

CHAPTER SEVEN

Indian Community Land and Municipal Income in Colonial Cuernavaca

AN INVESTIGATION THROUGH NAHUATL DOCUMENTS

ROBERT HASKETT
Department of History
University of Oregon, Eugene, OR

INTRODUCTION

On a fine morning in May of 1723 a small group of Spaniards and Indians gathered on lands attached to the *rancho* known as Achichica. The estate was located in the *tenencia* of Jonacatepec in the Cortés Marquesado del Valle jurisdiction of Cuernavaca, a province noted primarily for its sugar production. The purpose of this assembly was to confirm the possession of the nine-*caballería* estate (about 385 hectares) being claimed by four heirs of the Spaniard Antonio Rodríguez. But when the surveyors entered a section known as 'La cabeza de la joya' council members from the Indian community of Ayoxochiapa spoke up. Their words, translated by an interpreter from Nahuatl into Spanish, alleged that these Spaniards had forcibly dispossessed them of this land, which rightfully belonged to their community. As proof of their assertion, the council members first pointed to some maize fields in the area that were even then being cultivated by citizens of the *pueblo*. In the second place, they claimed that this section had been the property of Ayoxochiapa from time immemorial. But the council could not present any documentary proof of their ownership. Moreover, the Spanish aspirants were quick to supply records which showed that their benefactor had been legally granted the *rancho* in 1693. A council of Ayoxochiapa had been present at that time, too, yet had made no contradiction of the grant. In light of this evidence and because of the apparent weakness of the Indian case, the Spanish officials in charge of the survey refused to admit the Indian objections. Continued petitions and witness testimony submitted to the authorities by Ayoxochiapa through 1725 were of no avail; the *rancho* of Achichica, including the section known as 'La cabeza de la joya', remained firmly in Spanish hands.¹

The roots of such land conflicts between Spaniards and Indian communities stretched far back into the early colonial period. Population loss and the reorganization of towns through the sixteenth and early

seventeenth-century *congregación* process had created large amounts of 'vacant' land. Spaniards were able to assume ownership of some of it, but in and around Cuernavaca a large amount remained under the control of Indian communities. During much of the seventeenth century many of them actually seem to have had a surplus. Part of their ability to do so must have stemmed from the fact that following 1640 the region's Spanish-owned sugar industry entered a period of decline. As long as enough of a landbase remained, the apparently inexorable demographic loss of these years left many town councils reluctant to go to the expense of lengthy court battles to counter Spanish land usurpation.² Then population began to recover, sugar began to boom once again, and pressure on the existing corporate landbases began to mount.

So struggles like Ayoxochiapa's erupted all over the Cuernavaca region in the eighteenth century, just as they did throughout central New Spain. This was because land was an essential ingredient in a town's fiscal well-being and one of the most important tests of its corporate integrity. Indian litigants knew that there were a set of laws protecting their land tenure from outside encroachment, and through long experience they had become familiar with the legal maneuvering that would invoke them. However feeble these protections might have been in reality, communities which had some sort of documentary proof of ownership -an earlier act of possession or *composición*, a land grant bestowed upon them by the Spanish authorities, or perhaps the records of an early, successful case involving the same property- stood a fair chance of winning restitution or recognition of the lands in question from the colonial courts.

But if they found themselves in the same situation as Ayoxochiapa and were unable to supply such written proofs, it was very difficult for them to prevail against Spanish interests. If resort to the court system failed them or seemed likely to lead to nothing, a variety of extra-legal tactics were employed by many towns; it is likely that the maize fields being worked at 'La cabeza de la joya' by citizens of Ayoxochiapa had been planted solely to assert corporate ownership. Many such strategies have received ample study by scholars over the years, but an especially subtle method used by some Indian litigants is only now receiving the attention it deserves. This was the fabrication of Nahuatl language land titles, known as *títulos primordiales*, which seemingly proved that the plots in question had indeed been corporate property "from time immemorial."

Whether or not individual records were authentic in a strictly legal sense is today almost beside the point. For from an analysis of the body of records, legitimate or otherwise, generated in relation to corporate properties and land disputes we can begin to understand several important things about the Indian community as a landholding entity. One of the most basic and crucial is the indigenous view of the corporate landbase. Another concerns the true nature and complexity of municipal property and the variety of uses to which it was put.

And having established the centrality of land to corporate well-being, we can further our comprehension of the complex set of forces that drove Indian town government to defend its landholdings, even in the face of repeated reversals.

THE NATURE OF THE CORPORATE LANDBASE

Primordial titles, including those from the Cuernavaca region (of which eight examples have been located), are among the most controversial documentary genres as far as historical veracity is concerned. In seeking to establish the legality and antiquity of corporate land ownership, the titles record early grants given to the community by the first Marqués and/or the king in recognition of among other things the enthusiastic aid supposedly given by their ruling groups to the conquering Spaniards. Detailed boundary surveys of the granted properties are another standard feature.³ But internal evidence suggests that they were really composed in their existing form beginning in the very late seventeenth century. Further, the boundary surveys described in them may identify lands thought once to have belonged to the community as well as those actually possessed.⁴

Whether or not Spanish judges understood all of these quirks, they usually ignored or rejected the titles. For us to react in the same way does them and their elite authors a great disservice. To begin with, the titles were not hastily written documents composed solely for an external audience. Their authors, believing that they were preserving authentic local histories, were copying and probably embellishing earlier written and oral traditions.⁵ The titles demonstrate that as far as the jurisdiction's Indian town elites were concerned, the community's right to a landbase did not rest solely on colonial criteria. Their texts assert that Cortés or other Spaniards recognized the communities' status as prequest *altepetl* and the integrity of their pre-existing landbases. Three of the titles state that for this reason either Cortés or the king granted the town in question a coat of arms. This device was not only graphic evidence of corporate independence but was also thought to protect and to legitimize the town's land ownership. One of the documents even included a crude drawing of the supposedly ancient town arms, stating that the surveying and portection of their lands was done by the authority of "*our coat of arms composed for us by our great ruler [and] with which we are to be aided forever.*"⁶

Much of this is drawn from standard criteria of corporate status traceable to pre-Hispanic concepts, which defined an *altepetl* as a unit with a ruling dynasty, a system of government, one or more religious structures, and of course a landbase.⁷ These were all considered criteria for independent *pueblo* status in the colonial period and were finally enshrined in law or practice by the eighteenth century, when they were frequently invoked by litigants who were trying to established their community's right to *cabecera* or *pueblo* status.⁸ Implied

by all of this is an extremely significant point: the authors of the titles were not only defining their land rights in colonial terms, but were basing them on traditions which predated the Spanish arrival.

On a more pragmatic level, the titles seem to contain solid and sometimes unique information about the nature of the corporate landbase. Boundary descriptions look at first hopelessly confused and incomprehensible. The *tlalquauhxochitl*, as boundaries were called (a variation of the more standard *tlalquaxochtili*), snaked here and there across the landscape, delineated by trees, hills, or the lands of other towns or estates. Of limited value now for their own sake, they are historically significant for two reasons. First, they probably were not really as vague as they seem. Many of the landmarks were verifiable at the time, such as the so-called 'Cross of the Marqués', located on a shoulder of land to the north of Cuernavaca that marked one of the limits of the Marquesado del Valle. Second, at least some of them may have been fairly accurate. The outlines of lands recorded in one title allegedly belonging to the noble house of the sometime *gobernador* Don Joseph Gaspar Díaz were correct; the *titulos* were pronounced a forgery, but through other means Don Joseph finally won confirmation of the same lands delineated in the title. In the final analysis, it seems unlikely that towns hoping to protect or enlarge their lands by means of the titles would have concocted entirely useless boundary descriptions. The surveys, then, are plausible records of the overall extent of lands to which a town felt itself entitled.⁹

The titles' survey methodology is historically significant for another reason. The land of each district, or *calpulli*, was measured separately. From this it is clear that the district, and not the greater *altepetl*, was still considered the basic holder of land in the eighteenth century. According to the titles, the Spanish authorities also recognized the persistence of this preconquest tradition. This is entirely in keeping with the more fragmentary and scattered information to be gleaned from litigation records. While the greater council customarily brought suit when land ownership was at stake, the plot or plots in question are normally identified with one of the town's subdivisions.¹⁰

The corporate landbase in general was often referred to as *altepetlalli* (*altepetl*, 'town' and *tlalli*, 'land'), though as will be seen this could also have a more specific meaning, too. The term *altepetlalli* could be replaced by one conveying a more specific sense of 'land of a certain community', as in *Panchimalcatlalli* (land of Panchimalco) or *Nochtlacamilli* (fields of Nochtlán).¹¹ This was the community's *tlalnemactli* ('patrimonial land'), an immemorial possession which, according to the primordial titles, had been recognized by the Spanish authorities soon after the conquest.¹²

The jurisdiction's primordial titles and other Nahuatl-language town records demonstrate that more than one type of land was held by many communities. The variety of property types was vitally important and remained so into the eighteenth century. Agricultural land was classified as to whether or not it was irrigated or by soil type.

There was also *tzacamolli*, a term designating lands which were being prepared for planting or perhaps parcels which were wooded and served the community as a source of firewood.¹³ This was probably the type that was denounced as *tierras baldías* by outsiders since it was not obviously supporting crops and hence was more likely to become embroiled in land litigation, which would explain the scrupulous care of titles authors to include specific mention of it in their documents. Additionally, land was defined as *calmilli* or *callalli* (house lot), which usually consisted of a house site and a certain amount of agricultural land.

Corporate land distributed to citizens in the form of subsistence plots held by right of usufruct was termed *calpullalli* (*calpulli*, 'district' and *tlalli*, 'land') or in Spanish *tierra de repartimiento*. The usufruct, but not actual ownership, could be left to heirs but was legally inalienable and returned to the community if the holder of usufruct died without issue. There is a certain amount of controversy over the exact meaning of *calpulli* (and hence *calpullalli*) in other regions, some believing that it meant 'shrine', others maintaining that the more traditional translation of *barrio* (district) is the proper one. In the province of Cuernavaca *calpulli* almost always meant 'district' and was often used interchangeably (sometimes in the same document) with *tlaxillacalli*, a slightly more common term used to designate subdivisions of an *altepetl*. Moreover, larger *calpulli* were further subdivided, and these units were also called *calpulli*. And the contextual appearances of *calpullalli* or *tierra de repartimiento* remove all doubt about the meaning of these terms; they invariably refer to *calpulli* land divided into subsistence plots.¹⁴

Finally, several of the titles not only include surveys and protections of corporate land, but they also contain similar information about the private holdings of the elite.¹⁵ This is at first surprising because in the records of the late sixteenth century land referred to as *pillalli* ('noble land') or more rarely *tlatocatlalli* ('ruler's land') was being treated as private property. However, before the conquest *pillalli* and *tlatocatlalli* seem to have been lands of the *altepetl* held by the ruling class by right of rank or status but which had not yet become true private possessions. It could be argued that the inclusion of this kind of property was a self-serving ploy by the elite titles authors to protect their personal possessions. Yet a careful reading of the *titulos* suggests that the older way of looking at *pillalli* and *tlatocatlalli* had not entirely died out and that this type of land still formed an integral if somewhat distinct part of a community's holdings. Records of *cabildo* actions involving such land in the colonial period point to the survival of this status as well. *Pillalli* was sometimes sold or rented by councils seeking a source of additional revenue. They had a right to do so, they said, because the property had reverted to the community through abandonment or due to the extinction of a noble family.¹⁶

THE UTILITY OF THE CORPORATE LANDBASE

Indian towns had great need for a viable landbase, and not just because it was the source of subsistence plots. The jurisdiction's municipalities depended upon their lands, or rather the income derived from these properties, to cover a variety of expenses, such as building construction and repair, officer salaries, litigation, and tribute of the dead or absent still listed on census rolls (communities also raised money through extra cash assessments levied on each tributary). Crops, usually maize but sometimes sugar cane, raised on specially designated corporate holdings formed the basic source of income used to maintain a community treasury, known as the *caja de comunidad*.¹⁷ With the same end in mind, towns with enough pasturage raised and sold livestock for a profit, and those with sufficient *monte* (woodland) sold firewood to nearby sugar refineries, which were voracious users of such fuel.¹⁸ Expenses connected with the maintenance of the local church, the provision of food and other supplies to the local priests or friars, and the financing of the calendar of church celebrations (including outlays for wax, flowers, incense, and fireworks) were equally demanding of the same income sources.¹⁹ While individual contributions and the efforts of *cofradías* (lay brotherhoods) had their place, it is quite clear that municipal funds, most of them raised from corporate lands, were the single most important source of support for the church to Independence.²⁰

Agricultural revenues as a whole often were insufficient to meet these kinds of civil and ecclesiastical expenses. This led some *cabildos* to sell town land outright to raise money, though the legality of such alienations was questionable. Most sales occurred during the seventeenth-century era of demographic decline, land surplus, and the stagnation of the sugar industry. More common from at least the second half of the sixteenth century were rentals or long-term leases (*censos perpetuos*) of town lands to outsiders. This strategy became extremely common during the following century, from the same causes that led towns to sell corporate property. Rentals, in fact, were one of the most important sources of income for many of the jurisdiction's Indian towns, and continued to be a common source of corporate revenue in the eighteenth and even early nineteenth century, even though there was renewed internal and external pressure on the jurisdiction's arable land area. As late as 1808-1810 nine communities in the greater Yautepec-Oaxtepec region were able to earn a good income by renting one or more plots to Spaniards (Oaxtepec was renting out five *ranchos* and some pasture land, for example). Whether or not such later rentals depleted lands available for subsistence is not clear, but the need to finance municipal and church operation was obviously still an imperative.²¹

For most of the colonial period only certain types of land were considered by councils as eligible for sale or rent. *Altepetlalli*, referring in a more restricted sense to town lands exclusive of subsistence plots,

tecpantlalli (land for the support of the palace or by extension town government), and properties labeled in Spanish as *tierras de comunidad*, were the most common property types involved. On the other hand, *calpullalli* was normally considered off limits. If a *cabildo* attempted to rent or alienate such proscribed land it was liable to face internal disputes, some of which eventually reached the colonial court system. Only in exceptional circumstances, when demographic decline left a town with a large amount of surplus *calpullalli*, for instance, could it be sold or leased. The operating principle here was that certain corporate property could be used for income, while other holdings would provide for the subsistence of citizens. Moreover, municipal property could only be surrendered to private holders by the unanimous vote of the *cabildo*. It was this attitude, arising in equal part from pre-Hispanic traditions and the realization that unscrupulous outsiders might usurp rented land, that acted as a brake on wholesale alienation. Colonial law played a far less important role, for although Indian *cabildos* were required to obtain licenses before renting or selling land, they rarely did so because of the time and expense involved in the process.²²

Nonetheless, over the course of time both *calpullalli* and land rented to outsiders did have a tendency to come under private ownership. Indian nobles or even sometimes commoners successfully claimed *calpullalli* as their own property. Spanish authorities often recognized the right of the individual over those of the *calpulli* or *alteptl* in such cases.²³ Of course, much of this land would have remained at least nominally part of the corporate landbase in the broadest sense, but the situation was different when non-Indian renters usurped their leaseholds. A good number of these actions were given the patina of legality during *composición* programs ordered first by the Marquesado and then by the royal government in the 1620s through the 1640s. Many a Spanish renter of corporate property renegotiated his or her rental agreement at this time. With an audacity which must have arisen from a supreme confidence in the superiority of Spanish claims, many of them actually presented the authorities with copies of Nahuatl lease agreements to prove legal tenure or ownership! With some exceptions, payment of the rental or lease was transferred to the Marquesado or to the royal government, which were supposedly acting for the Indian community. In reality they were removing this source of income from the Indian world. Some towns complained, others did not, but few Indian protests seem to have been successful at this time. The losses were piecemeal, insidious, and occurred during a period when most communities still had ample land for their own uses.²⁴

In the late seventeenth century Indian population was recovering and the regeneration of communities formerly congregated with others became common. What is more, non-Indian population was on the rise. Many of these people hoped to establish agricultural enterprises geared to supply local and Mexico City markets with maize and

other food products. Then after 1750 the sugar industry revived and expanded. More non-Indians entered the region, outnumbering Indians in places like Cuernavaca by the late eighteenth century, though penetration continued to be uneven and incomplete in many areas. Estates of all kinds proliferated, until by the 1790s there were eighty-seven *haciendas* and *ranchos* in the area. This era of multifaceted pressure on the land ushered in the well-known period of dispute and struggle. Now with increasing frequency and vigor the jurisdiction's Indian municipalities began to sue non-Indians for encroachment, for the illegal occupation of lands involved in the *congregación* process, and for the usurpation of lands which formerly had been leased to Spaniards. Now councils like Ayoxochiapa's were more inclined to contradict land grants, and in 1732 many towns tried to manipulate a renewed period of composition to their own advantage, as always with uneven success. The urgency of the situation led the jurisdiction's indigenous citizens to take matters into their own hands, using Nahuatl primordial titles to replace lost or non-existent 'legal' titles, invading so-called Spanish properties and hurriedly planting crops or even building houses there, moving boundary markers, rioting, burning encroaching sugar cane fields, and in at least one recorded instance capturing an estate owner and threatening him with death.²⁵

But counter-invasions of disputed land were easily detected. Violence (always a last resort) could prejudice the authorities against Indian litigants. So the *cabildos* continued to put their faith in the legal system despite repeated stalemate or outright failure precisely because they did not always fail. It was true that by the mid-eighteenth century the jurisdiction's Indian communities had experienced a net loss of land to the Spanish world. Yet the record of corporate landholding and land use in the region demonstrates that many towns were able to rely on a viable and varied property base for subsistence and revenue even in the early nineteenth century. As in places where this topic has been studied by others such as Metztitlan, Oaxaca, and the Toluca Valley, contributing factors included tenacity on the part of Indian litigants as well as a still imperfect penetration of the jurisdiction by non-Indians. It also seems that corporate land tenure was protected by the continued willingness of Spanish estate owners to rent some property from the *cabildos*; beyond a certain point they may have felt that landownership represented a greater financial risk than rental. And Spanish officials seem to have been unwilling to oversee a wholesale removal of land from the control of Indian communities, since their tribute was still an important source of revenue for the Marquesado.²⁶

This brings us back to the role of all of this in Nahuatl documents in general and of primordial titles in particular. If it is true that the latter were readily labeled spurious by the colonial authorities, why did some of the jurisdiction's Indian towns continue to write them and submit them as evidence in litigation? The answer to this question is relatively simple. Their evidentiary function was only one aspect of a larger purpose. For in these documents was enshrined the

local vision of history, of corporate integrity, and of the nature of the corporate landbase. This vision, when integrated firmly in a context provided by other Nahuatl and even Spanish records, is a revealing one for those of us who seek to understand the Indian municipality as a landholding entity. In the Cuernavaca jurisdiction, pre-Hispanic notions of land types and their appropriate corporate function were reconciled with varying degrees of success to the post-conquest situation. Municipal properties, held ultimately by individual districts, continued in their broadest definition to include ostensibly private lands of the local elite. The very possession of land was itself a major test of true municipal status. Without a landbase a town could not survive, either physically or spiritually. The active preservation of these older traditions fortified the municipal bodies as they struggled against mounting challenges to their corporate integrity.

ENDNOTES

1. Archivo General de Indias, Seville (hereinafter AGI), Indiferente General, leg. 90, no. 3 (Ayoxochiapa vs. Spaniards over ownership of the rancho of Achichica, 1723).
2. Wayne Osborn, "Indian Land Retention in Colonial Metztlitlan," *Hispanic American Historical Review* (hereinafter *HAHR*), 53 (1973), 217-238, esp. 226, sees a similar pattern; reprinted in this volume, pp. xxx-xxx. Cheryl Martin, "Demographic Trends in Eighteenth-Century Morelos," (unpublished paper, author's files) sketches the periodization of the sugar industry, and in *Rural Society in Colonial Morelos* (Albuquerque, 1985), 47-49, discusses Indian retention of land and their manipulation of the *congregación* process. Archivo General de la Nación, México (hereinafter AGN), Tierras, vol. 1872, exp. 8, fols. 1r-8r contains details of lands possessed by the *pueblo* of Ahuacatitlan, a *sujeto* of Cuernavaca, which has been able to retain land involved in the *congregación* process, seventeenth through eighteenth centuries.
3. All but three of the titles from Cuernavaca and its hinterland survive within the context of eighteenth-century land disputes: "Municipal Codex of Cuernavaca," Bibliotheque Nationale de Paris (hereinafter BNP), Manuscript Mexicaine 291/292, published as *Código municipal de Cuernavaca, anónimo del siglo XVI* (México, 1951) and in G. Michael Riley, *Fernando Cortés and the Marquesado in Morelos, 1522-1547* (Albuquerque, 1973), 100-109; BNP, Manuscript Mexicaine 102 ("Axayacatl Titulos," a post-colonial transcription); Robert Barlow, "Unos títulos de Cuernavaca," in *Tlalocan*, 2:3 (1946), 213-222; AGN, Hospital de Jesús, leg. 447, exp. 7, fols. 1r-6v ("Díaz títulos de Cuahuhnahuac [Cuernavaca]"); Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3, fols. 564-567r (primordial titles of Chapultepec, a *sujeto* of Cuernavaca); Hospital de Jesús, vol. 79, exp. 4, fols. 121r-125r (primordial titles of Chamilpa); Hospital de Jesús, leg. 447, exp. 81, fols. 6r-8v (two titles from the town of Ocotepc).
4. Orthographic analysis of the Cuernavacan titles shows that many elements in the Nahuatl did not enter common usage until the late seventeenth century. For more detailed discussions of this topic and other aspects of primordial titles see James Lockhart, "Views of the Corporate Self and History in Some Valley of Mexico Towns: Late Seventeenth and Eighteenth Centuries," in *The Inca and Aztec States, 1400-1800*, George A. Collier, Renato I. Rosaldo, and John D. Wirth, eds. (New York, 1982), 367-393, esp. 370. See also Stephanie Wood, "Corporate Adjustments in Colonial Mexican Indian Towns: Toluca Region, 1550-1810" (Ph.D. diss., University of California, Los Angeles, 1984), 322-343; and Charles Gibson, "A Survey of Middle American Prose Manuscripts in the Native Historical

Tradition," in *Handbook of Middle American Indians*, Robert Wauchope, gen. ed. (Austin, 1975), XV, 311-321; *Guide to Ethnohistorical Sources*, Howard F. Cline, ed. (Austin, 1975), 320-321.

5. Cuernavaca's titles were almost certainly written by members of the local nobility, most probably by elite notaries. A more thorough discussion of this topic was carried out in Robert Hasket, "Cuernavaca's Primordial Titles: History or Fabrication?" (paper delivered at the V Symposium of Latin American Indian Literatures, Cornell University, 1987). Wood, "Corporate Adjustments," 321-328, discusses the nature of titles in the Toluca Valley; the Cuernavacan examples have many points in common with them.

6. AGN, Hospital de Jesús, vol. 79, exp. 4, fol. 125r (Chamilpa títulos, which includes a drawing of the arms). Coats of arms also are mentioned in BNP, Manuscript Mexicaine 291/292 ("Municipal Codex"); and BNP, leg. 447, exp. 81, fols. 6r-7v (Ocotepc títulos).

7. Susan Parry Schroeder, "Chalco and Sociopolitical Concepts in Chimalpahin: Analysis of the Work of a Seventeenth-Century Nahuatl Historian of Mexico" (Ph.D. diss., University of California, Los Angeles, 1984), 140-141.

8. Wood, "Corporate Adjustments," 188-190.

9. William H. Prescott, *The Conquest of Mexico* (New York, 1967), 530. On Don Joseph, see AGN, Hospital de Jesús, leg. 447, exp. 7 ("Díaz Títulos").

10. Almost all titles measure land in this way. See for example AGN, Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3, fols. 564r-567r ("Chapultepec títulos") and Hospital de Jesús, leg. 447, exp. 81, fols. 6r-7v (two *títulos* of Ocotepc). AGN, Tierras, vol. 1962, exp. 8, fol. 23r (Nahuatl record of an investigation of land ownership in Cuernavaca's Tecpan district, c. 1580); AGN, Hospital de Jesús, leg. 210, exp. 23 (Nahuatl petition concerning land held by Cuernavaca's district of Xalan, c. 1607).

11. AGN, Hospital de Jesús, vol. 52, exp. 18, fol. 3r (Nahuatl land rental document, Pan-chimalco, 1625); Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuaderno 3, fols. 546r-567r (primordial titles of Chapultepec, first decades of eighteenth century).

12. See the use of this term in AGN, Hospital de Jesús, vol. 52, exp. 6, fols. 3r-4r (Nahuatl petition from Acatlicpa to the Marquesado, 1637) and in leg. 447, exp. 81, fols. 6r-7v (Ocotepc títulos).

13. There is a suggestion in this document, as yet not fully verified, that in the Cuernavaca region the term *tzacamolli* (commonly spelled *çacamolli* elsewhere) also referred to land kept fallow for agricultural reasons or not under cultivation because of population loss (or by the eighteenth century to serve as a cushion to meet the needs of expanding population); see AGN, Hospital de Jesús, leg. 447, exp. 81, fols. 6r-7v ("Ocotepc títulos"); and AGN, Hospital de Jesús, vol. 79, exp. 4, fol. 125r ("Chamilpa títulos").

14. See Pedro Carrasco, "Estratificación social indígena en Morelos durante el siglo XVI," in *Estratificación social en la Mesoamérica prehispánica*, Pedro Carrasco and Johanna Broda, eds. (México, 1976), 102-117, esp. 105, and S. L. Cline, *Colonial Culhuacan, 1580-1600* (Albuquerque, 1986), 36, 147-149; Victor Castillo F., *Estructura económica de la sociedad Mexica* (México, 1972), 73; and Luis Reyes García, "El término calpulli en los documentos del centro de México," and "El término calpulli en documentos del siglo XVI" (unpublished papers, author's files). Genealogical Society of Utah Roll 659054 (interchangeable use of *calpulli* and *tlaxillacalli* in Cuernavaca, c. 1600-1650); AGN, Hospital de Jesús, leg. 210, exp. 28 (Cuernavaca's subdivision of Tlanihuic Tecpan and its district of Otlipan both called *calpulli* in a Nahuatl document, c. 1607); Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3, (Chapultepec vs. the *ingenio* of Atlacomulco over possession of two plots of *tierra de repartimiento*, 1730s-1750s).

15. BNP, Manuscript Mexicaine 291/292 ("Municipal Codex"); AGN, Hospital de Jesús, leg. 447, exp. 7 ("Díaz títulos").

16. See AGN, Civil, vol. 1103, exp. 8, fols. 103r-103v (council of Xochitepec renting *pillalli* which has devolved to municipality, 1631); AGN, Tierras, vol. 2684, exp. 4, fols. 3r-v (council of Cuernavaca renting *pillalli*, 1636).

17. AGN, Civil, vol. 1103, exp. 8, fol. 68r (Nahuatl land sale document from Cuernavaca, 1608); AGN, Hospital de Jesús, leg. 78, exp. 19 (San Francisco Tetecala earns income from sale of sugar cane, 1758); Hospital de Jesús, leg. 93, exp. 32 (Cuernavaca's council rents a substantial stone house built especially for this purpose to Spaniards, 1690s). The *caja* system is discussed in Charles Gibson, *The Aztecs under Spanish Rule* (Stanford, 1964), 213-214; and in Robert Haskett, "Indian Town Government in Colonial Cuernavaca: Persistence, Adaptation, and Change," in *HAHR*, 67:2 (1987), 212-213.
18. AGN, Tierras, vol. 67, exp. 11 (Tepostlán sells cattle raised on a *caballería* of pasture land for income, 1591); AGN, Hospital de Jesús, vol. 86, exp. 5S, f. 5 (Texcotitlán, a *su-jeto* of Tepostlán, sells firewood to sugar refiners); AGI, Indiferente General, leg. 107, libro 1, ff. 289-301v (Tepostlán and Huichilac gain income from the sale of firewood, 1743); and James Lockhart, Frances Berdan and Arthur J. O. Anderson, *The Tlaxcalan Actas. A Compendium of the Records of the Cabildo of Tlaxcala (1545-1627)* (Salt Lake City, 1986), 25-26.
19. Biblioteca Nacional de México, Fondo Reservado, Fondo Franciscano Caja 91, exp. 1389, nos. 14, 15, and 16 (Council of Xiutepec finances endows masses, 1629-1757); AGN, Hospital de Jesús, vol. 52, exp. 15, fols. 7r-13r (Texoyuca, nine Nahuatl lease documents containing information about the financing of *fiestas*, 1691), and AGN, Hospital de Jesús, leg. 78, exp. 19 (Tetecala finances repair of its Franciscan monastery's roof, 1758).
20. AGN, Civil, vol. 997, exp. 14, fols. 1r-1v (almost three-fourths of the support for Tepostlán's church came by way of the *villa's cabildo*, 1789). See also AGN, Hospital de Jesús, vol. 82, exp. 17 (land rentals generate income for town churches, Yautepec/Oaxtepec region, 1804-1808) for similar information.
21. See Haskett, "Indian Town Government," 221-222; Gibson, *Aztecs*, 212; and William B. Taylor, *Landlord and Peasant in Colonial Oaxaca* (Stanford, 1972), 78. AGN, Hospital de Jesús, leg. 277, exp. 9 (Cuernavaca rents sugar cane land to the Marquesado, 1551); Hospital de Jesús, vol. 80, exp. 1 (Cuernavaca rents land to Spaniards, 1620s); Hospital de Jesús, leg. 273, exp. 43 (the same, 1680s and 1690s); Hospital de Jesús, vol. 48, part 2, exp. 9, cuad. 3, fols. 544r-554r (Cuernavaca, six Nahuatl leases from the later seventeenth century); and Hospital de Jesús, vol. 52, exp. 15, fols. 7r-13r (nine Nahuatl rental receipts from the jurisdiction, 1691). AGN, Hospital de Jesús, vol. 82, exp. 17 (land rentals in the Yautepec/Oaxtepec region, 1804-1808). For the eighteenth century see: AGN, Hospital de Jesús, vol. 86, exp. 44 (Tepostlán, 1700-1710); Hospital de Jesús, leg. 344, exp. 79 (Cuernavaca, 1736); Hospital de Jesús, vol. 67, exp. 18; and Hospital de Jesús, vol. 82, exp. 17 (Yautepec, 1731 and 1780).
22. AGN, Tierras, vol. 1506, exp. 2 (Cuernavaca, internal dispute over status of rented land, 1570); AGN, Hospital de Jesús, vol. 48, part 2, exp. 9, cuad. 3 (Cuernavaca, Nahuatl leases from the seventeenth and early eighteenth centuries); AGN, Civil, vol. 1103, exp. 8, fol. 68r (sale of *calpullalli* due to population loss in Cuernavaca, 1608). Haskett, "Indian Town Government," 219-222.
23. H. R. Harvey, "Aspects of Land Tenure in Ancient Mexico," in *Explorations in Ethnohistory. Indians of Central Mexico in the Sixteenth Century*, H. R. Harvey and Hanns J. Prem, eds. (Albuquerque, 1984), 83-102, esp. 90-93.
24. AGN, Hospital de Jesús, leg. 96, libro 1, fols. 111r-222v (Xiutepec contests renegotiation of *censo* with a Spanish renter and the royal authorities, 1639-1659); Hospital de Jesús, leg. 96, libro 4, fols. 42r-77r (Xochitepec vs. a Spaniard and the Marquesado over rental of six *caballerías* and a *sitio de ganado menor* [c. 2558 acres] in the '*pueblo despo-blado*' of Chiconcuac - the Marquesado rules that the *pueblo* has ample land elsewhere and rather mercenarily agree to renegotiate the *censo* in its own favor, 1624). Osborn, "Indian Land Retention," 226, notes that the 1630s in Metztlitlán Indians were beginning to contest some land usurpations or acquisitions by Spaniards.
25. Martin, *Colonial Morelos*, 61-21, 157 (table showing non-Indian residents of several towns, 1795), 85-86, 109 (rioting, field burning, and death threats), and, "Demographic Trends," 2, 9 (increases in market-oriented agriculture and the revival of the sugar industry); Wood, "Corporate Adjustments," 195-237 (Toluca Valley); AGN, Padrones, vol.

98, exp. 1, fols. 7r-8v (Cuernavaca jurisdiction has "many haciendas and ranchos," 1790); AGN, Historia, vol. 578b, exp. 2, fols. 60r-62r (relación geográfica de Cuernavaca, 1792, for number of estates); AGN, Hospital de Jesús, vol. 16, exp. 2 (Huitzilac tries but fails to compose a land area several leagues in circumference); Hospital de Jesús, leg. 447, exps. 2, 36, 58, 59, 60, 61, 63, 65, and 67 (Alpuyeca, Atlacahualoya, Jojutla, Jonacatepec, Mazatepec, and Tetecala attempt to compose land, 1732); Hospital de Jesús, vol. 78, exp. 4, fols. 11r-18 (Ticumán contests ownership of a 400-square vara plot of can land with the Jesuit hacienda of Xochimancas, 1741; Hospital de Jesús, vol. 51, exp. 32 (Guanahuazingo, possessing a 600-vara townsite, contests ownership of six caballerías of land with the hacienda of Acamilpa, 1768); AGN, Hospital de Jesús, vol. 48, 2nd part, exp. 9, cuad. 3 (Indians of Chapultepec, led by a fiscal, invade pasture land involved in a dispute with the ingenio of Atlacomulco, erect huts, and lay out fields, 1759).

26. Martin, *Colonial Morelos*, 47-48; Osborn, "Indian Land Retention," 231-234; Taylor, *Landlord and Peasant*, 195-201 and "Landed Society in New Spain: A View from the South," in *HAHR*, 54:3 (1974), 398, 405; Wood, "Corporate Adjustments," 385-386. In contrast, Gibson, *Aztecs*, 274-279, found that in the more heavily settled Valley of Mexico Indian communities were losing extensive properties by the 1590s.