

Rinches and Outlaws: Law and Law Enforcement
in Folklore on The Texas-Mexico Border

by

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ABSTRACT

In the 1880s until the 1920s, tensions between Texas Rangers and Mexican-Americans resulted in violent incidents which killed Mexican-Americans and Rangers alike. The people of the Texas-Mexican Border have memorialized the conflict between lawmen and Mexican-Americans in their folklore. In this research, I have examined popular ballads called *corridos* which record the stories of men who confronted law enforcement. In addition, I have collected autobiographies from Texas Rangers, one of which came from TCU's own Special Collections, which discuss the policies they enacted and their assessment of their experiences. By examining *corridos* and Texas Rangers' autobiographies, historical examination of the Border and its people gains insight into their identity, values, and experiences of police brutality.

In Border folklore, distinct qualities come through in Anglo-American folklore versus Mexican-American folklore. A clear example is in the hero of Border conflict folklore. In Mexican-American folklore, the hero is a humble, courageous man pushed to violence by unjust treatment at the hands of law enforcement, especially the Texas Rangers (usually called *rinches*). In Anglo-American memory, however, the hero is a tough, fair-minded lawman who is upholding law, order, and civilization in the face of Mexican violence. Folklore in communities along the Texas-Mexican border reveal a fraught relationship with the law, shown in the characters of outlaws and lawmen.

It is worth pointing out that all folktales have some measure of truth. Because of this, one can find verification of characters in *corridos* as real people and their exploits as real events. Newspapers in the era from 1880 to 1920 were as interested in the goings-on on the Border as news organizations are now. This project's focus is the cultural memory of these events and what the folkloric remembrance says about cultural perceptions rather than the narrative truth of the circumstances. That being said, this paper references the chronological truth of the events to demonstrate how truth and memory are sometimes the same and sometimes different, and that will be used to examine what is remembered and why.

It is clear from historical accounts of the Border from 1880 to 1920 that no one is under the impression it was a peaceful time. For Anglo historians like Ben Procter and Walter Prescott Webb, the Texas Rangers spent this time putting down Juan Cortina's rabble-rousers and chasing Mexican banditos.^{1,2} The common narrative until recently in Texas schools and English-language history was that the Texas Rangers were an incredible force of good in lawless, post-Civil War

¹ Ben H. Procter, "Texas Rangers," Handbook of Texas Online, accessed October 03, 2020, <https://www.tshaonline.org/handbook/entries/texas-rangers>. Published by the Texas State Historical Association.

² Walter Prescott Webb, *The Story of the Texas Rangers*, (New York: Grosset and Dunlap, 1957).

Texas. Webb even wrote this narrative into an illustrated book for middle-grade readers,³ which taught young people this simplified, sanitized version. Though this perspective was not accepted everywhere, not even by all Anglos,⁴ it did form the dominant historical narrative until criticism became too loud to ignore. This criticism came from Mexican-American scholars like Américo Paredes in the mid-20th century⁵ and more recently from historians like Monica Muñoz Martinez.⁶

Academic narratives remember trouble between the Anglo- and Mexican-American communities, as does folklore from the time. In many ways, these narratives bleed together. Historical remembrance and folkloric remembrance diverge in their aims. History seeks to remember the events and evaluate its influence, while folklore remembers the events and creates its influence. Folklore seeks to create cultural narratives, heroes, and lessons, while history as a discipline discusses the impact of events sometimes memorialized in folklore. Academia often tries to disengage from the cultural feelings of its subjects, but just as often fails because cultural feelings on a subject are integral to its historical remembrance. We cannot separate events from their impact, as the impact on a culture colors how an event is remembered. History is based on what is recorded in documents, images, oral tradition, and testimonies. Yet, those who lived through the events we seek to chronicle must be moved to record their experiences, whether by a sense of great triumph or a sense of great injustice.

³ Ibid.

⁴ Such voices as Ben Johnson wrote about these issues in the early 2000s, propelling them into the academic eye. Ben Johnson, *Revolution in Texas: How a Forgotten Rebellion and Its Bloody Suppression Turned Mexicans Into Americans*. (New Haven: Yale University Press, 2003).

⁵ Américo Paredes, *With His Pistol In His Hand*. (Austin: University of Texas Press, 1990).

⁶ Monica Muñoz Martinez, *The Injustice Never Leaves You: Anti-Mexican Violence in Texas*, (Cambridge: Harvard University Press, 2018).

It is necessary to understand that the Border's *corridos*, a form of popular ballad, are not alone in the world. They are part of a large body of outlaw narratives in Latin America, an anti-establishment tradition of glorifying freedom fighters and Robin Hood types. Eric Hobsbawm observed this tradition as a universally observable form of protest and called it the "social bandit" model.⁷ Hobsbawm's work did not focus specifically on Latin America, but Pascale Baker applied a similar model to the Border and its fascination with the river-traversing outlaw. In Pascale Baker's book, *Revolutionaries, Rebels and Robbers*, she discusses the "heroes of Chicano,"⁸ the border bandits who spent the turn of the 20th century, according to Mexican-American sources, "redressing injustices"⁹ done to them by Anglo law and law enforcement. Baker writes that mention of these bandits fades from Mexican-American sources until a reawakening in the 1960s, signaling a shift from a community policy of assimilation to a "protest movement"¹⁰ that sought to preserve Mexican-American culture. Baker draws on Paredes's work as a Chicano perspective and Webb's Anglo perspective to discuss the script-flipping that Chicano studies has done recently. Webb glorified the "glowing image"¹¹ of the Rangers with his narrative of the Ranger as a law-upholding rough-rider, while Paredes returned evidence that even the Rangers' contemporaries wanted them disbanded, as they "perceived virtually all Mexicans to be potential bandits."¹² This had the double disadvantage of sowing distrust between

⁷ Eric J. Hobsbawm. *Social Bandits and Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*. Glencoe, Ill: Free Press, 1960.

⁸ Pascale Baker, *Revolutionaries, Rebels and Robbers: Golden Age of Banditry in Mexico, Latin America and the Chicano American Southwest, 1850-1950*. (Cardiff: University of Wales Press, 2015). 158.

⁹ Baker, 159.

¹⁰ Baker, 159.

¹¹ Baker, 165.

¹² Baker, 166.

Rangers and civilians as well as allowing the guilty to escape while the innocent were accosted. Baker reminds the reader of the 1857 Cart War, in which “Anglo drivers attacked their Mexican counterparts to monopolize the trade route... [and how] this went largely unpunished.”¹³ It was the name of the game on the Border for Anglos to aggress their Mexican neighbors, from carters to *tejano* farmers, who were run out of business by the likes of Richard King, Charles Stillman, and Mifflin Kennedy. Baker points out that King was indicted for cattle rustling, but a combination of lawyers’ and Rangers’ help got him out of it.¹⁴ Baker draws this into direct contrast with Juan Cortina, a cattle rustler and revolutionary who struck back at Anglo land grabbing with a crusade against Anglo law in the Border region. Cortina’s escape from Anglo punishment, Baker argues, did not improve anything for Mexican-Americans on the Border and actually inspired reprisals. Baker’s perspective here is useful for the purposes of this paper because he discusses the tendency for Latin American culture to uplift the bandit-rebel that Anglo culture despises in “flourishing cultural afterlives”¹⁵ in order to establish a cultural identity tied to heroes who represent a counter-cultural movement against the oppressive majority.

The Rio Grande Valley was on its own for a long time. Mexico City largely ignored the people in these rural communities, a pattern that emerged as early as the Spanish colonial days. While Mexican land, it was populated sparsely by whomever the Mexican government could convince to go to such a far-off frontier. Once there, settlers had to defend themselves against

¹³ Baker, 166.

¹⁴ Baker, 166.

¹⁵ Baker, 170.

Indian attacks as well as the natural challenges of rural living. Mexicans who braved the frontier often did so without law enforcement officers.

The Texas Rangers were a small force initially formed by the colonial Texian government under Stephen F. Austin for the specific purpose of pursuing troublesome Indian tribes.¹⁶ This solidified into a true, structured military organization during the Texas Revolution. After the Texas Revolution (in which they were scouts more often than soldiers), Rangers were sent to defend the Texan claim that the Rio Grande was the border, especially during a renewed Mexican campaign to retake Texas in 1842. These military actions created even more animosity between Texans and Mexicans living in Texas, seen especially in San Antonio; mayor Juan Seguin, a hero of the Texas Revolution, fled with his family after being accused of collaborating with his former homeland of Mexico and allowing them to take the city.¹⁷ During the Mexican-American War, the Texas Rangers earned the nickname *diablos tejanos* (Texan devils) from the Mexican military and civilians for their ruthless tactics. In 1848, after almost two years of fighting, the Mexican and United States governments signed the Treaty of Guadalupe Hidalgo in Mexico City. This ceded 525,000 square miles of land including California, Arizona, New Mexico, and Nevada to the United States, including the area in Texas now known as the Lower Border. The Treaty of Guadalupe Hidalgo, signed 600 miles away, enforced the Texan claim of the Border as the Rio Grande, and the Mexican communities of the Lower Border, just like Mexican communities all across the western United States, were then living on American soil.

¹⁶ Procter, "Texas Rangers."

¹⁷ Sam W. Haynes, "Mexican Invasions of 1842," Handbook of Texas Online, accessed September 29, 2020, <https://www.tshaonline.org/handbook/entries/mexican-invasions-of-1842>. Published by the Texas State Historical Association.

At this point, Mexicans on newly American land were given one year to decide if they would become citizens of the United States, or if they would retain their Mexican citizenship. Inaction would be treated as electing American citizenship. In Texas, Richard Griswold del Castillo writes, many Mexican citizens moved just south of the Rio Grande, establishing new towns such as Nuevo Laredo and growing existing towns like Matamoros.¹⁸ He also notes that there is no record of Mexican-Texans choosing to stay and keep their Mexican citizenship. This indicates that Mexican-Texans who stayed expected to be given the same treatment as other American citizens. This decision was not as clear cut as it may seem. Generations of families might have worked a piece of land, and to them, political lines certainly meant nothing to the ingrained culture that communities had built for themselves north of the Rio Grande. The Lower Border thus became American land, subject to American laws and the American lawman.

The *diablos tejanos* of the Mexican-American War were not needed after the American army took over protection of Texas, and the Rangers became more myth than militia. After Reconstruction, when Democrats returned to power in the “Redeemer” government, the state legislature reinstated the Texas Rangers under Captain Leander McNelly. The Border was a continuing site of conflict, so Texas Rangers were a continual presence in South Texas, especially while fighting Juan Cortina in the Nueces Strip. The “Indian problem” that had necessitated the Rangers’ formation was recast as Mexican smugglers and bandits stealing from ranchers and driving their take into Mexico to escape consequences. In such shows of force as stacking twelve bodies in Brownsville’s town square and (illegally and against state orders) ducking across the border and stealing back stolen cattle,¹⁹ as well as harassing fandango-goers,

¹⁸ Richard Griswold del Castillo and EBSCOhost eBooks. *The Treaty of Guadalupe Hidalgo: A Legacy of Conflict*. 1st ed. (Norman: University of Oklahoma Press, 1990), 65.

¹⁹ Procter, “Texas Rangers”

ranch hands, and farmers, the Rangers proved to the mostly Mexican population of South Texas that they were still the *diablos tejanos* of their fathers' and grandfathers' stories. From 1882 until 1910, their funding and use waned. The increasing Anglo settlement in Texas necessitated a different type of law enforcement, and frontier gunslingers who fought Indians were not the prescription. Still, their public image among Anglo-Americans had a mythical quality to it. Consumers supported widespread publication of Ranger autobiographies, recounting of Ranger stories in newspapers, and use of the Ranger as a stock character in fiction. The closing of the frontier, while a complicated term, is the best descriptor for this period. The census could no longer point to a frontier line, and many, including Frederick Jackson Turner in his famous frontier thesis,²⁰ thought this meant that American identity was at stake. For so long, America had pushed westward. What did it mean, then, if there was nowhere more westward to go? This cultural question colored the subjects of popular fiction. The closing of the frontier solidified America's obsession with it; the heroes of the West never lost cultural appeal even as the basis for the myth had funding and numbers cut.

The term *corrido* refers to the Mexican tradition of song-based storytelling. It originated as a form of epic balladry in Spain, brought over by the conquistadors. It reemerged as the form of choice to chronicle border conflict and revolutionaries. Américo Paredes traces the name back to the Spanish word *correr*, meaning to run, and run they do.²¹ *Corridos* tend to tell a story by hitting the highlights and moving along. Because of the nature of folksongs and oral storytelling,

²⁰ Frederick Jackson Turner, "The Significance of the Frontier in American History." (Madison: State Historical Society of Wisconsin, 1894).

²¹ Paredes, *With His Pistol In His Hand*. xi.

variations abound. For the sake of cohesion, this paper will reference *corridos* of the Lower Rio Grande Valley as recorded by Américo Paredes in *A Texas-Mexican Cancionero*.

These folkloric accounts did not see the sort of world-wide diffusion that English-language sources did. Most transportation of these stories happened across or up and down the river into different Mexican American communities living similar realities. Many folk heroes, such as Gregorio Cortez, were given new home towns, and the sites of their shootouts, chases, and narrow escapes change as the stories move. In some instances, storytellers in Mexico City might hear the story and publish a broadside recording the lyrics and music of a corrido as they heard it. Many of these broadsides are somewhat different from the version first devised by the communities' storytellers. Diffusion of this kind shows how corridos reflect variable circumstances while preserving core cultural values.

The *corrido* tradition also serves a very important function in preserving cultural memory. The use of song covers the clear political criticism that *corridos*, especially those centering on Mexican American interactions with police, make. Therefore, singing these songs in community celebrations, in a language the surrounding communities of Anglos could not understand, freed their political speech, so the singers and listeners could make criticism without fear of reprisal. In this way, corridos are products of the oppression that Mexican-Americans endured. By the same token, they empowered singers and listeners by remembering cultural heroes and criticizing their oppression. Songs were disseminated through community gatherings, drawing on shared experience as a minority community. Américo Paredes recorded that women could and did sing corridos, but “usually they sang at home, almost always without accompaniment.”²² Men, however, could be expected to sing in more contexts, and often sang

²² Américo Paredes, *A Texas Mexican Cancionero: Folksongs of the Lower Border*. (Austin: University of Texas Press, 1995) xviii.

corridos in both family gatherings and larger community events. The larger, more formal events sometimes featured both the performance of a corrido and the story told in prose for clarity. This storytelling was reserved for “the oldest and wisest men,”²³ and the singers were also expected to be very skilled. The music served as a centerpiece for many events. In a piece written for the Texas Folklore Society in 1923, an Anglo observer commented, “the Mexican anthem is sung with much fervor on these occasions [community dances and holiday gatherings]... and folk songs are often sung.”²⁴ The presence of music and the importance of Mexican national identity in these gatherings stood out to this first-time attendee. Though the author did not further editorialize on this observation, it was clearly of note to them, and therefore of note to the historical record. The music would have been exotic for the outsider and in a language they did not understand, and the focus on the Mexican national anthem is of interest. The observer noted that the American anthem was sung as well, but only occasionally, and they did not record heightened emotion as with the Mexican national anthem. This split allegiance leaning toward Mexico was part of the mistrust Anglo-American communities had for Mexican-American communities, and this record of one anthem being sung with more gusto than the other would have confirmed those suspicions.

Many of our surviving sources of Ranger exploits are autobiographical, or nearly autobiographical. Rangers, their children, or their ardent admirers often wrote down their stories. The various authors promise that what follows in their stories would be the truth, but the memory of an event is sure to be different man to man. These books, I argue, are still folklore. They editorialized the Ranger experience to create a narrative and cement the folk hero’s place in the

²³ Paredes, *A Texas Mexican Cancionero*. xxii.

²⁴ Dobie, J. Frank. *Legends of Texas*. (Austin: Texas Folklore Society, 1924). 79.

American canon. The authors, whether Rangers themselves or relatives, memorialize certain aspects of Ranger life and work, while skirting around or justifying the unsavory parts. Indeed, many of these works belie a discomfort with Rangers' actions along the border by maintaining to the reader that what was done had to be done.

English language sources saw much more diffusion outside of their immediate area, with some Texas lawmen becoming famous nationally as the Texas Rangers became a popular symbol for Western frontier law and order. The exploits of the rough-riding, gun-toting, steely-eyed Texas Rangers continue to be fodder for popular culture in America and beyond. An article reprinted in the *Brownsville Daily Herald* from *The Idler*, a magazine out of London, praises the Texas Rangers as “the most efficient police force” and necessarily possessing “the spirit of adventure.”²⁵ The exceptionalism is evident when the author notes that “nowhere else in the world can be found a body of men to equal the Rangers for sheer devotion to duty or fighting ability.”²⁶ He also tried to quell some criticism of the Rangers' methods. At the beginning of the article, he concedes that some viewed the Rangers as a might-makes-right legalized vigilante organization, but later cited undercompensation to argue that “nobody joins the Rangers for sordid motives.”²⁷ This article was written during the lean years of the Texas Rangers, when their numbers and funding were drastically reduced, and yet the name still carried a prestige that persisted even across the sea, a prestige which would encourage a Londoner to go to bat for them in the papers.

²⁵ Mayo, Earl. *The Idler*. Reprinted in the *Brownsville Daily Herald*. February 13, 1902.

²⁶ Mayo, *The Idler*.

²⁷ Mayo, *The Idler*.

In *A Texas Ranger*, written in 1899, Napoleon Augustus Jennings recounted his experiences as a Texas Ranger along the Border. His tone swung from matter-of-fact to gleeful when discussing his and his comrades' behavior. He recalled a campaign of asserting power over Mexicans: "we went [to Matamoros under Cortina's martial law] for two reasons: to have fun, and to carry out a set policy of terrorizing the Mexicans at every opportunity. Captain McNelly assumed that the more we were feared the easier it would be our work of subduing the Mexicans."²⁸ It becomes clear when reading his construction of events that the use of unnecessary force was simply part of how the Texas Rangers dealt with the area. It is telling, as well, that Jennings uses the phrase "subduing the Mexicans." He did not identify the problems of the Border as "bandits" or "cattle rustlers" as later historians would, but as "Mexicans." This lack of distinction between a law-abiding American citizen of Mexican heritage and the trouble-making bandits that the Texas Rangers purported to hunt was not a simple mistake on Jennings's part. This was all part-and-parcel of the "shoot first, ask questions later" policy of the Texas Rangers along the Border.

Throughout his book, Jennings was boastful and liked to exaggerate. In one instance, he proclaimed that, "less than 50 young men had done more to enforce order on the Rio Grande than thousands of United States troops had been able to do in years."²⁹ His "texceptionalism" is evident. Only these boys and men from Texas could do what they did, because only Texans know Texas. This attitude persists today in the national debate about Border control. Many Texans will insist that the federal government should have no say in the way Texas enforces immigration laws because those in Washington, DC could never understand what living as a

²⁸ N.A. Jennings, *A Texas Ranger* (New York: Scribner and Sons, 1899), 141.

²⁹ N. A. Jennings, 205.

border state is like. This is an outcropping of the same idea; Texas is an island, and no one can take on Texas's problems except Texas. Later, Jennings wrote about the reception of the Rangers along the Border. He commented that, "the good people of the frontier, the hardy settlers and the cattlemen were loud in their praise of us."³⁰ This is a bald proclamation of who this Ranger regarded as the good people along the Border: settlers and cattlemen. The good people praise the Texas Rangers, which implies that the "bad people" criticized them. By a sort of transitive logic, those who would criticize the Rangers, their methods, or their brutality, were bad people or on the side of bad people.

Another example of these Ranger stories is *Rangers and Sovereignty* by Dan W. Roberts, a Ranger captain. This is an autobiography, so he, like Jennings, had a vested interest in a good image of the Rangers because it reflected on him. This "good image," though, is in the eye of the Anglo audience who would be reading a lawman's account of his time as a Ranger. He did not justify or apologize for any ill treatment as if to a Mexican audience, but rather maintained that everything done was for the greater good. In a departure from Jennings's style, Roberts tended to write with more sweeping conclusions about politics and life. "Law is the executive branch of both politics and Christianity,"³¹ he wrote at one point. This opens the door to discuss a central difference between the Mexican-American communities and their Anglo neighbors: religion. Mexican Americans were overwhelmingly Catholic, while Anglos were overwhelmingly Protestant. Anti-Catholic sentiment in the United States has a long history, but for the purposes of this paper, the necessary context is this: Catholicism was treated with intense skepticism in this time, associated with "dirty" immigrants, overcrowding, slums, and superstition. The idea of

³⁰ N. A. Jennings, 205

³¹ Dan W. Roberts, *Rangers and Sovereignty* (San Antonio: Wood Printing and Engraving co, 1914). 12.

Catholicism's being beholden to a church hierarchy more so than Protestantism also led to a stereotype of Catholic believers being easily duped. American law was based primarily on English common law and Protestantism. Mexican law, originally established as Spanish law, was based on Catholic values. When the Rio Grande Valley became American land, American law applied. This changed not only what the laws were, but how they were applied, the system that accused offenders went through, and what their rights were as defendants. It is no wonder that Mexican Americans sought Mexico's help when accused of a crime in the United States. They knew Mexico's laws and customs far better.

Roberts explained the way law enforcement and governments cooperated in this time and place: "we were not diplomats, and were not sent there for that purpose, but we formed a sort of 'junta' with the Mexican Mayor."³² *Junta* comes from the Spanish word for together, and refers to a political-military organization that rules a place, especially after a takeover. This cooperation between local Mexican government officials and American law enforcement was a crucial element in the Porfiriato. Porfirio Díaz's regime wanted very badly to see American businesses invest in Mexico, and in order to make this happen they cooperated with the American government in ways that their citizens often objected to.

Another of Roberts's sweeping proclamations was "their [Mexicans'] ideals are as widely apart from ours as the poles, consequently I don't think we can ever assimilate in one idea of government."³³ Roberts, in writing this, reflects an unfortunately popular sentiment which was applied not only to Mexicans, but to Native Americans, Black people, and immigrants. The social codes of these cultures were believed to be too different from Anglo-Saxon Protestant

³² Roberts, 99.

³³ Roberts, 98.

beliefs to unite under one flag unless these other cultures were erased. Historical study of this era has observed similar perspectives used to justify mistreatment of Native Americans on reservations and their children in boarding schools,³⁴ urban immigrants,³⁵ and Black Americans.³⁶ If these minority groups were not punished for practicing their dissimilar cultures, they would continue towards those values, which would spell disaster for the heart of America, according to the Anglo Protestant majority.

Gregorio Cortez is the classic *corrido* hero, and his song is “the epitome of the Border corrido.”³⁷ The conventional premise is that a Mexican man, peaceable and unassuming, is accosted by local law enforcement or the Texas Rangers. The story does not distinguish between the two, calling both *rinches*. The man strikes back in self-defense and then must flee. This is the essence of Cortez’s story. He and his brother were accused of stealing a horse, and in the subsequent confrontation with law enforcement, they shot his brother. Cortez returns fire, killing the sheriff. These elements reflect a frustration with the law and its application to Mexican-Americans who were conducting normal business. The intense suspicion with which Anglo lawmen treated Mexicans is the impetus for the interaction, and the main target of the *corrido*’s criticism. In using this example and entering it into the cultural mind, the *corrido* points out the reality of false accusations for Mexican-Americans on the Border and creates an archetype of the unassuming but brave *corrido* hero through which to discuss injustice.

³⁴ Fritz, Henry E. *The Movement for Indian Assimilation, 1860-1890*. (Philadelphia: University of Pennsylvania Press, 1963.)

³⁵ Ewert, Cody Dodge. "Schools on Parade: Patriotism and the Transformation of Urban Education at the Dawn of the Progressive Era." *The Journal of the Gilded Age and Progressive Era* 16, no. 1 (2017): 65-81.

³⁶ Baldwin, Davarian L. "'I Will Build a Black Empire': The Birth of a Nation and the Specter of the New Negro." *The Journal of the Gilded Age and Progressive Era* 14, no. 4 (2015): 599-603.

³⁷ Paredes, *A Texas Mexican Cancionero*. 31.

Cortez's story is unique in the long chase sequence in which he must evade local posses and Texas Rangers alike. Américo Paredes has gone through great pains to verify the truth of this chase in his book, *With His Pistol In His Hand*. The chase is not unique in its broader point: that one clever Mexican man could evade every Anglo in Texas. This trickiness is an admirable quality in Mexican folklore, one that allows a minority culture to exercise some amount of power when majority cultures try to strongarm them. In fact, the *corrido* holds that Cortez was only apprehended because of a Judas figure, a fellow Mexican, turning him in, and even then many variants record Cortez requesting he do so. In these versions, Cortez, rather than ending the *corrido* as the betrayed hero, bravely faces his accusers by choice.

In his prose retelling of Cortez's story, Américo Paredes comments on the idea of right repeatedly, an idea that crops up in other *corridos* as well. It is worth examining this idea because of its applicability to this and other *corridos* in terms of how Mexican-Americans expected to be treated. Right is the expectation of what a person can do without interference. The understanding for many people, Mexican-Americans included, was that a man is within his rights to farm or ranch on his land, to marry and have children, and to keep a home. This term, rights or *derechos*, is interesting because this is a language that both Americans and Mexicans share. The founding documents of America (and, by extension, the founding documents of Texas) enshrine rights which are regarded as God-given. One of those is protection from "unreasonable search and seizure,"³⁸ which is basically the right to not be treated unreasonably by law enforcement, to not be bothered when there is no reason to bother someone. This was not the reality for Mexican-Americans on the border, though. The outrage at their treatment was partially due to this violation of expectations. Américo Paredes records that "It... seems a well-established fact that

³⁸ U.S. Constitution, amend. 4

the Rangers often killed Mexicans who had nothing to do with the criminals they were after.”³⁹ Mexican-Americans were citizens, but instead of being treated the way citizens were treated, they were constant suspects, often accused, convicted, and executed without cause.

In a scene that could be straight out of a Western, a shootout between the *rinches* and Jacinto Treviño takes place outside a saloon. Throughout the corrido, Treviño is cavalier and casually brave. He is “dying of laughter” and “tying his shoes” during a gunfight in which he is implied to be the lone target of a squad of Rangers.⁴⁰ This is a recurrent characteristic for corrido heroes: the danger to their life or limb is nothing compared to their skill. The hero seems protected by God, as he often makes it out of dire situations not only alive, but victorious and even unbothered. The implication here seems to be that when a man is on the right side, defending himself against an antagonistic, violent, oppressive force, he will be victorious by virtue of his moral rightness. The other characters in this corrido, the *rinches*, recognize that Treviño is extraordinarily brave, “even though he [the chief *rinche*] was American.”⁴¹ Treviño calls the *rinches* cowardly (*cobardes*) no less than four times, calling them into stark contrast with Treviño’s almost reckless bravery. This theme recurs repeatedly; *rinches* are cowardly, picking fights they cannot finish, while the hero is brave and defends himself or his property.

Treviño even takes time to poke fun at the American diet, saying that killing or apprehending him will be more difficult than eating “white bread with slices of ham.”⁴² In this, a clear cultural line is drawn, even over something as seemingly inconsequential as a ham

³⁹ Paredes, *With His Pistol In His Hand*. 26.

⁴⁰ Paredes, *A Texas Mexican Cancionero*. 70-71.

⁴¹ Paredes, *A Texas Mexican Cancionero*. 70.

⁴² Paredes, *A Texas Mexican Cancionero*. 70.

sandwich. Treviño identifies them thus as Anglo Americans, and the corrido's audience would have understood the joke as both a rib toward the Anglo American diet and as a serious point of cultural difference. Mexican American communities would have eaten differently than Anglo American communities, given the average differences in income and accessibility of meat and refined flour, as well as ancestral food tradition, which was passed down through family recipes.

In the corrido tradition, there is some amount of disconnect between the cultural experience of the Ranger as an aggressor and the cultural memory of the Ranger as a coward. However, this is easily explained as an attempt to strip Rangers of their power in the venue that Mexican voices controlled: their folklore. Jokes at their expense and accusations of cowardice made the Anglo lawman no match for the brave "*puros mexicanos*" who went up against them. This, in turn, eased fears of Anglo law enforcement.

On the subject of *puros mexicanos*, this is another interesting aspect of Mexican American folklore. National and local allegiance were malleable, but Mexican-American heroes tended to claim their Mexican heritage over their American citizenship. In doing so, they usually called themselves "*puros mexicanos*." "*Puro*," or pure, is an interesting word choice, given the mixed nature of Mexican identity, and the usual application of the word "pure" to mean a bloodline of one type or origin. Art and culture in Mexico often mix the symbols of indigenous Mexico, such as the Aztec feathered serpent, and those of Catholicism imported by Spain, such as the crucifix or the communion cup. At this time, it is important to consider that Mexico as a nation was forging its modern identity. The Aztec Palace, built as the Mexican presence in the 1889 World's Fair, shows a Mexico that wanted to merge its indigenous and Spanish heritage to appeal to European modernity.⁴³ Thus, this claim to be a "*puro mexicano*" was a claim to a

⁴³ Maurice Tenorio-Trillo, *Mexico at the World's Fairs: Crafting a Modern Nation* (Berkeley: University of California Press, 1996), 71.

blended bloodline, a feature that is unique to the cultural identity of Mexico. By calling themselves not only “*mexicano*” but “*puro mexicano*,” *corrido* heroes cemented their allegiance to their heritage as Mexicans, rather than to the political idea of Mexico or to the newly American land on which they resided.

The story of Margarito García begins with the narrator, playing the part of García, “seeing my house outraged, for no just reason.”⁴⁴ Law enforcement officers, including at least one with a Spanish name, Don Jacinto Hinojosa, were harassing García’s family, a violation of their understood right to live and work on their own property. When García stepped in, he killed Hinojosa. Though presumably Mexican by heritage, these men were working as American lawmen, and they abused their power just as Mexican-Americans knew Anglo officers to do. Knowing that it would be all too easy for the American law, the law of a “foreign nation,”⁴⁵ to punish a Mexican man, García fled across the border, seeking the protection of his home country on “my Mexican soil.”⁴⁶ The Diaz government, namely Guadalupe Mainero, governor of Tamaulipas, handed Rito García back over to US authorities. The tone of betrayal is evident as the singer says, “My own land was cruel to me, because they gave me no shelter/Though I was a Mexican, I did not find a friend.”⁴⁷ This story is told in first person, an interesting departure from the conventions of other corridos. The singer deeply empathizes with his subject and García’s experience becomes a shared space to commiserate about the wrongness of the treatment of a Mexican-American by both the American and Mexican governments. Rito García’s story,

⁴⁴ Paredes, *A Texas-Mexican Cancionero*. 59.

⁴⁵ Paredes, *A Texas-Mexican Cancionero*, 59.

⁴⁶ Paredes, *A Texas-Mexican Cancionero*. 59.

⁴⁷ Paredes, *A Texas-Mexican Cancionero*. 59.

disseminated as a folk song, reaffirmed what the more pessimistic members of the communities along the Border already knew: Mexico would not defend its people. The Diaz regime catered to American investment and influence in order to grow its economy, and part of these agreements, which many Mexicans regarded as back-room deals, included extradition.

Interestingly, the Diaz regime was initially quite popular in the border region. Farmers and other common people flocked to his no-reelection platform. However, they quickly grew disillusioned with his administration after seeing none of the improvements they had hoped for. The alliance of the Border people afterwards no longer merged alliance to the Diaz regime with their Mexican identities, and many instead backed Catarino E. Garza in the Garza War, a short-lived uprising against Diaz, in 1891.⁴⁸ The revolt was put down by a combination of United States and Mexican forces, working together to ensure that Díaz's economic plan to encourage American investment could go forward. The tension of political Mexico, which made deals at the expense of its citizenry, and cultural Mexico, which honored the bravery of its citizens in the face of oppression.

All this leads both Rito García and the listener to the same conclusion: each man on the Border, each family, each little pocket of community, is an island. They will find no help from the United States, nor from Porfirian Mexico. In a noteworthy connection, the Texas Rangers believed something similar about themselves. Jennings recalled the lack of support from the United States army being met with a Ranger saying, "let the United States soldiers go to hell; we'll stay and fight it out by ourselves."⁴⁹ The Texas Rangers believed that, though Texas was a

⁴⁸ Gilbert M. Cuthbertson, "Garza, Catarino Erasmo," Handbook of Texas Online, accessed October 12, 2020, <https://www.tshaonline.org/handbook/entries/garza-catarino-erasmo>. Published by the Texas State Historical Association

⁴⁹ N. A. Jennings, *A Texas Ranger* (New York: Scribner and Sons, 1899), 187.

part of the United States, and had been protected by the United States army for a time, Texas was fundamentally on its own. The United States did not and could not understand the struggles of Texas, just as Mexico did not and could not understand the struggles of her Border sons and daughters.

The legacy of Texas's people, including those on the Border, is tied to what survives. The stories that are passed down, written, and preserved form the core of cultural identity. The dominant culture's narrative surrounding the Border was enshrined in print and preserved in libraries. *Corridos*, though popular and well-known in Mexican-American communities, did not get the same exposure to Anglo audiences. As an oral medium, they were preserved by *guitarreros* and everyday music lovers, but those outside the community had less access to their perspective. The affronts to justice the Texas Rangers perpetuated are not newly revealed here. Indeed, their contemporaries knew, and they were well known along the Border before anyone in Austin deigned to take notice. This study reveals that cultural memory recorded these issues in a way that no legal documents could. Border conflict *corridos* elevate the bravery of the everyday citizen to resist Anglo law and lawmen which routinely treated Mexican-Americans unjustly. On the other hand, the Texas Rangers' stories speak to the law and lawmen's desire to preserve an idealized past and create a future which would reinforce Anglo dominance. By examining these perspectives, the picture of life on the Border gains color and depth.

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Appendix

Gregorio Cortez:⁵⁰

In the country of El Carmen, look what has happened;
 The Major Sheriff is dead, leaving Román badly wounded.
 In the county of El Carmen such a tragedy took place:
 The Major Sheriff is dead; no one knows who killed him.
 They went around asking questions about half an hour afterward;
 They found out that the wrongdoer had been Gregorio Cortez.
 Now they have outlawed Cortez throughout the whole of the state;
 Let him be taken, dead or alive, for he has killed several men.
 Then said Gregorio Cortez, with his pistol in his hand,
 “I don't regret having killed him; what I regret is my brother's death.”
 Then said Gregorio Cortez, with his soul aflame,
 “I don't regret having killed him; self-defense is permitted.”
 The Americans were coming; they were whiter than a poppy
 From the fear that they had of Cortez and his pistol.
 Then the American said, and they said it fearfully,
 “Come, let us follow the trail, for the wrongdoer is Cortez.”
 They let loose the bloodhounds so they could follow the trail,
 But trying to overtake Cortez was like following a star.
 He struck out for Gonzales without showing any fear:
 “Follow me cowardly *rinches*; I am Gregorio Cortez.”

⁵⁰ Paredes, *A Texas Mexican Cancionero: Folksongs of the Lower Border*. 66-67.

From Belmont he went to the ranch where they succeeded in surrounding him,
Quite a few more than three hundred, but he jumped out of their corral.

When he jumped out of their corral, according to what is said here,
They got into a gunfight and he killed them another sheriff.

Then said Gregorio Cortez, with his pistol in his hand,
“Don't run, you cowardly *rinches*, from a single Mexican.”

Gregorio Cortez went out, he went out toward Laredo;
They would not follow him because they were afraid of him.

Then said Gregorio Cortez, “What is the use of your scheming?
You cannot catch me even with those bloodhounds.”

Then said the Americans, “If we catch up with him what shall we do?
If we fight him man-to-man, very few of us will return.”

Way over near El Encinal, according to what is said here,
They made him a corral, and he killed them another sheriff.

Then said Gregorio Cortez, shooting out a lot of bullets,
“I have weathered thunderstorms; this little mist doesn't bother me.”

Now he has met a Mexican; he says to him haughtily,
“Tell me the news; I am Gregorio Cortez.

“They say that because of me many people have been killed;
So now I will surrender, because such things are not right.”

Cortez says to Jesús, “At last you were going to see it;
Go and tell the *rinches* that they can come and arrest me.”

All the *rinches* were coming, so fast they almost flew,

Because they were going to get the ten thousand dollars that were offered.

When they surrounded the House, Cortez appeared before them:

“You will take me if I’m willing but not any other way.”

Then said the Major Sheriff, as if he was going to cry,

“Cortez, hand over your weapons; we do not want to kill you.”

Then said Gregorio Cortez, shouting to them in a loud voice,

“I won't surrender my weapons until I am in a cell.”

Then said Gregorio Cortez, speaking in his godlike voice,

“I won't surrender my weapons until I'm inside a jail.”

Now they have taken Cortez, and now the matter has ended;

His poor family are keeping him in their hearts.

Now with this I say farewell in the shade of a cypress;

This is the end of the ballad of Don Gregorio Cortez.

Jacinto Treviño:⁵¹

With this it will be three times that remarkable things have happened.

The first was in McAllen, then in Brownsville and San Benito.

They had a shoot-out at Baker’s saloon;

Broken bottles were popping all over the place.

Baker’s saloon was immediately deserted;

Only Jacinto Treviño remained with his rifle and his pistol.

“Come on you currently *rinches* you're not playing games with a child.

⁵¹ Paredes, *A Texas Mexican Cancionero: Folksongs of the Lower Border*. 70-71.

You wanted to meet your father? I am Jacinto Treviño.”

“Come on you cowardly *rinches*, you always like to take the advantage;

This is not like eating white bread with slices of ham.”

The chief of the *rinches* said, even though he was an American,

“Ah, what a brave man is Jacinto; you can see he is a Mexican!”

Then said Jacinto Treviño, who was dying of laughter,

“All you’re good for is to make the buttonholes and the cuffs on my shirt.”

The said Jacinto Treviño, as he was tying his shoe,

“I have more cartridges here, so we can amuse ourselves a while.”

Then said Jacinto Treviño, with his pistol in his hand,

“Don’t run you cowardly *rinches*, from a single Mexican.”

Then said Jacinto Treviño, “I am going to retire.

I’m going to Rio Grande City, and I will wait for you there.”

Then said Jacinto Treviño, as he came down an incline,

“Ah, what a cowardly bunch of *rinches*; they didn’t do anything to me!”

Then said Jacinto Treviño, when he was in Nuevo Laredo,

“I am Jacinto Treviño, born in Montemorelos.”

Now with this I say farewell, here in everybody’s presence;

I am Jacinto Treviño, a citizen of Matamoros.

Margarito García.⁵²

In the year of eighteen hundred and eighty-five, by the count,

I will begin to sing of the thing that happened to me.

⁵² Paredes, *A Texas Mexican Cancionero: Folksongs of the Lower Border*. 59.

I was living at El Cenizal, in the first month of that year
When Don Jacinto came and searched my house, along with three other men.
On the 8th day of that month I had gone out to hunt,
When after a while I heard my family crying.
Seeing my house outraged for no just reason,
I came out on the road with my weapon to await the posse's return.
When they appeared I saw that they had my son tied up;
I immediately fired on them from where I was standing.
The bullet flew out like lightning, for my weapon was a good one,
and I saw Don Jacinto Hinojosa fall from his horse.
My poor son could not defend himself, they wounded him in the arm;
So then I put a bullet through Uvenceslao Solís.
Knowing well how the law works in the United States,
I went across the river seeking shelter on my Mexican soil.
My own land was cruel to me, because they gave me no shelter
And though I was a Mexican I did not find a friend.
They declared me a wanted man, I was with my youngest son;
The officers of the government arrested me on the eleventh
I was arrested in Nuevo León after having traveled far;
the officers brought me to the jail in Camargo.
I had to remain a prisoner for seven months in that city;
The judges kept assuring me I would never be taken across.
I never would have thought that my country would be so unjust,

That Mainero would hand me over to a foreign nation
I don't count for much, it's true, but they did hand me over;
They took me across at Hidalgo, and that is where they sentenced me.
I found no clemency there; they would not even listen to me;
So I'm going to the penitentiary, to suffer the rest of my life.
Well does God know what I feel within my breast,
That I'm going to the penitentiary for defending my right.
Farewell my beloved country ,farewell all my friends;
Farewell my dear family, I'm leaving you forever.
I go to the penitentiary because such was my fortune;
I go to drag a chain until the day that death comes.
Mexicans, we can put no trust in our own nation;
Never go to Mexico asking for protection.
Now with this I say farewell, for my day has come;
Long live brave men such as was Rito García .