetary exchange

⁶⁸¹ "Hidalgo County Tax Rolls, 1882" Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas; Frances W. Isabell ed., "San Pedro" in *Hidalgo County Ranch Stories* (Edinburg: Hidalgo County Historical Society and Hidalgo County Historical Commission, 1994), 100.

⁶⁸² Alonzo, *Tejano Legacy*, 236-237.

was standard practice yet often was a payment schedule and interest rate attached.⁶⁸³ Court records reveal the exchanges between Anglos and Tejano landowners but offer limitations as to the motivations and interactions between two groups that led to the sale of the property, particularly for such a small amount of money. Financial difficulties, most prominently after 1885, led to Anglos acquiring large properties within the grant.⁶⁸⁴

Modernization, the decline of individualized ranching operations, the rise of the cash and debt economy, and the penetration of the railroads contributed to massive economic transformations that placed Spanish speaking land grant holders in an increasingly precarious situation. As Armando C. Alonzo articulates, European landholders who purchased properties from desperate Tejanos held on to their purchased properties for a brief time and often sold it for a considerable profit. The property Gisanti acquired from Rosa María's heirs is a perfect example of this pattern.⁶⁸⁵ Gisanti sold the property within a few months, on February 13, 1857, to Marco Rodici for two thousand and two hundred dollars, which encompassed land and the rancho named "el Zacatal."⁶⁸⁶ Two thousand dollars in comparison to one dollar does speak to the differences between the heirs of Padre Ballí and Anglos over the exchange of property. With property values increasing in the ensuing decades, the evidence shows a large discrepancy in the initial sale and subsequent transactions.⁶⁸⁷

⁶⁸³ Release, Jaula Bally to Nicholas Gistani, Instrument Date; November 10, 1856, Deed Records, Book "A" of Real Estate on Pages 230, 231, and 232, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Alonzo, *Tejano Legacy*, 266.

⁶⁸⁴ Alonzo, *Tejano Legacy*, 266.

⁶⁸⁵ *Ibid.*, 167.

⁶⁸⁶ Warranty Deed, Nicholas Gisanti to Marco Radici, Instrument Date, February 13, 1857, Deed Records, Book "F" of Real Estate in Pages 663 and 664, County Clerk's Office, Cameron County Court House, Brownsville, Texas.

⁶⁸⁷ Warranty Deed, Marcus Rodici to Charles Stillman, Instrument Date, March 16, 1858, Deed Records, Book "A" of Real Estate Records in pages 377 and 378, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Warranty Deed, Charles Stillman to Abraham Milstead, Instrument Date, August 22, 1861, Deed Records, Book "A" of Real Estate Records in pages 488 and 489, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

This particular property changed hands several more times after its initial sale. Marco sold this property to Charles Stillman, founder of Brownsville, Texas, who then sold it to Abraham Milstead for fifteen hundred dollars.⁶⁸⁸ Ultimately, Edward Dougherty purchased the property from William F. Chapman on February 15, 1867, for fifteen hundred dollars.⁶⁸⁹ Edward Dougherty, lawyer and political official in Hidalgo County, and his wife María Marcela García settled within Rancho Zacatal in the Llano Grande.⁶⁹⁰ In only a few years, the property exchanged hands over three times, and it was Edward Dougherty who kept the property and gave it to his children as an inheritance. The Zacatal property was a poignant example of dispossession and the dynamics of how landownership played out in a borderland's context with Mexican residents and Anglos shifting the ownership and claim to this particular property.

Similar to Tejano elites, many Anglos also followed inheritance practices that favored all children, and it continued with the Zacatal ranch. In 1877, Edwards divided the property amongst his three children William, Concepcion, and James. In the end, William came to acquire the entirety of the Zacatal ranch in the 1880s.⁶⁹¹ Edward Dougherty was one of the few Anglos, in addition to John Young, who acquired extensive land in the Llano Grande shortly after 1852. By 1852, for instance, he was taxed on 6,600 acres of land that was initially owned by Juan José Hinojosa, and this amount expanded to 15,000 acres by 1867.⁶⁹² Both his daughter and sons

⁶⁸⁸ Warranty Deed, Marcus Rodici to Charles Stillman, Instrument Date, March 16, 1858, Deed Records, Book "A" of Real Estate Records in pages 377 and 378, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Warranty Deed, Charles Stillman to Abraham Milstead, Instrument Date, August 22, 1861, Deed Records, Book "A" of Real Estate Records in pages 488 and 489, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

⁶⁸⁹ Warranty Deed, William F. Chapman to Edward Dougherty, Instrument Date, February 15, 1867, Deed Records, Book "B" of Real Estate Records in pages 97 and 98, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

⁶⁹⁰ Frances W. Isabell ed., "Rosario Ranch" in *Hidalgo County Ranch Stories* (Edinburg: Hidalgo County Historical Society and Hidalgo County Historical Commission, 1994), 129-130.

⁶⁹¹ *Ibid.*, 129-130.

⁶⁹² "Hidalgo County Tax Rolls, 1852," "Hidalgo County Tax Rolls, 1867," Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas.

received property from Edward, at the time of his death, however, it was the male siblings who acquired Zacatal ranch. Anglos, during the first generation after the end of the War with Mexico, tended to integrate into the social and economic life in the Lower Rio Grande Valley. At the same time, they gathered the political power that excluded the Mexican community except for the elite Tejanos and ranchers in the region.

By the end of the nineteenth century, Llano Grande's descendants retained property yet were smaller in size. In 1890, few Ballí surnames claimed any of the property initially owned by Rosa María or Juan José's. For instance, Porfirio and Apolomio Ballí and Margarito, Andres, Lauriano, and Isidro Hinojosa did not declare any property in the 1890s taxes.⁶⁹³ Indalecio Dominguez, as previously mentioned, in 1890 owned only 1,000 acres out of Juan José Hinojosa de Ballí's property and none out of the Llano Grande.⁶⁹⁴ Fewer names associated with Juan José Hinojosa appeared in the assessment of property taxes, particularly his porción number sixty-nine and the Llano Grade, in Hidalgo County.⁶⁹⁵ The arrival of the railroad altered the land tenure practices of Spanish speakers, and in turn, undermined their power base. This decline in land ownership correlated with their decline in political power, and thus their acceptance into the nation-state.⁶⁹⁶ Owning land, as David Chang articulates, made Spanish speakers "individuals of classical liberal theory—that is, rational economic actors and individual political citizens."⁶⁹⁷

The land was a pivotal component to accessing citizenship outside the constrictions of race,

⁶⁹³ "Hidalgo County Tax Rolls, 1882" Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas, 15, 23.

⁶⁹⁴ "Hidalgo County Tax Rolls, 1882" Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas, 4.

⁶⁹⁵ Observation from the 1852 to the 1890 tax rolls that focused on property that named Juan José Hinojosa as the original grantee. "Hidalgo County Tax Rolls, 1852" Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas; "Hidalgo County Tax Rolls, 1890" Microfilm Reel 110801, 1852-1905, Texas State Library and Archives, Austin, Texas.

⁶⁹⁶ T.H. Marshall and Tom Bottomore, *Citizenship and Social Class* (Sterling, VA: Pluto Press, 1992), 66-68.

⁶⁹⁷ Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832-1929* (Chapel Hill: University of North Carolina Press, 2010), 78.

which vilified poor Mexicans regardless of having acquired full citizenship and whiteness with the Treaty of Guadalupe Hidalgo.

While Anglos in the Lower Rio Grande Valley pushed for a railroad and touted the possibilities and economic growth of the region throughout the 1890s and early 1900s, the region continued to be somewhat isolated without access to substantial capital centers. Additionally, during the years before the entrance of the railroad, South Texas communities were tightly linked to communities in Northern Mexico, south of the Rio Grande. The railroad was the key for merchants in the area to access the capital markets of Mexico but particularly the United States.⁶⁹⁸ Railway lines extended into Texas in the 1880s, yet the Lower Rio Grande Valley did not have a railway line until 1904.⁶⁹⁹ It was Laredo in 1881 that created a “transnational railroad hub,” which connected the Texas-Mexican Railway from St. Louis, San Antonio, and Laredo and the Mexican National Railway from Laredo, Monterrey, and Mexico City.⁷⁰⁰ Laredo experienced rapid growth as it becomes the center for a transnational point of commerce in the 1880s. Trade that had once run through Matamoros and Brownsville shifted to Laredo. Wanting some of the success, a push in the early 1900s began for a railway connection from Corpus Christi to Brownsville.⁷⁰¹

At the head of this effort was Uriah Lott, the heirs of Richard King and Mifflin Kenedy, John B. Armstrong, Benjamin F. Yoakum, Francisco Yturria, and others, who provided the resources and time in creating a rail line to the Valley.⁷⁰² Uriah Lott, the founder of the St. Louis, Brownsville, and Mexican Railway Company, spent a few years trying to get the financial

⁶⁹⁸ Dewey, *Pesos and Dollars*, 56

⁶⁹⁹ J.L. Allhands, *Gringo Builders* (Dallas: Privately Printed, 1931), 45.

⁷⁰⁰ Dewey, *Pesos and Dollars*, 51; Montejano, *Anglos and Mexicans in the Making of Texas*, 94.

⁷⁰¹ Montejano, *Anglos and Mexicans in the Making of South Texas*, 98, 95-96; Dewey, *Pesos and Dollars*, 52-53.

⁷⁰² Dewey, *Pesos and Dollars*, 52.

backing to begin the construction of the railway.⁷⁰³ J.L. Allhands was involved in bringing the railroad in the 1900s, and in his biography of Uriah Lott, he stated that “Corpus Christi was a natural gateway into old Mexico, and over the years its business leaders had longingly looked toward a rail connection with the lower country.”⁷⁰⁴ The idea of connecting the region to Mexican markets and beyond was a goal that Lott and Yoakum believed they could achieve through the construction of a railroad to the Lower Rio Grande Valley.⁷⁰⁵ Railroads, to Lott and Yoakum, were part of a larger puzzle meant to modernize, open the region to commercial markets, and create more reliable modes of transportation to and from the Lower Rio Grande Valley.⁷⁰⁶ However, these ideas of progress and development did not benefit everyone equally and equitably in the long run, and they proved especially detrimental to many of the Spanish speaking landowners of the region.

Nonetheless, on January 5, 1903, the charter for the St. Louis, Brownsville, Mexican Railway Company under Texas state provisions, was created.⁷⁰⁷ Uriah Lott became its first president, and Francisco Yturria, J. Kenedy, J. B. Armstrong, Robert J, Kleberg, and S.W. Fordyce, among others, became its Board of Directors.⁷⁰⁸ On June 25, 1903, a syndicate created an agreement between the St. Louis, Brownsville, and Mexico Railway Company, the Johnson Brothers, the contractors, and St. Louis, Union Trust Company over the construction,

⁷⁰³ J. L. Allhands, *Railroads to the Rio* (Salado, TX: The Anson Jones Press, 1960), 17-19.

⁷⁰⁴ *Ibid.*, 19.

⁷⁰⁵ *Ibid.*, 48-49.

⁷⁰⁶ J. L. Allhands, *Gringo Builders*, 11.

⁷⁰⁷ Allhands, *Railroads to the Rio*, 48-49; “Annual Report of the St. Louis, Brownsville, and Mexico Railway Company to the Railroad Commission of the State of Texas for the Year ending June 30, 1904,” Box 455-545, Index to the Annual Reports of Railroad Companies, Texas State Library and Archives Commission, Austin, Texas; Montejano, *Anglos and Mexicans in the Making of Texas*, 106.

⁷⁰⁸ “Annual Report of the St. Louis, Brownsville, and Mexico Railway Company to the Railroad Commission of the State of Texas for the Year ending June 30, 1904,” Box 455-545, Index to the Annual Reports of Railroad Companies, Texas State Library and Archives Commission, Austin, Texas.

distribution of funds, donations, and land, amongst other financial matters before the construction of the railroad.⁷⁰⁹ By July 1, 1903, the railroad began construction in Robstown and reached Brownsville in 1904. The company also planned a second line that was to extend from a point in the Brownsville railway line to the city of Sam Fordyce.⁷¹⁰ While this city never materialized, this particular track came to shape the lives of citizens of Hidalgo County and proprietors of the Llano Grande. The establishment of the main townsites in the Lower Rio Grande Valley occurred on the second railway line.

The Brownsville railroad required private funding and land, so Lott and Yoakum focused their efforts on Anglo and Mexican landed families in the path of the railroad.⁷¹¹ Even before attempting the construction of the railroad, Uriah Lott asked for 12,000 acres and 40,000 dollars from business people and landowners in the pathway of the railroad to begin construction.⁷¹² Lon C. Hill, a landowner in the Llano Grande, not only managed donations but was in charge of consolidating land bonuses received by the company.⁷¹³ As for expenses, in September 1903 alone, J.F. Hinckley, the consulting engineer, sent out an invoice for payment of \$137,547.83 in expenses in construction, salary, parts, railway cars, and other costs.⁷¹⁴ The need for money and land was critical for the success of the venture. Families keen on the railroad, such as the King and Kenedy, as well as Robert Driscoll, James B. Wells, Francisco Yturria, and Major John B. Armstrong, donated land for its construction, and some allowed for the tracks to pass through

⁷⁰⁹ “The St. Louis, Brownsville, and Mexico Railway Company, Syndicate Agreement, Dated June 25, 1903,” Folder 4: Papers, 1891-1909, Box 2H 172, James B. Wells Papers, 1837-1926, Dolph Briscoe Center for American History, The University of Texas at Austin, Austin, Texas.

⁷¹⁰ J.L. Allhands, *Gringo Builders*, 45.

⁷¹¹ Amberson, *I Would Rather Sleep in Texas*, 432.

⁷¹² Allhands, *Gringo Builders*, 39.

⁷¹³ Amberson, *I Would Rather Sleep in Texas*, 434.

⁷¹⁴ “Chief Engineer’s Certificate,” Folder 16: Financial Material-Estimates 1903-1907, Box 3, F2-10-4, James Lewellyn Allhands Collection, A1963-014, South Texas Archives, Jernigan Library, Kingsville, Texas.

their properties.⁷¹⁵ James B. Well on September 13, 1903, sold to Benjamin F. Yoakum, Samuel W. Fordyce and Edwards Whittaker, Thomas L. West, and Robert S. Brookings of St. Louis, Missouri 12,177 acres of land within the San Juan de Carricitos grant at two dollars and fifty cents per acre amounting to \$34,442.50.⁷¹⁶ Selling land to the railroad company aided its construction and brought tremendous profits to those who agreed to sell.

Lower Rio Grande Valley merchants, political officials, lawyers, and ranchers were closely associated with the construction of the railroad and focused on acquiring land in anticipation of the economic changes the railroad would bring. Property sales increased in value as land became an especially valuable commodity. For instance, Tejano landowners continually sold their properties to other Mexican surnames or their relatives in the 1890s. Sales averaged one dollar and fifty cents an acre when previously thousands of acres were sold for a fixed sum. From the Cano family, whose property resided in the third share of the Dupouy Partition, sold their property above the average of a dollar and fifty cents an acre. Guadalupe Cano and Librada Cano sold their property to John Closner for one dollar and fifty cents accruing to \$1,453.96, Closner purchased a property owned by Sostenes Cano Saenz and Florencio Saenz for two dollars an acre.⁷¹⁷ Many elite landowners could profit from the sale of their property, yet this meant the decline of their property holdings and their potential landlessness.

As property values increased swiftly in the early 1900s, land speculators, many who recently arrived in the region, purchased land from Tejano elites and other Anglos in the Llano

⁷¹⁵ Allhands, *Gringo Builders*, 40; Montejano, *Anglos and Mexicans in the Making of Texas*, 106-107.

⁷¹⁶ Deed, James B. Wells to Benjamin F. Yoakum et al., Instrument Date: September 13, 1903, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; The sale exchange accounted for 30,442.50 dollars.

⁷¹⁷ Deed, Guadalupe Cano and Librada Lopez de Cano to John Closner, June 11, 1903, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Deed, Sostenes Cano de Saenz and Florencio Saenz to John Closner, May 29, 1903, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

Grande. John Closner, the sheriff of Hidalgo County, purchased properties from various large landowners, such as the Cano and Rhodes family, amounting to nine thousand acres.⁷¹⁸ Closner moved to the region in the early 1880s, became sheriff in 1890, and entered the land speculation business through the purchase of various porciones throughout the Lower Rio Grande Valley and in the Llano Grande. Between 1902 and 1903, Closner was named in over thirty warranty deeds as the buyer. By September 3, 1903, John Closner sold 13,806.23 acres from various titles he purchased in the Llano Grande to J.P. Withers.⁷¹⁹ J.P. Withers, a land speculator from Kansas, also purchased land in anticipation of the “real estate boom” in the Lower Rio Grande Valley.⁷²⁰ A large number of sales between 1900-1904 related to the anticipation of the railroad and opening the region to Mexican and American capitalist markets.

Anglo political officials, lawyers, and land speculators, as was the case with Closner, Wells, Lon C. Hill, and J.P. Withers, set out to profit from the land through property sales. Closner owned considerable acreages in the Llano Grande sold it to J.P. Withers for two dollars and fifty cents in 1903 for commercial purposes.⁷²¹ James B. Wells as well sold the land his property in San Juan de Carricitos to the conglomeration of individuals, including Yoakum, for the same price of two dollars and fifty cents. In many cases, these sales exceeded ten thousand

⁷¹⁸ Deed, Thaddeus M. Rhodes et al. to John Closner, December 20, 1902, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas; Deed, Sostenes Cano de Saenz and Florencio Saenz to John Closner, May 29, 1903, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.; Deed, Guadalupe Cano and Librada Lopez de Cano to John Closner, June 11, 1903, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas; Deed, Gumercinda Cano de Champion and Peter S. Champion to John Closner, June 11, 1903, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁷¹⁹ Warranty Deed, John Closner to J.P. Withers, Instrument Date: September 4, 1903, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁷²⁰ McAllen Amber, *I Would Rather Sleep in Texas*, 399-400; Deed, John Closner to J.P. Withers, Instrument of Date: September 4, 1903, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

⁷²¹ Warranty Deed, John Closner to J.P. Withers, Instrument Date: September 4, 1903, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

acres, and the profits reaped by individuals such as Closner, Wells, Hill, and Withers, were immense. Using their privileged positions as lawyers, land speculators, or agents of the state, these newcomers manipulated the changing regional economy and the legal system to their benefit. In contrast, the original owners of land grants, such as the Llano Grande, continued to lose land as they struggled to pay taxes and survive in an economy increasingly based on cash and debt, large scale agriculture, and wage labor. For them, the coming of the railroad and its promises of modernization spelled economic disaster, social dislocation, and political decline.⁷²²

As views on land and its value were changing, elite women added a complex dynamic to land tenure in the era of modernization. Landed women were often at the forefront of many of the land sales conducted in the Llano Grande before the arrival of the railroad. Through inheritance practices, many elite Tejanas acquired or maintained their properties throughout the nineteenth century. Even though men continued to be the principal names in the land records, women's names continued to appear in the records as they sold or acquired land in South Texas. Both Anglo and Mexican women purchased and sold properties. Male relatives often oversaw the legal transactions or the sale of a property, but women's names were often essential in the land sales if they were part of the vendors. Their status as legal individuals under the local government remained present in the sales, purchase of land, and the tax records.

Mauricia F. Cano's case highlights a land tenure pattern and gender dynamics within the Llano Grande. Receiving her husband's property upon his death, Mauricia continued inheritance practices and divided the third share, owned by Antonio and Mauricia Cano, amongst her

⁷²² Warranty Deed, John Closner to J.P Withers, Instrument Date: September 4, 1903, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas; Warranty Deed, James B. Wells to Benjamin F. Yoakum et al., Instrument Date: September 13, 1903, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

relatives. Twelve members of her family, including Gumercinda Cano de Champion, Gerarda Solis de Krummel, Natividad Cano de Piña Sostenes Cano de Saenz, and others, sold back their share to Mauricia. By 1903, Mauricia sold 1,904.07 acres of her property to John Closner.⁷²³ She was an active agent in the consolidation of her family's property yet sold her property to land speculators created companies and sold farmland for profit. His motivations to sell the property were unclear, yet she did lose acreage and property like other Tejano elites in the region.

Women in the Llano Grande appear in legal transactions and exchanges as legitimate landowners who navigated the patriarchal society. As María Raquéel Casas articulated, marriage was often one of the means “foreigners” used to integrate themselves in Californian society.⁷²⁴ This practice was evident with Gumercinda Cano's marriage to Peter S. Champion, a political official in Hidalgo County. Also, land sales and transactions emphasized women's agency in the process, yet they also navigated a patriarchal society. For instance, as Gerarda Solis and Gumercinda Cano sold their property to Mauricia, their husbands joined in the transaction.⁷²⁵ Within the same transaction, women also sold their property to Mauricia without a husband, known as *femme sole*, yet this transaction occurred amongst family members that could indicate more flexible gender norms. Regardless, women had the opportunity to sell or buy without a male family member, many of whom were single or widowed women. The court records, women were still present and selling property at the cost of their land claims in the Llano Grande.

⁷²³ Warranty Deed, Mauricia F. Cano to John Closner, Instrument Date: May 29, 1903, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

⁷²⁴ María Raquéel Casas, *Married to a Daughter of the Land: Spanish-Mexican Women and Interethnic Marriage in California, 1820-1880* (Reno: University of Nevada Press, 2007), 77.

⁷²⁵ Warranty Deed, Guillermo Cano, et al., to Mauricia F. de Cano, Instrument Date: October 18, 1898, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

In the Llano Grande, women conducting business, selling, or interacting with the local courts were somewhat ordinary. For instance, Rafaela Hinojosa sold her property to J.G. Schodts, the trustee of M. Halff of the County of Bexar, on October 9, 1909. She acquired forty-six acres from the American Rio Grande Land and Irrigation Company in 1907.⁷²⁶ Women in the Llano Grande, as this transaction indicated, conducted business, interacted with the county government, and sold and purchased property, legally, under their name. They were required to adapt to the new companies that altered the legal descriptions of the property they sold to incoming farmers. Land and irrigation companies not only altered the legal descriptions, such as using blocks and subdivisions, that described the property in the Llano Grande.

By the end of the first decade of the twentieth century, nearly all the Spanish speaking grantees of the Llano Grande sold their land to survive the changing economic landscape. For the original grantees, the much-touted modernization of the region brought new taxes, a new legal regime that benefitted outsiders, and visions of land as a commodity, rather than a family inheritance infused with tradition. By the late nineteenth century, land ownership became a temporary expedient, and a means to get rich quick for new arrivals and investors who cared more about “progress and modernization” than with the generations of families living in the area. Moreover, with the arrival of the railroad in the Lower Rio Grande Valley, there was a second influx of Anglos entering the region that saw its economic and farming potential. Expanding on the development of the land championed by previous generations of Anglos, this new wave fully embraced the vision of South Texas as an agricultural Eden and a paradise for farmers hoping to export their crops across the United States. Older political bosses that previously controlled the counties, such as Closner, lost their political power in the Lower Rio Grande Valley. The first

⁷²⁶ Warranty Deed, Rafaela Hinojosa to J.G. Schodts, trustee, to M. Halff, Instrument Date: October 9, 1909, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

Anglos who once acculturated to the ranching economy and society differed from the new group who defined themselves as Anglo pioneers who conquered and settled the Lower Rio Grande Valley. The region was portrayed as a magical place for its agricultural potential, and it no longer carried ideas of honor and influence for the Tejano elite who settled it in the eighteenth century.

The wealth and status of Hinojosa and Ballí families allowed them to forge amicable relationships with Anglos, who controlled the legal and political system in Hidalgo County. Networks and connections with Anglos were evident when discussing the Ballí's in the Lower Rio Grande Valley. On August 3, 1911, Jesus María and Rafailita Hinojosa received a letter from J. L. Dougherty and his family offering their condolences for the death of their brother Manuel. Responding to his death, Dougherty wrote a letter, in Spanish, to Jesus María and Rafailita with "el mas profundo centimiento les escribo estas cuantas lineas as para darles mi mas centido pesame rogando a Dios por el descanso de su Alma y paz que pronto les de el Consuelo y resignacion. Su amigo...J. L. Dougherty & fam."⁷²⁷ J.L. Dougherty wrote this letter in Spanish, which speaks to the familiarity and respect shared by both families. Anglos, as was the case with Dougherty, learned Spanish and integrated themselves into the ranching economy and livelihood that was established by these elite families during the Spanish colonial era. For the Mexican elite, these connections with Anglo politicians and others in positions of power offered them a means to integrate themselves and to participate in the new American county government.

José María Ballí, in 1915, after a little more than a decade after the arrival of the railroad, was still part of the political life of Hidalgo County, even though it was at a more limited

⁷²⁷ "Granjeno, Hidalgo, Letter to Jesus Maria and Rafailita Hinojosa from J.L. Dougherty," Folder 79.13.25b, Box D4, RGDOC193b, 159, and 175, Hinojosa Papers, Museum of South Texas History, Edinburg, Texas. English Translation: "with my most profound sentiment I write to you these lines to give you my deepest sympathy begging God for the rest of his soul and peace that will soon give you comfort and resignation. Your Friend...J.L. Dougherty."

capacity. Similarly to the Dougherty's connection with the Hinojosa's, the Ballí were treated with "fairness and equality."⁷²⁸ Anglos integrated these Tejano elites as American citizens and continued to have "interaction[s]...grounded on friendly relations."⁷²⁹ José María, as well as other elites, were integrated into American life in South Texas, yet underprivileged Mexicans were categorized as criminals, their citizenship questioned, and at worst were lynched for the color of their skin.⁷³⁰ Considered to be a "loyal citizen of Hidalgo County by A.Y. Baker, the sheriff of Hidalgo County, José María was entrusted with the power to "suppress any lawlessness that may arise."⁷³¹ Under the power of the county sheriff and the increasing border violence in 1915, when this document was dated, José María Ballí had the authority to exert the laws and regulations created by Hidalgo County. He was not excluded but became part of the state in regulating violence.

Identity choices in the nineteenth-century borderlands, as Andres Reséndez articulates, depended on the situation and interactions between individuals and the state, and these elite Tejano families navigated not only the county government and established networks with Anglos to their benefit.⁷³² Relampago Ranch, established by Mora and Rhodes, emphasized the connection and interactions between elite Mexican and Anglos in the Llano Grande. Melchor Mora, José María Mora's son, went on to become deputy sheriff for John Closner.⁷³³ A close and

⁷²⁸ Alonzo, *Tejano Legacy*, 129.

⁷²⁹ Alonzo, *Tejano Legacy*, 129.

⁷³⁰ Valerio-Jiménez, *River of Hope*, 278, 160.

⁷³¹ "A.Y. Baker, Sheriff, Hidalgo County letter of Jesus María Hinojosa," Folder 79.13.25a_1829-1918, Box D4, RG DOC 193B 159 175, Documents: Hinojosa Papers, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Tx. Unclear from the documents if this is the same José María, but it can be speculated it is because they are located within the same archive and these documents were donated to the Museum of South Texas History.

⁷³² Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (New York: Cambridge University Press, 2005), 2-3.

⁷³³ Frances W. Isabell ed., "Relampago Ranch" in *Hidalgo County Ranch Stories* (Edinburg: Hidalgo County Historical Society and Hidalgo County Historical Commission, 1994), 85-86; John Closner was sheriff from 1890-1906 and 1910-1912.

agreeable relationship between Anglos and Tejano elite continued to be cultivated over a few decades, as evident in the previous examples. In the long run, these connections became detrimental to the land ownership of the elite Llano Grande families. The Ballí, Hinojosa, and Mora family resources and connections with Anglos, nonetheless, offered a means to be part of the Anglo dominated economy, politics, and socially. Anglos came to rewrite the history of the grant as one discovered and developed by Anglos.

The connections between Anglos in power and the landed Tejano elite continued well into the early 1910s in the Lower Rio Grande Valley, even as many Spanish speakers lost land and power. As Montejano articulates, access to “livestock, land, and water” were often the components for social distinctions and advantages.⁷³⁴ Landed elite created familial and business networks with Anglos that often reduced Tejano properties.⁷³⁵ By the 1900s, nonetheless, the expectation and view on the land shifted. A large portion of the land in the Llano Grande was purchased and developed into farm lots by land and irrigation companies, yet there was still a connection between the Anglos, particularly the children of those who settled within the first few decades after the U.S.-Mexico war. Class played a crucial role, and the Tejanos had created connections and familial relationships with the Anglo, who were the lawyers, sheriffs, or justice of the peace officers.

Many elite Tejano proprietors and Anglos in the Lower Rio Grande Valley maintained collegial relationships, in which land and wealth played an integral piece to these amicable connections.⁷³⁶ As Armando C. Alonzo argues, Mexican landowners became “equal citizen[s]” because they also “tamed” the region perpetuating ideas of colonization.⁷³⁷ Tejanos fit the ideal

⁷³⁴ Montejano, *Anglos and Mexicans in the Making of Texas*, 76.

⁷³⁵ *Ibid.*, 82.

⁷³⁶ Alonzo, *Tejano Legacy*, 129.

⁷³⁷ *Ibid.*

of citizens' participation in the governmental body, due to their wealth and properties, of the Lower Rio Grande Valley. Tejanos granted formal citizenship and categorized as white in the federal and local records. Elite Tejanos were treated and categorized differently from the landless Mexicans. Even after many racial tensions, particularly with the onset of the Mexican Revolution in 1910, many Tejano elites continued to be part of the inner circles of Anglo control.

In the Lower Rio Grande Valley, landless ethnic Mexicans not only became the “other” but were considered to be racially inferior and did not fit the criteria of ideal citizens.⁷³⁸ The white hierarchy integrated wealthy Tejano families with extensive land and reconfigured the idea of a citizen to incorporate these individuals.⁷³⁹ Since the 1840s, Mexicans were considered the “mongrel race” who were inferior to the Euromericans that entered the region.⁷⁴⁰ Landless Mexican surnames were the backbone for the clearing of the brushland and mesquites for the development of homesteads, or farms, and became the wage laborers in the Lower Rio Grande Valley. The construction of the railroad was a poignant example of the importance of Mexican wage labor, where two hundred and fifty “Mexicans coming at a rate of 30 per day” for the railway construction.⁷⁴¹ In examples such as this, the treatment of the wealthy Tejano elite and landless class varied quite differently. The elite accessed courts protected their liberties, and their rights were respected, while the laborers faced exploitation and racism. On some occasions, the laborers were clearing land for Anglo farmers and irrigation companies that they might have owned several generations before.

⁷³⁸ Montejano, *Anglos and Mexicans in the Making of Texas*, 131; Valerio-Jiménez, *River of Hope*, 228.

⁷³⁹ Saavedra, *Pasadena Before the Roses*, 136-137.

⁷⁴⁰ *Ibid.*, 134-135.

⁷⁴¹ “Telegraph, Texas Mexican Railway Company, Telegraph Department, Robstown, to J.P Read,” Folder 2: Correspondence 1904, A1963-014.0002, James Lewellyn Allhands Collection 1903-1963, South Texas Archives, Jernigan Library, Kingsville, Texas.

The entrance of the railroads disrupted many of the old social, political, and cultural traditions of previous generations that were rooted in Spanish and Mexican practices of land ownership, land tenure, and beliefs in the communal property. Even the hybrid systems that emerged after the U.S. War with Mexico as Anglos and Mexicans negotiated new relationships, power dynamics began to fade as individualistic or corporate property regimes followed the railroads. Status and influence were vital during the Spanish and Mexican eras, yet at the turn of the twentieth century, land became narrowly tied to an ideological philosophy of commodification and profit. The land itself was a materialistic commodity purchased by Euro-Americans in large quantities and typically sold for rapid profit. Individuals, such as Closner, rose through the ranks in the political spectrum and became the leading figure in the region and used his position to unscrupulously gain thousands of acres, becoming one of the largest landowners in the entire county in the 1900s. Land speculators showed little concern for previous cultural traditions or even legal practice as they voraciously bought land, accrued profit, and sold it to the railroads or out-of-state investment firms. Euro-Americans in positions of power purchased land and sold it with the rise in land value that was an incentive to sell.

After the arrival of the railroad to Brownsville, the second branch extended west into the counties of Hidalgo and Starr. Construction began in April of 1904, and upon its completion, townsites and additional land companies sprung up along the Hidalgo railway branch. Within the first two years after the completion of the Hidalgo branch, the cities of Mission, McAllen, Pharr, and Mercedes were erected along this line.⁷⁴² Shortly after the railroad arrived Hidalgo County, ranchlands gave way to small farms with irrigation as a move-in-ready product. Corporations began to advertise the idyllic landscapes, properties, and dreams. As such, the second influx of

⁷⁴² Allhands, *Gringo Builders*, 121-130.

Euro-Americans arrived in the Lower Rio Grande Valley enticed with the possibilities of owning a farm and making a profit.

It was no accident that land and irrigation companies and the railroad investors were the same individuals, many of whom did not live in South Texas. For example, Benjamin F. Yoakum was a trustee and a member of the board of directors for the St. Louis, Brownsville, and Mexican Railway Company in 1904 and president in 1905, and was a leading member of the American Rio Grande Land and Irrigation Company (ARGLIC) located within the boundaries of the Llano Grande.⁷⁴³ Other companies, such as The Llano Grande Plantation Co., Inc.; the Lon C. Hill Improvement Company, La Blanca Agricultural, Llano Grande Land and Irrigation Company, and Rio Grande Land and Irrigation Company, were some of the businesses emerged within the boundaries of the Llano Grande in the early 1900s.⁷⁴⁴ These companies sought to garner profit from the arrival of the railroad by selling readily available land to new Anglo residents living outside of Texas. It was a gamble for many corporations, yet their substantial investments that derived from their access to credit to sustain their businesses.⁷⁴⁵ Benjamin F. Yoakum, for instance, sold 30,000 acres for \$195,000 to the ARGLIC corporation upon its creation in 1905.⁷⁴⁶ Eastern and midwestern banks provided credit to land corporations to

⁷⁴³ “Annual Report of the St. Louis, Brownsville, and Mexico Railway Company to the Railroad Commission of the State of Texas for the Year ending June 30, 1904,” Box 455-545, Index to the Annual Reports of Railroad Companies, Texas State Library and Archives Commission, Austin, Texas: Dewey, *Pesos and Dollars*, 59; “Annual Report of the St. Louis, Brownsville, and Mexico Railway Company to the Railroad Commission of the State of Texas for the Year ending June 30, 1905,” Box 455-545, Index to the Annual Reports of Railroad Companies, Texas State Library and Archives Commission, Austin, Texas.

⁷⁴⁴ “Abstract of Title of Lands of the Llano Grande Plantation Co., in the Llano Grande Grant, Hidalgo County, Texas,” Land and Title Records, Margaret H. McAllen Memorial Archives, Museum of South Texas History, Edinburg, Tx. Cover Page; Kate Adele, Hill, *Lon C. Hill, 1862-1935: Lower Rio Grande Valley Pioneer* (San Antonio, Naylor Co., 1973), 34, 47-48; Allhands, *Gringo Builders*, 212.

⁷⁴⁵ Dewey, *Pesos and Dollars*, 60-61.

⁷⁴⁶ Deed of Conveyance, B.F. Yoakum to American Rio Grande Land and Irrigation company, Instrument Date: December 5, 1905, Deed Records, County Clerk’s Office, Hidalgo County Court House, Edinburg, Texas.

purchase large amounts of property swiftly and fund their infrastructure and expenses as they simultaneously sold the land to hundreds of people hoping to live the Jeffersonian dream of becoming an independent yeoman farmer in South Texas.

The American Rio Grande Land and Irrigation Company bought out most of the other companies and became the owner of most of the Llano Grande. Founded on December 5, 1905, the company created by Yoakum set out to acquire the southwestern portion of the Llano Grande to divide and sell to Midwesterners arriving in the region with the railroad.⁷⁴⁷ Similar to California's agricultural production, Yoakum sought out to create "prototypes for farm developments" that garnered success for California's agricultural production in the 1870s and 1880s.⁷⁴⁸ With over 90,000 acres, the corporation bought out Lon C. Hill's company, the Capisallo Towns and Improvement Company, and established the town of Mercedes that became the headquarters for the ARGLIC company.⁷⁴⁹ Many investors often purchased a property from the company, as was the case with John T. Beamer in 1914, who purchased 30,530 acres from the ARGLIC corporation.⁷⁵⁰ This company became one of the leading businesses that not only continued to expand in the 1910s and 1920 but rearranged the land tenure.

⁷⁴⁷ Timothy Paul Bowman, *Blood Oranges: Colonialism and Agriculture in the South Texas Borderlands* (College Station: Texas A&M University Press, 2016), 37.

⁷⁴⁸ Dewey, *Pesos and Dollars*, 59; Saavedra, *Pasadena Before the Roses*, 149.

⁷⁴⁹ Allhands, *Gringo Builders*, 121-122.; Dewey, *Pesos and Dollars*, 59.

⁷⁵⁰ Bowman, *Blood Oranges*, 37.

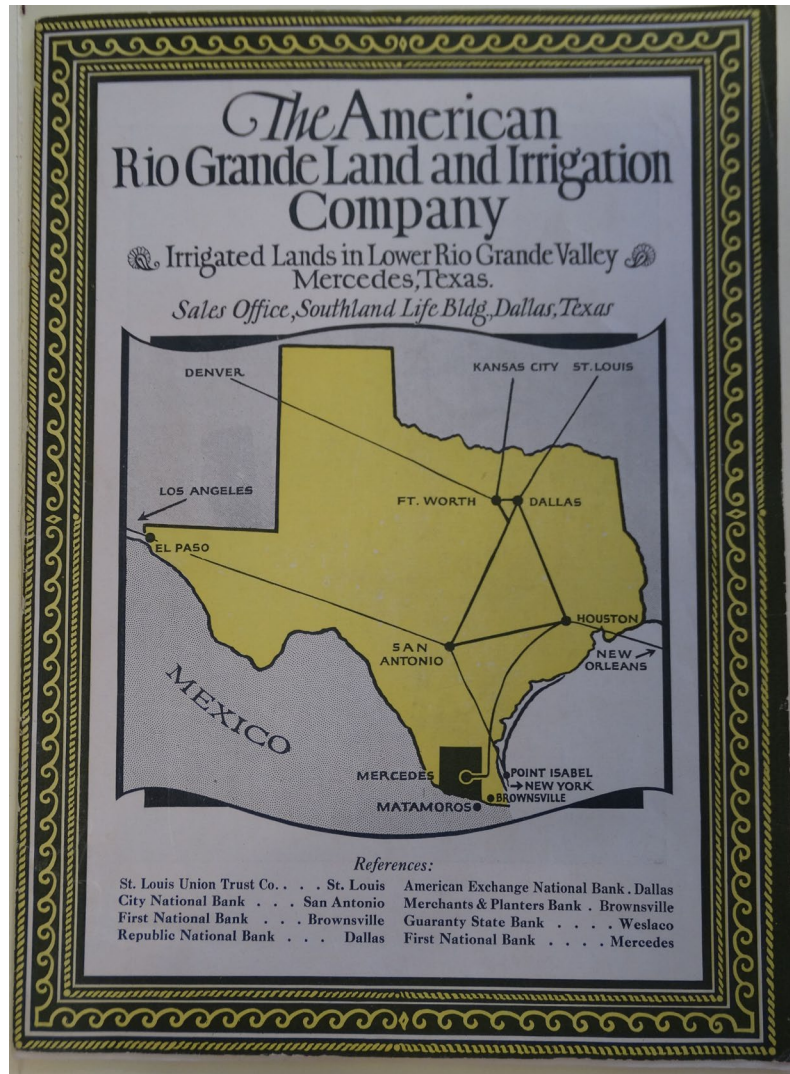


Illustration 6.1: The American Rio Grande Land and Irrigation Co. Source: John H. Shary Collection, Library Special Collections & University Archives, University of Texas Rio Grande Valley.

Beyond dividing the land into convenient blocks and subdivisions, the company also constructed the irrigation system to supply water to the recently purchased farmlands. These companies, ARGLIC included, used the irrigation infrastructure to regulate the properties, and maintain canals, roads, and waterways.⁷⁵¹ It was a point of pride. The rhetoric of innovation and

⁷⁵¹ "Capisallo Town and Improvement Company to The Public", Abstract of Title, Box 7, American Rio Grande Land and Irrigation Company Collection, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Texas.

progress in the Lower Rio Grande was the critical piece in the advertisement for the land and irrigation companies. Physical markers such as hills, streams, or stands of mesquite no longer divided the grant, and it was precise measurements, degrees, angles, and geometrically oriented canals and roads that signified the boundaries of people's property. Through the construction of the irrigation systems and the sale of farms, these companies set out to make a profit rather than concern themselves with traditional notions of honor, status, and service, as valued in previous generations. Land speculators restructured the use of these properties and allowed for the influx of farming and its commercialization, which provided the tools for its growth and expansion of export crops grown in the region.

Tejanos or wealthy Mexicans sometimes invested in the development of these corporations. Dewey states that investments and corporations, such as the ARGLIC, showed a "cooperation between elite Mexicans and Americans during the Porfiriato."⁷⁵² Some of Yoakum's investors were Mexicans, such as Antonio Ballí and the Cavazos family.⁷⁵³ Class played a critical component in the accommodation and selling of the property to these companies, who ultimately rewrote how the land was valued and used. Elite Tejanos participated in the creation of these companies that displaced them as landowners. It is unclear to the profits or benefits that they incurred in their participation.

With the influx of Euro-Americans during the early twentieth century, there was no longer a period of acculturation or assimilation that allowed Tejanos to maintain a modicum of power, or land, by using their class or citizenship. Euro-Americans, particularly those involved in the creation of these companies, were rewritten as the Anglo pioneers that cleared the brushland and created the building blocks for modernity and progress. This new generation did

⁷⁵² Dewey, *Pesos and Dollars*, 59.

⁷⁵³ *Ibid.*

not have to integrate themselves into pre-existing political structures, nor did they have to learn about the family networks or cultural traditions. Instead, they brought with them new sources of capital tied to outside investors that marginalized the regional economies based on face-to-face relationships. The imported ideologies of modernity and modernization that rejected the traditions of South Texas as backward and short-sighted.

Basing their business models and advertisement strategy from California land promoters, many of these Anglo led corporations made grand comparisons to California and its fertile lands.⁷⁵⁴ Lower Rio Grande Valley companies sought to be at the level of California's agricultural production. As such, the *Brownsville Daily Herald's* advertisement state that "the beautiful Llano Grande lake, will be the future Redlands, California—of Texas."⁷⁵⁵ The history of the region and the ranching elites that once dominated the region faded away. Even when the Mexican labor cleared the region, they were not part of the narrative created of the Lower Rio Grande Valley of a paradise with unlimited agricultural potential that was there for the taking for a price. Mexican laborers put in the hard labor to clear the land, these corporations sold Anglos the dream of a yeoman farmer that was exulted by Jeffersonian ideals yet took the struggle and hard labor out of the equation.

In the *Brownsville Daily Herald*, on March 12, 1906, J.P. Withers placed the add "Llano Grande Land for Sale" to promote the sale of properties in the boundaries of the old grant. Properties began at 80 acres and went up to about four thousand acres. Located north of the Rio Grande river and below the Llano Grande Lake, the description of the property named it one of the "one of the most beautiful lakes in the state of Texas."⁷⁵⁶ Besides its natural beauty, the land

⁷⁵⁴ *Ibid.*, 87.

⁷⁵⁵ "Llano Grande Lands Now on the Market," August 28, 1907, *Brownsville Daily Herald*, 1.

⁷⁵⁶ "Llano Grande Lands for Sale," March 12, 1906, *Brownsville Daily Herald*, 1.

and irrigation companies emphasized the development of the region with the construction of post offices, access to the railroad, and touted the benefits obtained from the purchase of ARGLIC property. However, ARGLIC advertisements indicated that buyers required a contract for water from the company to purchase a property.⁷⁵⁷ Touting the region as having comforts and commodities was prevalent in some of their early advertisements. A different narrative created new imagery and identity of the Lower Rio Grande Valley.

In these advertisements, images reminiscent of Southern California and what some scholars call the Spanish heritage fantasy, of evocative missions dotting rolling hills in a sublime pastoral landscape. Similarly, the mythologized Llano Grande was often described in a grandeur manner and only mentioning Juan José Hinojosa as a Spanish conquistador who was the first landowner of the property. It is of note in the *Brownsville Daily Herald* advertisement spoke to the Spanish legacy of the grant by naming it “one of the oldest grants on the river...[and] one of the finest bodies of land...[that] possesses as perfect titles,” and steeped it into the idea of an exotic landscape ready to be put to use by Euro-American farmers.⁷⁵⁸ Even by 1930, the Progreso Haciendas, citrus farmland, touted the agricultural potential, citrus groves, schools, homes, commercial buildings, and other benefits in this agricultural paradise. When discussing the land tenure legacy of the Llano Grande, they focused on its Spanish history and the romantic connotations of handsome “dons” settling the land, but not entirely using it to its full potential. Hinojosa was “a descendant of the intrepid followers of Cortez,” who applied for land that was awarded by the Spanish Crown.⁷⁵⁹ Connections to the Spanish past was a means of validating the

⁷⁵⁷ “Llano Grande Lands for Sale,” March 12, 1906, *Brownsville Daily Herald*, 1.

⁷⁵⁸ “Llano Grande Lands for Sale,” March 12, 1906, *Brownsville Daily Herald*, 1; “Llano Grande Lands Now on the Market,” August 28, 1907, *Brownsville Daily Herald*, 1.

⁷⁵⁹ “Progreso Haciendas,” Folder 47: Progreso Haciendas, Box 256, John H. Shary Collection, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Texas.

land sold, and to some extent, “whitening it” through ties to its “European” history, and not necessarily to the legitimacy and history of the Hinojosa and Ballí families. The descendant's contribution to the development of the property in terms of hard work, physical labor, cultural tradition, or moral entitlement was not part of the advertisements.

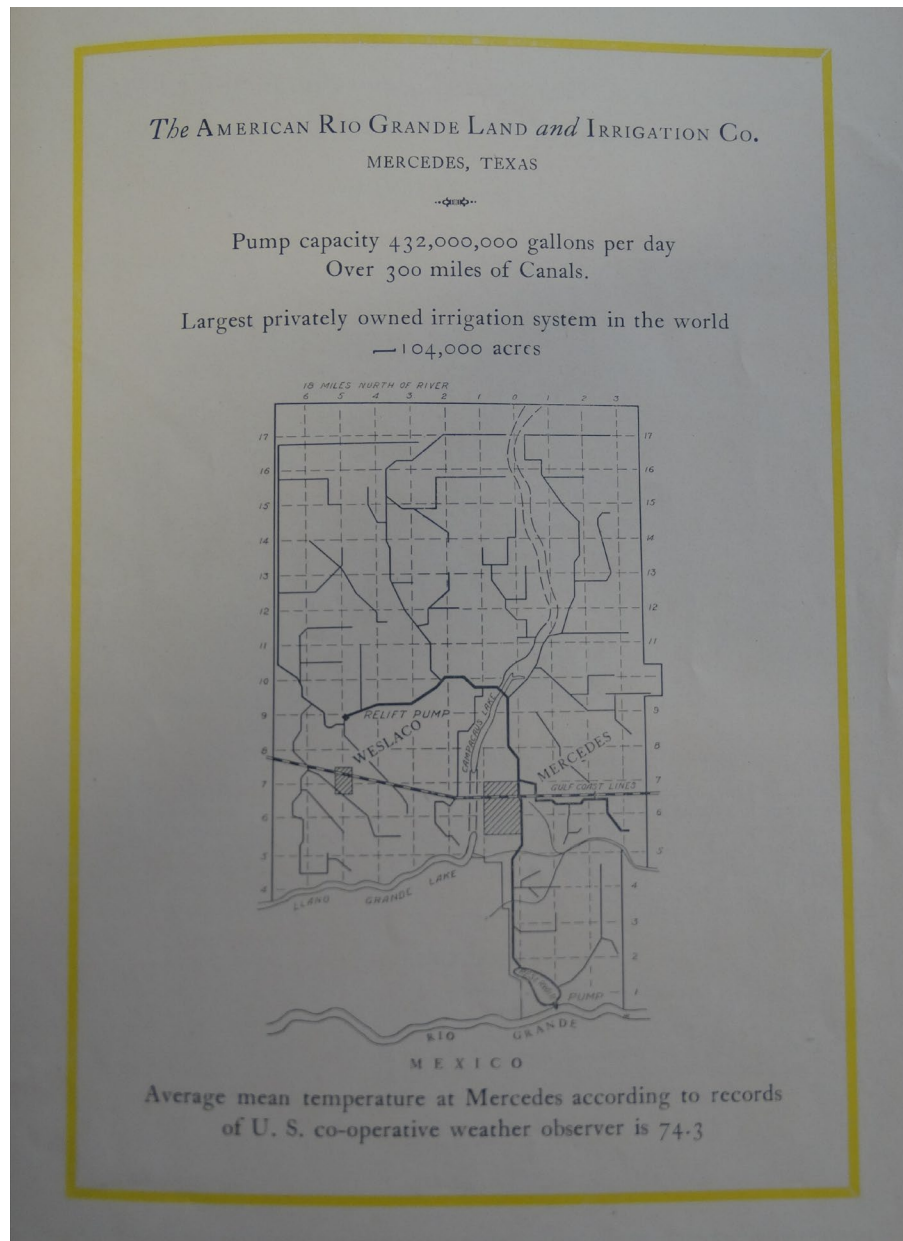


Illustration 6.2: Map of The American Rio Grande Land and Irrigation Co. Source: John H. Shary Collection, Library and Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Tx.

Ideas of progress and opportunity for Anglo families littered the pages, as Dewey states, of promotional materials created to advertise the region's agricultural promise.⁷⁶⁰ Much of the literature was geared towards Anglo men as a means to fulfill their potential as a successful farmer, as was their right. ARGLIC states explicitly in their booklet, "to you, a man of wealth, who desires a winter home; to you, of average means, who in a citrus farm, sees the means of future independence...[ARGLIC] offer[s] you incomparable advantages."⁷⁶¹ Advertisements focused on Anglo men and their dreams, and land and irrigation companies argued that the land in the Lower Rio Grande Valley was ready for modern farmers to make it productive. The region was ready for the taking, as was articulated, with the legal and political systems for their benefit and support, and insinuated that Mexicans living there were ready to work for the newcomers. Land and irrigation companies were not an instant success in many cases, yet their access to credit allowed them to pay for their expenses, debt, and the purchase of extensive properties. They helped to shape the image of the Lower Rio Grande Valley as a tropical paradise. The imagery continues to describe the region in contemporary times.

As the twentieth century progressed, there was a shift in the economy, the region's land use, and political dynamics that radically dispossessed the land ownership of the Hinojosa and Ballí families. Moreover, there were a few Tejano landowners who continued to own land in the Llano Grande, but the categories created by the ARGLIC corporation became part of the legal description of their properties. Jesus María Hinojosa sold his property to Rafaela Hinojosa, on

⁷⁶⁰ Dewey, *Pesos and Dollars*, 89.

⁷⁶¹ "The American Rio Grande Land and Irrigation Company: Irrigated Lands in the Lower Rio Grande Valley Mercedes, Texas," Folder 42, The American Rio Grande Land and Irrigation Company [1923], John Shary Collection, Publications, Box 4, Library Archives & Special Collections, The University of Texas Rio Grande Valley, 3.

February 23, 1917, twenty-three acres characterized as Lot 11 and Block 37 out of the survey and plated map of the ARGLIC corporation filed with the Hidalgo County courthouse.⁷⁶² These properties had very few acreages, especially when relating to Hinojosa individuals. Even though their names continued to be part of the region's history, their physical ownership of ranching and land were displaced for the imagery of palm trees and agricultural Eden that the land speculators and farming businesses created in the early 1900s.

The development of farming was not an idea that sprang overnight, and by 1900 many landowners in the Llano Grande were farming within their property. Florencio Saenz, in 1900 “made the wilderness bloom” and worked to create an irrigation system and sugar factory within this property.⁷⁶³ Saenz owned considerable property in the Llano Grande and established the Tampacuas ranch within the grant yet was also the County Commissioner for Hidalgo County. Attuned to the march of progress, Saenz exploited the land to its highest potential and helped to create markers of civilization. Within this ranch, the post office of Progreso was a symbol of progress.⁷⁶⁴ The *Brownsville Daily Herald* stated that the centrifugal pump for the mills of the “sugar industry...[was] still in its infancy,” yet the idea of progress and development was palpable. This pump was located on his property. While the “little village...is still quite small,” the newspaper stated that if Hidalgo County had more citizens such as “Mr. Closner and Don Florencio,” it would not take time to develop the region.⁷⁶⁵

⁷⁶² Warranty Deed, Jesus María Hinojosa to Rafaela Hinojosa, Instrument Date: February 23, 1917, Deed Records, County Clerk's Office, Hidalgo County Court House, Edinburg, Texas.

⁷⁶³ Wheeler, Jesse O., “News from Progreso,” *Brownsville Daily Herald* (Brownsville, Tex.), Vol. NINE, No. 139, Ed. 1, Wednesday, December 12, 1900, newspaper, December 12, 1900; Brownsville, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph143975/>; (accessed February 01, 2020), The University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>.

⁷⁶⁴ *Ibid.*

⁷⁶⁵ *Ibid.*

Characterized as a model resident and citizen, Saenz used the land to its highest potential and was on par with John Closner. It speaks to the relationship between Anglos and Tejano elites in the Rio Grande Valley, where older traditions of cooperation and mutual benefit across racial and cultural lines continued to exist. Using technology and other resources to exploit the land, Saenz and Anglos shared similar ideas on the expansion of farming in the Llano Grande. Saenz exemplified the Tejano elite's relationship with the Anglos. Even though Anglos controlled not only the county government in the early 1900s, but corporations took over land tenure in the grant itself displacing Mexican landowners. In contrast, Saenz and other elites were characterized as good citizens pushing for the innovations and development of the farming industry.

As for the Lower Rio Grande Valley, after the railroad arrived in 1904, the region was transformed beyond a ranching economy into economic centers that required land as its primary form of capital. Promoters were selling the experience and exoticism, that created a migration of Euro-Americans into the region. While Matamoros and Brownsville, in the 1860s, were the center of commerce for the region Cameron County, it would be the railroad lines from Brownsville to the Shary Plantation, in present-day Mission, Texas, that became the focal points for the borderland economy. By the 1920s, land promoters created advertisements to appeal to the men and their hopes and dreams, as previously expressed, but this dream and ideas of progress dismissed the contributions of Tejanos elites. Few Tejanos, as was the case of Florencio Saenz, were able to navigate this change.

By the 1920s and 1930s, commercial farming took root in the Lower Rio Grande Valley, and citrus became the dominant image of the newly termed "Magic Valley." John H. Shary was the first to grow citrus in large-scale production that expanded throughout the Lower Rio Grande

Valley and developed the infrastructure for its production, packaging, and selling of the product using the railroads.⁷⁶⁶ However, as Timothy Paul Bowman articulates, it was the Spanish who first brought the fruit. The narrative and history that emerged from this period, however, stated that Shary was the innovator that revolutionized the Lower Rio Grande Valley with his production of citrus.⁷⁶⁷ By the 1930s, the region was synonymous with the citrus fruits, and the Spanish ranchers and landowners faded away from the collective history. As Bowman argues, Anglos highlighted the “Valley’s ‘magic’” but also talked about the Mexican workers as “cheap” and “violent” whose cruelty and lack allegiance characterized the region. In a way, they created an image of the “wild west” still present in the Lower Rio Grande Valley in the 1920s.⁷⁶⁸

As a new generation of Anglos moved into the region and had children, they implemented a culture, social traditions, and public institutions that reflected their idea of modernity. Hotels, schools, and other buildings for entertainment supported the needs of the incoming population. In the Llano Grande, Mercedes was the headquarters of the ARGLIC Corporation and boasted a train depot, hotels, post office, and businesses. In Weslaco, established in 1919 quite late in comparison to other cities within the boundary of the Llano Grande, boasted the Hotel Cortez as one of its first few hotels in downtown.⁷⁶⁹ As for entertainment, the ARGLIC Corporation advertised that “Golf is very popular and can be played the year round.”⁷⁷⁰ The place was considered idyllic, and the only mention of Mexicans was

⁷⁶⁶ Bowman, *Blood Oranges*, 48-49.

⁷⁶⁷ *Ibid.*, 46-52.

⁷⁶⁸ *Ibid.*, 64-65.

⁷⁶⁹ “Lower Rio Grande Valley-Missouri Pacific Lines, Pamphlet, Circa. 1928,” Folder 16, Box 256, Subseries III: Newspaper Clippings & Publications 1910-1981, John. H. Shary Collection, Library Special Collections & University Archives, The University of Texas Rio Grande Valley, Edinburg, Tx.

⁷⁷⁰ “The American Rio Grande Land and Irrigation Company [1923], Folder 42, The American Rio Grande Land and Irrigation Company [1923], Box 254, John Shary Collection, Publications, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Texas, 17.

simply as laborers or servants.⁷⁷¹ The success of the citrus industry, as well as numerous other crops throughout the 1930s, led to the continued growth of the Lower Rio Grande Valley.

Nevertheless, the Mexican Revolution also affected the relations between Anglos and Mexicans in South Texas. With Porfirio Díaz removed from office in 1910, the Mexican state became embroiled in a Revolution that spanned over ten years. Francisco Madero, from Coahuila, created the *Plan de San Luis*, which declared Díaz was the illegal president of Mexico and called for arms.⁷⁷² These actions began a series of coups and brutal violence in Mexico over its leadership. Victoriano Huerta took over Mexico's presidency with the assassination of Madero in February 1913. After the death of Madero, Venustiano Carranza, Francisco "Pancho" Villa, Alvaro Obregón, and Emilio Zapata became some of the most well-known revolutionaries who initially opposed Huerta.⁷⁷³ Mexico faced instability during the Revolution, in which its banks, investments, economy, politics, and its people were severely affected by the fighting. Many fled Mexico for respite, but in the United States, they were not embraced. The bloodiest period of the war was between 1914 through 1917, which occurred after Madero's death.⁷⁷⁴ The violence reached the Rio Grande during the turbulent years and exacerbated the violence between Anglos and Mexicans living in South Texas.

In the borderlands, the Mexican Revolution severely affected the economy and travel across the international border in the Lower Rio Grande Valley. The war decimated the cattle industry, for once, but also disrupted border crossing along the Rio Grande. The border took on

⁷⁷¹ *Ibid.*

⁷⁷² Amberson McAllen, *I Would Rather Sleep in Texas*, 463.

⁷⁷³ Amberson McAllen, *I Would Rather Sleep in Texas*, 463; Dewey, *Pesos and Dollars*, 66-67.

⁷⁷⁴ Dewey, *Pesos and Dollars*, 68; Mario L Sánchez, *Shared Experience: A History, Architecture and Historical Designations of the Lower Rio Grande Heritage Corridor* (Austin: Los Caminos del Rio Heritage Project and the Texas Historical Commission, 1994), 2nd edition, 63.

greater significance and shifted from being a porous border to one that was much more regulated and controlled.⁷⁷⁵ As the violence reached the region, many border cities, such as Matamoros, Nuevo Laredo, and El Paso, amongst others, located along the border between Mexico and the United States, became places of entertainment. Americans watched the battles in Mexico from across the border.⁷⁷⁶ However, for those living in the border, the Mexican Revolution exacerbated the racial violence taking place in the region and questioned ethnic Mexican's loyalties and citizenship.

The *Plan de San Diego*, created in January 1915, sought to enlist the ethnic Mexican population in the Lower Rio Grande Valley against Anglos, which upon its discovery, led to brutal and indiscriminate retaliation by Anglos. The plan called to arms ethnic Mexicanos to murder all Anglos over the age of sixteen. Many Tejanos did heed the call and began raiding and killing Anglos, destroyed railroads, and stole from merchants in July of that year. Anglos were a target, yet, as Dewey presents in her work, wealthy Tejanos involved with Anglos in South Texas were also attacked, as was the case with Florencio Saenz.⁷⁷⁷ The Lower Rio Grande Valley was a place bound with conflicts and cooperation, which often distinguished amongst ethnic Mexicans due to their class and wealth.

These attacks, however, led Anglos to retaliate against ethnic Mexicans. Due to the violence, the United States sent American troops to the border, as was the case with national guards stationed in Fort Brown, Ringgold Barrack, and Fort McIntosh.⁷⁷⁸ It was the Texas

⁷⁷⁵ Dewey, *Pesos and Dollars*, 67.

⁷⁷⁶ *Ibid.*, 68.

⁷⁷⁷ *Ibid.*, 68-69.

⁷⁷⁸ Mario L. Sánchez, *Shared Experience: A History, Architecture and Historical Designations of the Lower Rio Grande Heritage Corridor* (Austin: Los Caminos del Rio Heritage Project and the Texas Historical Commission, 1994), 2nd edition, 64.

Rangers, nonetheless, who targeted attacks against ethnic Mexicans as “vigilante violence.”⁷⁷⁹ Ethnic Mexicans were the enemy, and their loyalties questioned, especially with the discovery of the *Plan de San Diego*. This proclamation led to a full attack on ethnic Mexicans living in South Texas. Texas Rangers committed atrocities and brutally killed Mexicans primarily in Cameron and Hidalgo County in order to suppress the “overthrow of American rule.”⁷⁸⁰ The Lower Rio Grande Valley was in turmoil and was greatly affected by the Mexican Revolution, yet at the same time, they continued advertisements to sell land and farms to Anglos.

Companies, particularly land and irrigation companies seeking to sell properties, refrained from mentioning the violence of the Mexican Revolution or its effects in the Lower Rio Grande Valley. La Feria Land Syndicate, for example, ignored the Revolution and articulated that Mexicans were docile and peaceful workers ready to work.⁷⁸¹ Likewise, the ARGLIC corporation in the 1920s stated that Mexican labor was dependable and inexpensive. Beyond being the ideal farmhands, Mexicans were “industrious and law-abiding” labor that would be an asset to individuals purchasing land with the ARGLIC company.⁷⁸² While these companies sought to create a picture of peacefulness and opportunity, ethnic Mexicans were being suppressed by Anglos and faced considerable violence. Mexican laborers, as well, faced discrimination and violence; however, many of the Tejano elite continued to have relationships with Anglos, as was the case with José María Ballí.

For the Hinojosa and Ballí families, their land and wealth were a source of power and influence that allowed them to maintain a connection with the power base in Hidalgo County yet

⁷⁷⁹ Dewey, *Pesos and Dollars* 69.

⁷⁸⁰ Dewey, *Pesos and Dollars* 69-70; Bowman, *Blood Oranges*, 67.

⁷⁸¹ Bowman, *Blood Oranges*, 67.

⁷⁸² “The American Rio Grande Land and Irrigation Company,” Folder 42: American Rio Grande Land and Irrigation Company [1927], Box 254 out of 257, John H. Shary Collection, Library Archives & Special Collections, The University of Texas Rio Grande Valley, Edinburg, Texas.

were dispossessed in the late 1910s and early 1920s. Only a few maintained small properties. The blueprints and stamp of the ARGLIC corporation marked every property and its description from then on. Properties became lots, blocks, and subdivisions, which continue to be part of the legacy of the modernization of the Lower Rio Grande Valley. As American citizens, they had rights and obligations, yet land speculators sought to take their lands for its commercial profit. Sheriff sales increased as did Hinojosa and Ballí descendants selling their properties as the land sales rose in the early part of the twentieth century. Corporations sought to use the land to gain economic profit.

Ranching was the economic life of the Lower Rio Grande Valley for over a century, in which the Hinojosa and Ballí families thrived. With the acquisition of some of the most extensive properties in the Lower Rio Grande Valley, they grazed substantial livestock. However, the shift from ranching to agriculture by the twentieth century left them with smaller properties instead of the sprawling acreages the Hinojosa descendants once owned. Property sales intensified in the last decade of the nineteenth into the twentieth century, with an increase in land prices as well. Businesses or trustees purchased much of the land in the 1900s. Within the Llano Grande, specifically, the American Rio Grande Land and Irrigation Company, one of the largest and most visible companies, procured 90,000 acres within this grant and displaced Tejano landowners.⁷⁸³ For the Hinojosa and Ballí families, there were no longer sprawling acreages, and their power base was minimal to what they enjoyed under the Spanish and Mexican eras.

The Llano Grande was a source of pride and a translation for service and honor for the Spanish crown, yet in the twentieth century, the property was a means for profit and exploitation. Land and irrigation companies rewrote the story of the grant to resemble a paradise with the

⁷⁸³ Dewey, *Pesos and Dollars*, 59.

iconography of exotic and plentiful locations, such as the Nile. The Hinojosa and Ballí were named in leaflets and pamphlets enticing Anglos to buy ready-made farms to partake in the bountiful of the region. Even though these farms were risky, there was a business practice to bring the Midwestern and middle-class Anglos into the region to settle and make a profit for corporations. The land was a commodity and a place for profit, which was once a means for grazing cattle and a symbol of status for the Hinojosa and Ballí families. At the turn of the twentieth century, the Llano Grande was no longer a single-family owned property but became the property of companies for the sale and distribution for Anglo farmers entering the region.

Conclusion

Upon entering the Rio Grande Valley, palm trees line the main roads and evoke images of a tropical landscape. Mixed within the palm trees are large gates to ranching properties, with names that highlight the Spanish and American past, while cattle still graze on sprawling properties encircled by fences. Elements of the region's ranching legacy are still present in the Lower Rio Grande Valley, and for some, it continues to be a way of life. Equally important are the agricultural fields, mainly of citrus, onions, cotton, and other cash crops, that also dot the landscape. They speak to the farming economy that once dominated the region in the early part of the twentieth century. The Lower Rio Grande Valley's land still bears the marks of the people who used the area to make a living along the Rio Grande from the 1770s to the 1930s.

As this dissertation shows, citizenship cannot exist in a vacuum without considering land ownership and the privilege it affords. The Llano Grande is a perfect example of the facets of citizenship and landownership shifting with the changes in sovereignty from the Spanish empire to the Mexican, Texan, and American nation-states. One cannot be examined without the other, as each nation-state had strategies and expectations of its citizens and specific views on land use and its value. The land was often a reward for service, as was the case for the Spanish empire, but also a requirement for political participation during the American period. It is through their extensive land holdings, however, that the Ballí and Hinojosa families accessed their full citizenship rights after the Treaty of Guadalupe Hidalgo.⁷⁸⁴ Property was tied to multifaceted constructs of kinship, politics, economics, and socio-cultural identity.

⁷⁸⁴ Mark Sturges, "Enclosing the Commons: Thomas Jefferson, Agrarian Independence, and Early American Policy, 1774-1789," *The Virginia Magazine of History and Biography* 119, no. 1 (2011): 45, <http://www.jstor.org/stable/41059479> (accessed March 20, 2017).

Citizenship is at the core of this study. In tandem with the analysis of property ownership in the Lower Rio Grande Valley, it analyzes the factors that conditioned the Llano Grande landowners' access and participation as members of an empire or nation-state. Race, class, and gender are vital to understanding how Hinojosa and Ballí's experiences differed from each other and less privileged Spanish speaking families in South Texas. Still, it is essential to examine the role of gender not only in the acquisition of the Llano Grande and La Feria grants but also on inheritance practices, civil law, service, merit, and land tenure overall. Citizenship is more than a mere set of rights and obligations that structured a defined the relationship between the state and individuals, and race was also an imperative lens to examine citizenship. Race conditioned access to full citizenship and shifted with each nation state's views. Class, as well, is crucial to analyze because Ballí and Hinojosa's wealth and influence allowed these families to use each nation-state's resources and administration to their advantage. Their capital created a buffer against rapid land loss and political power after American control. Access to citizenship is a vital component of this work, and race, class, and gender were fundamental frameworks to understand the shifts in power, land use, and citizenship that occurred in the Llano Grande and the Lower Rio Grande Valley as a whole.

Acquiring official title to the Llano Grande and La Feria Grants was a long and tenuous process that spoke to the relationship between the state and the Hinojosa and Ballí families in the Lower Rio Grande Valley. The Spanish empire in the eighteenth century sought to solidify their territorial claims, "pacify" the indigenous population, and offered settlers land as an incentive for settling in the colony of Nuevo Santander. Both Spain and its citizens in the frontier had compatible goals and expectations from one another. Spanish policies, as well as its officials implementing them, regulated not only settlement locations but also created the opportunity to

gain land, establish a viable economy, and offered the opportunity to prove citizen's merit and service to the crown. Hinojosa and Ballí, as such, became the tangible connection between the villa de Reynosa and the Spanish crown. Juan José Hinojosa and José María Ballí's relationship with the Spanish empire is vital to understand the implementation of Spanish policies on the frontier and its impact on land tenure.

Moreover, the Spanish colony of Nuevo Santander is a crucial history because it is an example of state policies implemented in the villas del norte, and its effect on various groups of society. This dissertation focuses on the evolution of the colony, especially on the procedures that not only created the villas del norte but also dictated the role of the military and political officials in the villas. Furthermore, gender played a crucial role in the colonial period because Spanish civil law designated women as individuals under the law with the ability to sell, own, and inherit property. Men, as well, sought to prove they were men of honor and merit who aided the crown in its objectives.⁷⁸⁵ Spanish citizens with wealth and political influence, as such, gained additional land than the Spanish crown designated to settlers, even though the distribution of land was meant to be equal and fair. Land ownership, as indicated, derived from a close connection between citizens and the state as well as the opportunities afforded by the land tenure policies that allowed families to gain substantial properties during the Spanish Empire's control of Nuevo Santander.

Both families were aware of the policies and procedures required to acquire additional land and fulfilled their duties as citizens of the Spanish empire to do so. However, the burden of proof was on the individuals who applied to gain additional property from the royal lands located

⁷⁸⁵ "Denuncia de 37 Sitios de Tierra Hecha por Dn. Juan José Ynojosa y Dn. José María Vallí en la Colonia de Nuevo Santander," Tierras, Vol. 1017, Instituciones Coloniales, Archivo General de la Nación, México City, México, 3-5.

outside the jurisdiction of the villas. Citizens had to provide evidence of their service, honor, and merit in their applications and submit witnesses to speak of their character and substantiate their land claim. The process was long and expensive and required approval from various officials from the local justice to the Royal Audiencias in Mexico City. Land tenure policies also offered an insight into the Spanish state and its outlooks on land use and the implications for citizenship.

Acquiring land grants, such as the Llano Grande and La Feria, also spoke to the shifting land tenure practices and gender dynamics along the periphery. Principally the elite *ranchero* class sought to acquire additional property to expand their livestock and grazing lands. Class played an integral role in funding two applications for both grants after the first was lost. As elite Spaniards, Hinojosa and Ballí pushed forth, yet it was Rosa María Ballí, widow of José María, who became the leading party in the claim. An analysis of Rosa María's role in the legal process is vital to examine how her gender did not impede her claim, even against attacks to her character by a competing application. As such, it crossed social norms and gender boundaries established by a patriarchal society. Their role as Spanish citizens, their influence, wealth, and land use were essential reasons for the application to be accepted and gain official title to both the Llano Grande and La Feria grants in 1790. Within a few decades, Mexico gained its independence, which shifted the dynamics between the state and citizens in the frontier.

Citizenship is more than a set of rights and obligations that structure and define the relationship between an individual and the state, and the transition between the Spanish empire to the Mexican nation-state offers an insight into the evolving relationship between them. Focusing on the strategies used by the Hinojosa and Ballí families in the shift between sovereign powers shows the fluidity of citizenship's meaning and beliefs from one nation-state to the other. Mexico sought to establish its control of the northern frontier by not only creating the state of

Tamaulipas out of the colony of Nuevo Santander but created civil administrations and civic duties to solidify their connection to its citizens.⁷⁸⁶ First, the removal of race as a legal category in Mexico redefined the requirements of citizenship.⁷⁸⁷ Second, land grants acquired under the Spanish empire were respected, and the Mexican state set out to grant land as well. The Llano Grande was not contested or invalidated, and this practice spoke to the incorporation of Spanish legal codes and bureaucracy to Mexico's national project meant to integrate the frontier settlements into the new nation-state.

Juan José and Rosa María, the original owners of the Llano Grande and La Feria grants, had long passed by the time Mexican state came to power, yet their descendants continued to maintain the properties under the original owners' name. Collective land use was a way of life in the Llano Grande, and each new generation only gained the right to use the land and did not own the land itself. The shift in power maintained civil law as the legal code for the Mexican government, which continued women's right to own land, participate in the court system as legal individuals, and inherit property. Inheritance practices, moreover, allowed Mexican women tied to the Hinojosa and Ballí families to own rights to various grants connected to both families. The wealth and influence of both families, as expressed, was not radically altered, and the relationship between the nation-state and local government was beneficial during the Spanish and Mexican eras.

The Ballí and Hinojosa's status as privileged citizens came to a head after 1848 with the imposition of American control north of the Rio Grande after the U.S.-Mexico War. Membership in a national community defined multiple sets of relationships, responsibilities, and expectations,

⁷⁸⁶ Valerio-Jiménez, *River of Hope*, 2.

⁷⁸⁷ "Plan de Iguala. Plan del Sr. coronel D. Agustín de Iturbide,": publicado en Iguala el 24 febrero de 1821. [Mexico City: s.n., 1821], 1, 33cm, KGF7503.3 1821 KGF2905, library of congress, <https://lccn.loc.gov/86181135> (accessed August 31, 2019); Valerio-Jiménez, *River of Hope*, 107.

and this dissertation evaluates the elite Hinojosa and Ballí families across multiple nation-states. Under American jurisdiction, the definition and scope of citizenship were contested even though the Treaty of Guadalupe Hidalgo dictated that Mexican residents living in the U.S. would acquire automatic citizenship within a year.⁷⁸⁸ In practice, access to full citizenship was restricted due to ideas of racial supremacy and a government based on whiteness. Wealth created a buffer against land loss and offered the Hinojosa and Ballí families' access to citizenship rights. Moreover, this work examines the creation of citizenship regulations that Hinojosa and Ballí families navigated and the new approaches to citizenship that displaced their power base.

Land ownership was not lost for the Hinojosa and Ballí families, who used their wealth and citizenship to claim their rights and benefits allocated under the United States government. The new regime held different views and values regarding landownership, yet both families took actions to protect their land. Mere months before the Treaty of Guadalupe Hidalgo was signed, all landowners in the Llano Grande divided the grant into eight shares, one designated for each son and daughter of Juan José and María Antonia, known as the Dupouy Partition. Such actions protected the entire grant from being forcefully distributed by American courts, as was the case with other grants in the region. Additionally, wealth and intermarriage networks allowed the Hinojosa, Ballí, and Cano families to participate in a system tied to whiteness, and elite Tejanos used lawyers as a means to navigate the new legal system to provide an equal footing in county courts.

Even though the national implications of citizenship are integral to understand the history of the Hinojosa and Ballí descendants, it was also necessary to evaluate how the national project

⁷⁸⁸ U.S. Congress, House and Senate Documents, *The Treaty between the United States and Mexico, the proceedings of the State thereon, and message of the President and documents Communicated therein*; 30th Congress, 1st Session, December 06, 1847, 46-47; Griswold del Castillo, *The Treaty of Guadalupe Hidalgo*, 62.

unfolded on the ground as well as how the state polices affected the everyday life of citizens along the Rio Grande. Residents faced a new set of regulations and were no longer the privileged citizens as they had been in the Spanish and Mexican eras. The penetration of U.S. laws, new taxes, cash and export-oriented economy, and a dual-wage labor system based on racial hierarchies imposed new demands on these families. Also, the shift from Spanish civil law to English common law created a unique situation in Texas, where the two legal codes blended into one. Landowners, however, faced new obligations to the state that included paying taxes on extensive properties that hindered them economically. The displacement of these families was slow and involved a close connection with the Anglos, the agents of the state, within Hidalgo County.

By the late nineteenth century, the Llano Grande was slowly changing hands from Mexican to American hands through the manipulation of new land, tax, and state policies. Anglo lawyers, land speculators, ranchers, and merchants sought to bring the railroad to the Rio Grande to connect the region to capital markets in both Mexico and the United States. Land became a commodity for a quick profit, and Anglos and land and irrigation companies began purchasing extensive lands in the Llano Grande, in anticipation for the arrival of the railroad in 1904. Modernization transformed the notions of citizenship, race, class, and gender in the twentieth century. Racial violence, however, still plagued the region, where Mexican citizenship was questioned, which often led to conflict in the Rio Grande. The Rio Grande Valley, at the turn of the twentieth century, was facing rapid changes, which benefited a few and displaced many.

Citizenship, for the Hinojosa and Ballí families, was still tied to wealth and close connections with Anglos in South Texas. Moreover, Hinojosa and Ballí families redefined citizenship in their communities because they continued to be part of the local economy,

established connections with Anglos in power, and maintained a degree of political power. The last strongholds of Tejano landowners in the Rio Grande Valley were displaced to create small farms for incoming Anglos. Land speculators thrived in selling the region as an agricultural paradise, waiting for Anglos to claim their dreams of the Jeffersonian yeoman ideal. Tejano elites participated in this political system, yet their land claims declined by the twentieth century.

Studies on land grants have focused on tracing the land ownership from the Spanish era to the American period, yet this work expands on this by analyzing the nuances that tie citizenship and land tenure together throughout multiple nation-states. As previously expressed, citizenship and land tenure are vital and require an examination in conjunction with one another. Scholars have analyzed the Rio Grande Valley as a borderland through the analysis of cultural practices and identity formation or examined the racial relations, gender, or land tenure separately. This dissertation, on the other hand, seeks to integrate them into a cohesive study of a single land grant. Thus, creating a complex story of two families and their acquisition of a grant and their experiences with the shift of sovereignty within the eighteenth and twentieth centuries.

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Glossary

Caballeria: Specific unit of measurement for property granted during the Spanish period to settlers for agricultural purposes. The size averaged 609, 408 varas or 105 to 177 acres.

Cedula: letter or ruling from the Spanish crown.

Composición: Legal proceeding to gain title to property belonging to the King, which Spanish subjects paid fees to acquire property and official title to claims.

Deed: The grantor transfers the title through this legal document.

Denuncio: Submitting a claim of land with the Spanish crown.

Diligencia: Formalities or obligations to fulfill judicial proceedings from New Spain or the King.

Escribano: Spanish notary required in Spanish legal proceedings; witnesses were called when none existed.

Sitio of Ganado Mayor: Specific unit of measurement for property used to raise large livestock, such as cattle and horses, that averaged over 11 million square varas or a little less than 2,000 acres.

Sitio of Ganado Menor: Specific unit of measurement for property used to raise small livestock, such as sheep and goats, and averaged 25 million square varas or 4,300 acres.

Grantor: Seller of property who conveys title.

Grantee: Individual who buys a property.

Perito: Spanish official professional.

Sitio: A unit of measurement for property used by Spain in Nuevo Santander.

Vara: Spanish measurement, via a cordel, of property which equaled approximately 33.33 inches.

Villa: settlement chartered by the Spanish crown with over forty settlers.

Vita

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