

THE EVOLUTION OF THE INDIAN CORPORATION OF THE TOLUCA REGION, 1550-1810

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The determination of indigenous groups to defend and enhance their corporate status and autonomy during the colonial period is increasingly appearing to be a regional constant. The extent to which the indigenous people were successful in their endeavor, however, seems to have depended on their distance from the center of Spanish activity and markets, their ecological setting, and their potential as purveyors of labor and tribute to the colonizers. The application of practices such as congregacion, land grants, and composiciones, or of laws designed to ensure the longevity of the self-sustaining Indian town varied in intensity and effectiveness according to some of these same determinants, producing predictably divergent results with regard to corporate autonomy in different regions. The work of Charles Gibson on the Valley of Mexico and William Taylor on Oaxaca stands out as most exemplary of these regional variations.¹ The purpose here is to examine the evolution of the Indian corporation as it adjusted to the colonial situation in an intermediate region, the Valley of Toluca.²

The Toluca Valley covers a great distance from its southernmost to its northernmost points. Over that expanse, the landscape changes from a fertile, irrigated terrain with a dense population in the south, to a semi-fertile plain—the Sabana Grande—suitable for agriculture and stockraising, and populated with a scattering of indigenous settlements of various sizes between the larger towns of Toluca, Zinacantepec, Lerma, and Ixtlahuaca. The plain follows the Lerma River north of Ixtlahuaca, becoming increasingly arid and more lightly inhabited as it reaches to the northern limit of the Valley around Atlacomulco.

The fertile stretches of the Valley have been devoted to maize-growing, aimed in part at the Mexico City market, since prehispanic

¹ Gibson, 1964, and Taylor, 1972.

² Much of what follows is a distillation of my dissertation, "Corporate Adjustments in Colonial Mexican Indian Towns: Toluca Region, 1550-1810", University of California, Los Angeles, 1984.

times. In the colonial period wheat also caught on quickly. The southern and central regions are well suited for grain agriculture, and these areas together with the drier north were adapted readily to stockraising upon the arrival of the first *encomenderos*. The Valley's numerous pig farms have been famous for their sausage and other pork by-products since the sixteenth century.

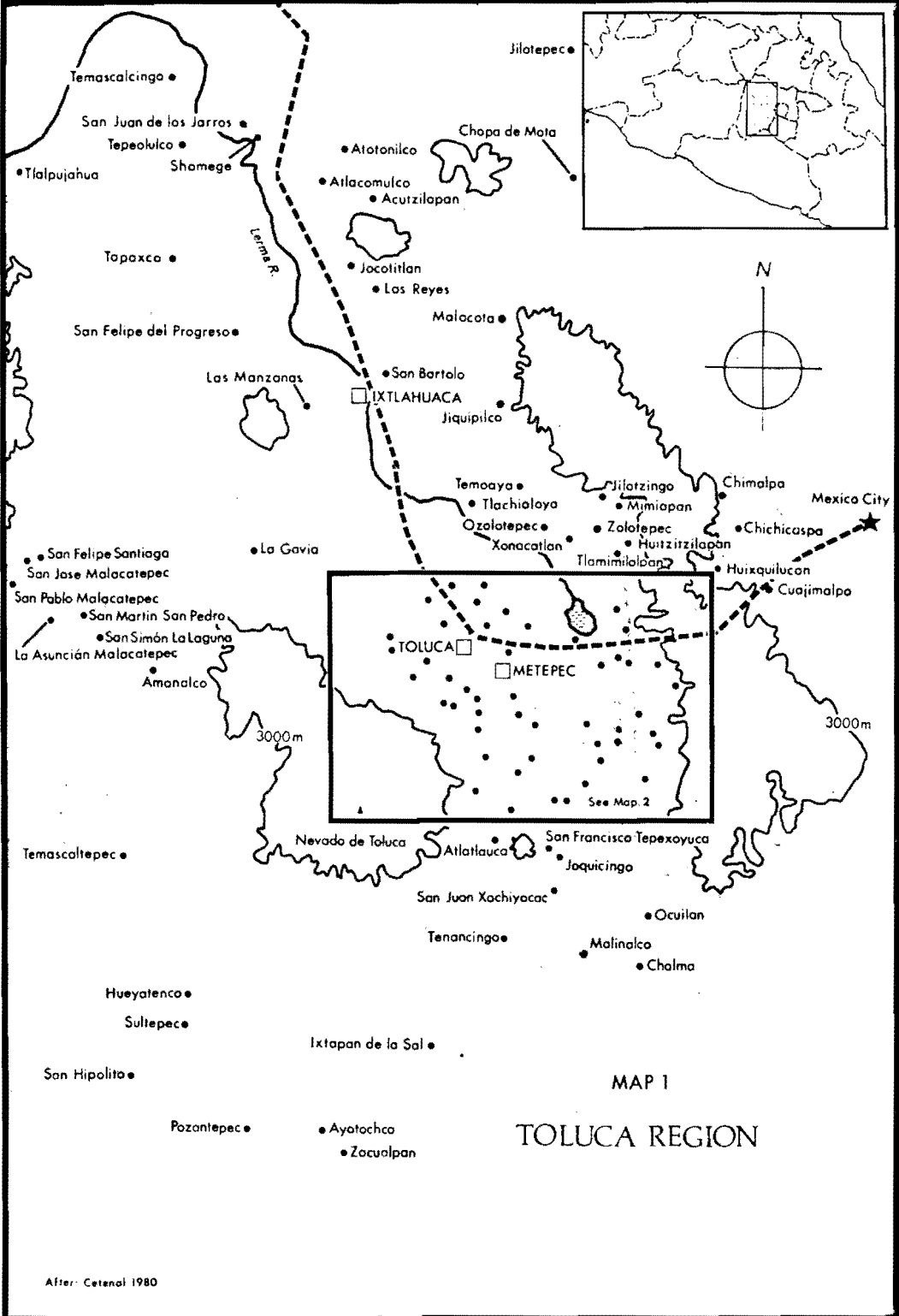
The principal mining centers around the Valley included Zacualpan, on the southern slope of the Nevado de Toluca; Sultepec and Temascaltepec, southwest of that mountain range; and Tlalpuxagua, at the northwestern edge of the Lerma River drainage. The populations at the mines consisted of Spanish mine owners, operators, and merchants, and mestizo, mulatto, Black, and Indian staff and laborers. The mines drew labor and produce from communities and estates in the Valley, thereby acting as an indirect influence on the evolution of those towns. Ore refineries also had an impact on the few indigenous settlements in the mining regions and contributed to the formation of new towns.³

The location and the social and economic potential of the Toluca Valley ensured its place as a major arena for the usual reorganization efforts instituted by Spaniards all over central New Spain. Adjustments in the status, jurisdiction, and holdings of the Indian corporation as a result of these colonial arrangements are the principal focus of this study.

Congregación

Two periods of *congregación* are generally recognized in the literature on the colonial Mexican resettlement programs, the mid-sixteenth century and 1598-1606. Because the known records are more extensive for the latter program, it has received more attention. Consequently, and although the numbers still do not seem great, there were probably more *congregaciones* in the mid-sixteenth century than have previously been recognized. In the Toluca Valley, several moves toward population concentration following epidemics can be detected for the years 1557 through 1564, during the administration of don Luis de Velasco. The nature of the *congregaciones* of that period seems limited to the removal of a few communities from highland sites to the Valley floor, or *despenolación*, and, more typically, the collapsing of *sujetos* in upon *cabeceras* when the quasi-separate, sub-

³ Gerhard, 1972. See descriptions of each jurisdiction under these toponyms. Sultepec is rendered as Zultepec, closer to the original Nahuatl spelling.



MAP 1
TOLUCA REGION

After: Cetenal 1980

ordinate units became too small in the Spaniards' eyes to continue as viable communities.⁴

Until we can ascertain more about the breadth of this early program, generalizations about the degree of disruption in daily life are impossible. But we do know that in the areas where the program was put into effect, there were certain recurring problems. Disruptions in landholding patterns is a familiar complaint. Such was allegedly the case when the hillside community of Tlancingo was brought down to the valley floor and Toluca was founded under the direction of the second Marqués del Valle (1547-1589).⁵ There were also allegations of land loss in 1563 by members of the reinforced community of Tenango del Valle who had been relocated from somewhere near Taxco.⁶ Flight from a nucleated settlement—seen, for example, in the case of Zinacantepec in 1564—is another indicator of the dissatisfaction of the local people with some of the rearrangements.⁷

The final congregación program of 1598-1606, although much smaller than once imagined, did succeed in at least thirty towns in the Toluca Valley and was therefore apparently more far-reaching than the mid-sixteenth-century program.⁸ Still, very few truly new sites were chosen; most rearrangements again seem to have involved the relocation of sujetos hit especially hard by population loss to the larger towns. Furthermore, only rarely did a plan succeed without adjustments and compromises, many of which took into account the interests of the local people.

Most of the same difficulties cited in the earlier program were encountered in the first part of the seventeenth century. Resistance to relocation, to disruptions in land holding or other resource management, and to alterations in customary political and religious dominions was at least equally strong. Calimaya and Tepemaxalco, adjoining cabeceras with distinct and loyal subordinate towns attached to each, faced authorities who for a second time misunderstood indigenous settlement patterns and jurisdictional loyalties. The congregación officials mistakenly tried to relocate the survivors of Santa María and Santiago (sujetos of Tepemaxalco) to San Lucas (under the domain of Calimaya). But protests from these people quickly brought an alteration in the original order, respecting the age-old system.⁹

⁴ Wood, 1984: 26-32.

⁵ AGN, *Hospital de Jesús*, 413, exp. 3.

⁶ Quezada Ramírez, 1972: 103; Colín, 1967a: 280.

⁷ Colín, 1967a: 145.

⁸ AGN, *Congregaciones*, tomo único; Colín, 1968: 13-14, 76-77, and 154.

⁹ AGN, *Congregaciones*, tomo único, exp. 184.

While Indians usually played an active role in these negotiations, they sometimes opted for a passive one, deserting new sites and re-occupying former ones. A few abandoned sujetos were reoccupied immediately after resettlement. In other cases, great periods of time elapsed before deserted communities were reoccupied. One example comes from the district of Temascaltepec in 1656 and another from Almoloya in 1677.¹⁰ Despite the ravages of time, the memory of those towns had not died.

Communities slated to be moved seem to have been less pleased with the program than those chosen to receive the resettlement of smaller towns, as long as the latter had or obtained sufficient land to support the newcomers. The primordial titles from Capulhuac shed some light on such sentiments, providing evidence of the Indian view of congregación. In these Nahuatl documents recording the town's history, the congregación episode of 1604 is remembered with pride and associated with a time of population growth.¹¹ In that year, Capulhuac was either a cabecera or wished to be.¹² If epidemics had ravaged the town's populace and then a judge brought people in from outlying settlements to repopulate the community, making a great ceremony of measuring, marking and distributing lands, the leaders might well have taken pride in the event and remembered it as an act of recognition of the town's corporate integrity. Further, the town leaders may have viewed congregación favorably because they looked forward to increased tributes and authority over a greater number of subjects.

The overall extent to which the congregación programs hampered continuity and autonomy in the Indian communities is difficult to assess without research based on new sources not yet located. Initial investigations into the Toluca example, however, indicate that the Spanish officials and, more importantly, the Indians themselves placed limits on the degree of alteration made in indigenous territorial organization. Resettled Indians also actively defended both their new and their previous agricultural holdings and traditional forms of livelihood.¹³

¹⁰ Colín, 1968: 13-14, 154.

¹¹ AGN, *Tierras*, 2860, exp. 1, cuad. 2, f. 71v.

¹² AGN, *Congregaciones*, tomo único, exp. 95; Gerhard, 1972: 273.

¹³ For further substantiation of these findings, see Wood, 1984: 24-64, 212-237.

Land grants in the Marquesado

Often associated with congregación as having been detrimental to the preservation of the Indian corporation were the land grants to Spaniards in areas vacated by demographic loss. In the immediate vicinity of Toluca, and possibly for the Valley as a whole, the period when most grants were distributed trailed congregación by more than a decade and the last major epidemic by more than two decades.¹⁴ Additionally, thirty-five towns in the heart of the Valley gave detailed reports of their landholding situation in 1635, and not a single one complained of insufficient resources for the support of its population.¹⁵

This is not to say that the Spaniards in the Valley had not made progress in accumulating formerly indigenous corporate holdings. Indeed, certain factors had undermined the Indian corporation's territorial hold. Ownership clearances conducted prior to grants in the 1620s were intended to ensure that the land solicited was truly vacant, but these were hollow acts lacking fair arbitration when the few conflicting claims arose. Spaniards were favored by Marquesado officials even when there was evidence of current Indian cultivation on a particular parcel.¹⁶ An investigation into the perpetual leases on the Marquesado grants conducted by royal officials in 1635-1636, shows that forty-seven private individuals held a total of 351 1/3 caballerías in a hundred different pieces of property. Of this area, thirty-five percent had been granted by the Marqués in the second and third decades of the seventeenth century. Viceregal grants amounted to twenty-six percent. Interestingly, at most only five percent consisted of land purchased from Indians.¹⁷ The alienation of Indian corporate holdings through sale was not prevalent in Toluca at this time, in contrast to practices in Oaxaca.¹⁸

The royal investigation of censos held in the Marquesado in 1635-1636 also reveals that the defense of corporate Indian holdings had increased slightly since the period of the greatest frequency of grants circa 1618-1620. The maintenance of some extra territory to serve as a safety valve for future generations or to rent out for supplemental income was attainable in certain cases owing to both Indian assertiveness and the cooperation of Spanish officials by the 1630s. If a

¹⁴ AGN, *Hospital de Jesús*, 380, exp. 8.

¹⁵ AGN, *Hospital de Jesús*, 413, exp. 3, ff. 64v.-70v.

¹⁶ AGN, *Hospital de Jesús*, 380, exp. 8.

¹⁷ AGN, *Hospital de Jesús* (vol.) 15. See Wood, 1984: 88 for a breakdown of the figures.

¹⁸ Taylor, 1972: 132.

community sought a piece of property for itself either in the form of a grant or purchase, the officials would favor the Indian town's request over that of a private individual. For example, the holdings of the community of La Transfiguración Capultitlan were found to be over ten caballerías, more than twice the amount necessary to support the population according to the local priest. Yet, when royal surveyors noted two vacant caballerías in the area, the community was very anxious to purchase these to add to their holdings. Their determination can be seen in the subsequent auction of the vacant parcel, when they successfully outbid a private party and paid far more than the going rate for the land.¹⁹

A significant aspect of the investigation of 1635-1636 was this type of denunciation and purchase of vacant land. Another, even more pressing purpose of the investigation, was for individuals to acquire verification of clear title to land obtained from the Marqués or through usurpation. Thus, besides telling much about the fate of the Indian corporation *vis-a-vis* Spanish land accumulation, the investigation serves as a preview of the general composición programs which followed shortly thereafter in Chalco, Texcoco, Cuautitlan, Teotihuacan, Toluca, and other developed parts of central New Spain. Various studies have pointed to composición programs, like congregaciones and land grants, as contributors to the reduction of corporate Indian territories. Let us see what effect can be discerned for Toluca.

Composición

In Toluca, as elsewhere, the general composición programs of the seventeenth century were aimed principally at fees that could be collected from estate owners in exchange for the confirmation of faulty titles. Indian corporations are conspicuously absent as recipients of such title confirmations at that time. The strengthening of Spanish titles and the neglect of Indian ones surely favored the former at the expense of the latter. Although there is evidence in law of an official concern that the programs were having an adverse effect upon the indigenous communities, general composición programs, in reality, paid almost no attention to whether or not the lands held without title had been illegally usurped or had conflicting claims upon them.

Unfortunately, there are no known records of investigations of land holding in the Valley of Toluca which could tell us just how detri-

¹⁹ AGN, *Hospital de Jesús* (vol.) 15.

mental the early programs were to the integrity and continued well-being of the Indian towns there. On the other hand, we do have detailed accounts of two waves of *composición* that beneficially affected Indian communities in the late seventeenth and early eighteenth centuries. These programs of the 1690s and especially the decade from 1710 through 1720 finally gave numerous Indian pueblos the opportunity to acquire firm title to their sometimes sizable territories. The list below shows the timing of the programs that appealed to indigenous corporations and the number of pueblos so far known to have acquired title verifications in the greater Toluca region.

The town of Santiago Temoaya provides an example of the way some Indian pueblos aggressively and successfully legitimized their claims to considerable territory. There, despite the objections of numerous and influential private holders, a *composición* was arranged for the town's long list of valuable agricultural properties, plus 108 *caballerías* of woodland and pasture, and 11 1/3 *surcos* of water tapped from the nearby river. The staggering fee of one thousand pesos assessed in 1716 was reduced to six hundred the following year after protestations of poverty and a willingness to compromise on some disputed landholdings was expressed by the Indians' defender.²⁰

By the beginning of the eighteenth century, the indigenous corporations of the Toluca Valley were becoming increasingly assertive, not only defending their lands but trying to reacquire what had been alienated in the sixteenth and seventeenth. They were still not entirely successful. Some *composiciones* set limits on corporate holdings, excluding contested areas. But others generously granted both unusually large town sites without a fee and considerable additional land at reduced rates. Bargaining and compromise with regard to fees were characteristic of the programs and generally took the Indians' financial position into account. Whereas Indian cultivation had not prevented grants to Spaniards in the early seventeenth century, possession was more of a guiding rule by this time.²¹

The confirmation of indigenous claims during the later *composición* programs made a significant contribution toward slowing the earlier pattern of the gradual but continuous alienation of corporate holdings. In addition, *denuncia* was not much in evidence, and there were fewer grants to Spaniards by the eighteenth century. After a final ruling in 1695, another law helped slow and even slightly reverse

²⁰ AGN, *Tierras*, 1872, exp. 20.

²¹ For substantiation of these assessments, see Wood, 1984: 110-153.

COMPOSICIONES SOUGHT BY INDIAN COMMUNITIES
IN OR NEAR THE TOLUCA VALLEY *

<i>Year</i>	<i>Pueblo</i>	<i>Source</i>
1648	Ocoyoacac, S. Martín	AGN, <i>Tierras</i> , 1871:8
1690	Tecomatepec, S. Pedro (Zacualpan) **	AGN, <i>Tierras</i> , 288:1
1695	Metepec, S. Juan Bautista	AGN, <i>Tierras</i> , 1421:7
1695	Tlacotepec, Santiago	AGN, <i>Tierras</i> , 1873:2
1696	Atlacomulco district (all pueblos)	Colín, 1963: 89-90
1696	Tepezoyuca, Sta. María	AGN, <i>Tierras</i> , 2672:1
1696	Tapaxco, Sta. María Magdalena (sujeto of Xocotitlan)	AGN, <i>Tierras</i> , 1865:6
1710	Tlacotepec, Santiago	AGN, <i>Tierras</i> , 2234:1
1712	Chalchihuapa, S. Francisco	Colín, 1963: 269-278
1712	S. Mateo (Tecualoya parish, Malinalco)	AGN, <i>Tierras</i> , 2199:5
1712	Ocuilan (Malinalco)	AGN, <i>Tierras</i> , 2207:1
1712	Tecomatepec, S. Pedro (Zacualpa)	AGN, <i>Tierras</i> , 1692:6
1712	Tlacotepec, S. Lorenzo (Atlacomulco)	AGN, <i>Tierras</i> , 2722:15
1713	Amealco, Sta. María (Jilotepec)	AGN, <i>Tierras</i> , 1872:14
1713	S. Bartolomé (near Xiquipilco)	AGN, <i>Tierras</i> , 1464:4
1713	Malacota, S. Lorenzo (Jilotepec)	AGN, <i>Tierras</i> , 1872:3
1714	S. Bartolomé (Ixtlahuaca)	AGN, <i>Indios</i> , 70:120
1716	Jarros, S. Juan de los, and the barrio S. Jerónimo	AGN, <i>Tierras</i> , 2924:3
1716	María Nativitas, Sta. (sujeto of Xiquipilco)	AGN, <i>Tierras</i> , 1591:3
1717	Almoloaya and seven sujetos	AGN, <i>Tierras</i> , 2672:10
1717	Malacatepec, La Asunción and one sujeto	AGN, <i>Tierras</i> , 2672:6

* This list should not be taken as definitive; there were likely other composiciones that have yet to be located.

** Jurisdiction is given in parenthesis if other than Toluca, Metepec, or Ixtlahuaca, or if the town bears only a saint's name.

<i>Year</i>	<i>Pueblo</i>	<i>Source</i>
1717	Ocotepec, S. Pablo	MNAH/AH, Colección Antigua, 757:B
1717	Tecomatepec, S. Pedro	AGN, <i>Tierras</i> , 288:1
1717	Temoaya, Santiago	AGN, <i>Tierras</i> , 1872:20
1718	Malacatepec parish: eleven pueblos	AGN, <i>Tierras</i> , 1676:7 and 2712:2
1718	Metepec, S. Juan Bautista	AGN, <i>Tierras</i> , 1421:7
1719	Calimaya and Tepemaxalco	AGN, <i>Tierras</i> , 1441:22
1719	Ocotitlán, S. Andrés	AGN, <i>Tierras</i> , 1441:21
1720	Tepexoyuca, Sta. María	AGN, <i>Tierras</i> , 1716:1
1725	Toluca and its sujetos	AGN, Hospital de Jesús, 326:12

the transfer of land out of Indian hands. This law guaranteed the pueblo's right to a minimum land base, the town site.²²

The town site

Litigation from the final century of the colonial period is replete with Indian communities petitions for the legal possession or confirmation of their town sites. Although never large (about 250 acres), the legal site constituted the heart of an Indian pueblo, and it was avidly pursued. Contrary to popular belief, the town site loomed larger than the ejido in customary usage during the colonial period. Despite this popularity and possibly because of the anachronistic focus of modern scholars on the ejido, the true size, shape, and even the colonial appellation for the town site have suffered from certain misconceptions.

In Toluca, and elsewhere, the term "fundo legal" did not come into general usage until the nineteenth century. The term used (though not frequently) was "the five hundred varas" from 1567 until 1687, when the amount was raised to six hundred. The legal allotment then enjoyed more than a century of immense popularity as simply "the six hundred varas". The earliest known appearance of the term "fundo legal" in the Toluca Valley dates from 1799.²³ The shape varied somewhat across New Spain, but the standard figure was a square,

²² Mendieta y Núñez, 1966: 54; Taylor, 1972: 67; *Recopilación*, 1943: 209.

²³ Wood, 1984: 156; AGN, *Tierras*, 1300, exp. 12.

not a circle. Although the size of that square seems to have measured six hundred varas on a side in the Valley of Mexico and occasionally in the Valley of Oaxaca, in Toluca it measured 1,200 varas on a side (1,440,000 square varas).²⁴

While some scholars have argued that the site did not include agricultural lands but only the town itself, evidence from Toluca shows "the six hundred varas" definitely were intended and used for cultivation as well as the municipal buildings, church, and housing core. The agricultural lands within the town site were divided among individual families who worked their own plots for subsistence and to help meet tribute and religious obligations. The farming plots within the town site were thus no different from *tierras de repartimiento* (corporate lands farmed individually).²⁵ Petitions in town site cases constantly referred to the agricultural potential of the designated areas with phrases such as *tierras laborias* (arable tracts), *tierra fructifera* (fruitful land), or *tierras de pan llevar* (lands suitable for grain cultivation).²⁶

"The six hundred varas" usually contained only a portion of the broader extensions claimed by a given indigenous community, yet the attainment of the legal town site was a step in the right direction and was never belittled by the Indians. In fact, its procurement was a serious matter that could lead, as in the case of Santa María Tepezoyuca, to violent demonstrations carried on over many years, particularly when a private estate intervened. Because the people of Tepezoyuca were dissatisfied with the limited territory allotted to them by the courts, they eyed any visits by surveyors as grave threats to their remaining holdings. From 1720 through 1728 the Indian men and (particularly) women of the town assembled in violent demonstrations on at least ten occasions to protest such visits, whether intended to favor themselves or the owner of the neighboring hacienda of Texcalpan, who they claimed had usurped their best land.²⁷

The struggle with a neighboring hacienda faced by Tepezoyuca was by no means an isolated example, yet in Toluca, as in Oaxaca (but unlike the Valley of Mexico), the town site generally took precedence over the claims of neighboring estate owners. The pueblo of Santiago Acutzilapan stands out in this regard as a community that successfully defended its corporate territory at least five times

²⁴ Orozco, 1895, II:1110; AGN *Tierras*, 1499, exp. 10; AGN, *Indios*, 29, exp. 303. For Toluca, see for example, AGN, *Tierras*, 1865, exp. 6.

²⁵ Mendieta y Núñez, 1966: 54.

²⁶ AGN, *Tierras*, 1865, exp. 6; 2944, exp. 242; and 1506, exp. 1.

²⁷ AGN, *Tierras*, 1716.

over six decades. The Acutzilapan town site was originally granted at the expense of lands to the north, east, and west in the possession of a cacique and a Spaniard who owned haciendas there in 1700. Over sixty years later, one of the neighboring estate owners offered the community five hundred pesos for a "merced" to lands in another area if the people would relinquish their claim to the six hundred varas in his direction. The generous offer serves as an acknowledgment of the precedence the town site took over his private property.²⁸

Although the courts tended to favor corporate over individual properties, litigation was a constant, and there were additional obstacles to obtaining full possession of the town site. The pursuit of "the six hundred varas" typically became entangled with the proof of pueblo status, a ranking that in the eighteenth century went far toward replacing the earlier cabecera-sujeto system. An indigenous community did not have to be a cabecera to gain the legal demarcation of its town site, but it increasingly had to prove it was a bona fide pueblo, not just a barrio or some huts at a crossroads. Thus increasing a town's population, status, and territory became inseparable goals for its people.

Pursuit of pueblo status

Sujetos had gradually begun to seek pueblo status in lieu of the coveted cabecera status of the sixteenth and seventeenth centuries; they wanted independence and all the privileges enjoyed in cabeceras, but they no longer necessarily wanted to be called cabeceras themselves.²⁹ To be considered a formal pueblo entailed rights to a minimum territorial base and an independent cabildo; it did not require that a dynastic ruler should have been present in prehispanic times. The town council with alcalde as the highest officer was often all the sujetos aspired to, so long as they were not subject to the whims of the governor in the neighboring larger town and did not have to perform special services for him or channel their tribute through him.

Governors in the cabeceras allegedly spent tribute monies, usurped lands meant for the common good, and demanded personal services, which sparked resentment in the sujetos. The sujetos of Aculco, in the jurisdiction of Jilotepec, for example, complained that they were required to perform more personal service than the residents of the

²⁸ AGN, *Tierras*, 1763, exp. 2; 3672, exp. 5; and 2142, exp. 2.

²⁹ See Gibson, 1964: 32-34, 36, 44, 50, and 53, for a detailed discussion of the evolving process in the Valley of Mexico during the colonial period.

cabecera itself. They also disliked paying their tributes to the governors, preferring to deliver them directly to the *alcalde mayor*. They charged further that the municipal leaders were confiscating maize in the *sujetos* for their own personal use and required subject town residents to cultivate the grain for them without remuneration.³⁰

Land was one of the major economic issues in separation cases. In these cases disputes with neighboring estates were less frequent than contests with *cabeceras* over what territory would be designated for the newly independent *pueblo*. When the community of San Sebastián (jurisdiction of Toluca) petitioned in 1791 to "erigirse en república separada" from San Juan Bautista, the *cabecera* objected because the "barrio" did not have any land of its own, only property supposedly loaned to it because of its subordinate status. But the highest Marquesado official decided in the favor of San Sebastián, permitting the separation and granting the 2 1/2 *caballerías* claimed by the smaller community, despite protests by the citizens of San Juan.³¹

Resettlements induced by *congregación* programs, which applied especially to *sujetos*, may have stymied the preservation of their autonomy but were apparently not a significant detriment in the pursuit of *pueblo* status for towns that were important before the programs were initiated. The few examples of *congregaciones* which remained intact and eventually sought *pueblo* status are rare, but this may be because judges had rarely altered the original local arrangements in any significant way. *Cabeceras*, at the heart of most *congregaciones*, generally did not require *pueblo* recognition in the eighteenth century. The larger communities that had served as *congregación* sites but were not *cabeceras* may have enjoyed an advantage in the population boost they received during the nucleation programs that helped them eventually obtain the optimum status.

Not all *sujetos* were adversely affected by *congregación*. Many were untouched, and a sizable number of subject communities that had been removed to the head towns seem to have quickly and quietly reoccupied their sites and often later pursued a separation with no mention of their ephemeral *congregación*. The slowly regenerating *pueblos despoblados* (depopulated either through epidemic or resettlement), however, which gained momentum in the early 1700s, often came up against the fierce opposition of estate owners when they tried to establish their old towns again. The community members

³⁰ Colín, 1968: 9, 10.

³¹ AGN, *Tierras*, 2857, exp. 4.

were, in many cases, permanent workers on the estates in question. Despite the estate's having absorbed one-time Indian land and assumed the same Nahuatl or Otomí toponym and saint's name as the original community, owners tended to deny that the town had ever existed and to insist that the aspiring pueblo was only a recently-founded workers' settlement.

Estate communities

An examination of hacienda labor and Indian communities of the seventeenth century reveals that live-in workers, or *gañanes*, were few. In the Toluca district in 1620-1621, for example, only six out of thirty-five haciendas supported more than seven permanent workers and their families. The estates in the southern half of the Toluca Valley depended mainly on temporary day-laborers from nearby pueblos for their work force. Permanent estate workers' communities were somewhat larger in the northern portion of the Valley and on the fringes, and larger, usually, in the agricultural rather than the stockraising estates, but even these generally did not approach pueblo size until the eighteenth century.³²

Although, on the average, only about a tenth of the Indian population lived on estates across the Toluca Valley during the eighteenth century, this was a large enough showing to become a significant force in the pursuit of pueblo status.³³ There were factors working both for and against this process. The seasonal nature of work put the unskilled estate laborer at a disadvantage. *Gañán* communities were less permanent than those composed primarily of "sirvientes", since the latter workers, being more Hispanized and highly skilled, were less likely to be expelled. *Gañán* communities, however, were more stable in the north than in the south, because estate owners in the north had fewer pueblos from which to draw temporary labor. In the Ixtlahuaca area following the epidemic of 1736-1737 and the agricultural crisis of 1739-1740, hacienda owners could not attract sufficient "gañanes trabajadores" even with the offer of a fifty-percent increase in wages.³⁴

Epidemics also tended to detract from the process of pueblo formation on estates. Sometimes an exodus to other regions followed

³² AGN, *Hospital de Jesús*, 283, exp. 13, 2ª parte; 326, exp. 31; and BNM/FR, *Fondo Franciscano*, caja 89, exp. 1377, 1ª parte, ff. 111-112.

³³ Population estimate from Tutino, 1976b: 178.

³⁴ AGN, *Tributos*, 47, exp. 16.

population loss; at other times, survivors, feeling pressure removed from the struggle over scarce resources, chose to leave the estate community and take up residence in a neighboring pueblo.³⁵

Working against this centrifugal force were factors which contributed to the gradual strengthening of the hacienda workers' settlements. Estate owners, particularly in the northern part of the Valley, tried to entice workers to stay following epidemics by offering to increase wages, make laborers' tribute payments, or improve working conditions. The Indians may have preferred to farm their own land, but they were practical and, when there were scarce resources in their pueblo of origin, they tended to favor life on an estate over continually migrating in search of work.

Hacienda life also offered other economic and social advantages which lengthened the worker's stay. Debts owed by workers were not extensive, many workers had money coming to them, and it was not unusual for workers to leave an estate while accounts had yet to be settled. There is no evidence that estate owners employed coercion in the collection of debts or that they were even overly concerned about recuperating cash outlays. Thus, for the Indian workers, the prospect of increasing a debt by way of easy, emergency loans may have contributed to a prolonged stay in a hacienda community.³⁶

Gañanes also had their own places of worship on estates, erecting ermitas and oratorios separate from the chapel that would serve the needs of the administration. They typically chose their own leaders (fiscales) to encourage them in a regular program of worship. It was not unusual for gañán communities to form lay brotherhoods (cofradías) and choose deputies for these.³⁷ Occasionally, they also elected civil officials, such as alcaldes and regidores, particularly when the estate settlement had pueblo aspirations.³⁸

The larger, the older, and the more permanent the gañán settlement on an estate, the better its chances were for the successful pursuit of pueblo status. If there had once been an independent Indian town on the site that had been removed for congregación or had lost its entire population to epidemics, the gañanes might use that historical reality to their advantage. They would also formulate such a story

³⁵ AGN, *Civil*, 109, exp. 6; *Criminal*, 13, exp. 14; 92, exp. 12; 93, exp. 1; 190, f. 438; 229, exp. 11; *General de Parte*, 18, exp. 160 and *Tierras*, 2232, exp. 3.

³⁶ See, for example, AGN, *Civil*, 246, exp. 6; *Criminal*, 93, exp. 1; *Tierras*, 2924, exp. 3; and Wood, 1984: 247-258.

³⁷ See, for example, AGN, *Criminal*, 130, exp. 14, f. 548v.

³⁸ See AGN, *Tierras*, 3672, exp. 20, and 2924, exp. 3, for examples.

even if it was not true, or simply claim that the estate community represented a settlement that had existed without interruption for "time immemorial".

In an effort to defuse either argument and in order to prevent permanent workers from either transforming the estate into a pueblo or creating a "formal town" just outside, thereby snatching away some of the estate property, many estate owners tried to keep their labor forces in limbo between the status of *gañanes* and that of pueblo Indians, referring to them as "laboríos" or "arrimados".³⁹ But whether they were called *gañanes* or any other name, workers continued to build up their estate settlements and mold them in the image of the independent pueblo.

When Indians could not attain a favorable legal verdict in their struggle for corporate autonomy, it was not at all unusual for them to turn to violent demonstrations.⁴⁰ *Gañán* communities in the Toluca region were particularly active in this respect. More than three hundred Indian men and women, largely *gañanes*, seized the Hacienda del Manto near Temascalcingo in 1722 with the intention of making it into a pueblo. Led by the Indian Lucas Martín, also known as "Plume" and "King", they placed a cross on the roof of the main house and other crosses to mark the future site of the town church and probable cemetery. With the assistance of two women from Mexico City who were pretending to be local authority figures, they also measured off six hundred varas in each cardinal direction as a future town site. The militia which was called in immediately to put down this uprising confiscated an impressive number of Indian possessions, including sixty head of beef cattle, fifty sheep, sixteen pigs, seven donkeys, two horses, twenty-seven chickens, and about thirty bushels of maize. Such possessions are indicative of the considerable size and permanence of this *gañán* community.⁴¹

The jurisdiction of Ixtlahuaca, which reached as far north as Temascalcingo at that time, was rife with similar activities. The Haciendas del Manto, La Fuente Jordana, San Nicolás Tultenango, Quaspillasi, El Salto, Santiago Maxda, and San Francisco Tepeolulco were constantly put on the defensive by aggressive laborers and neighboring Indian town dwellers who aimed to secure extensive, independent landholdings and bolster their corporate autonomy.⁴² Although

³⁹ See, for example, AGN, *Indios*, 65, exp. 339, ff. 281-282; *Criminal*, 92, exp. 3, ff. 24-57.

⁴⁰ See Taylor, 1979, for ample evidence.

⁴¹ AGN, *Criminal*, 230, exp. 6.

⁴² See Colín's indices for numerous references to these and other examples.

workers never united in pan-Valley uprisings to achieve their goals, there is evidence which suggests a kind of chain reaction in the pursuit of pueblo status by permanent worker's settlements, particularly in this northern end of the Valley in the eighteenth century. The idea spread, for instance, from the *gañanes* of the Hacienda del Manto to the sharecroppers on the adjoining Rancho de San Pedro Potla (owned by the sisters of the owner of El Manto), and eventually to the neighboring Hacienda de La Jordana.⁴³

Mining communities

A somewhat similar chain reaction is seen in the Sultepec mining region, where several worker settlements began to press for pueblo status all at about the same time. The mines, like the estates in the northern end of the Valley, had come to depend on a greater amount of permanent labor than many haciendas. The gangs (*cuadrillas*) which originally performed stints in the mines under the supervision of a *capitán* gradually became attached to a particular ore refinery or neighboring agricultural enterprise.⁴⁴ By the eighteenth century, the *cuadrilla* was often a fixed settlement, although of postconquest origin and only gradually assuming the characteristics of an Indian pueblo.⁴⁵ It often supported a patron saint and bore a Nahuatl placename—which it probably took from the mining estate but which, in turn, may have stemmed from some indigenous antecedent. A major distinction setting the *cuadrilla* apart from the pueblos of the Valley, however, was the large non-Indian element in the population.⁴⁶

Because of the *cuadrillas'* shallow roots and uncertain indigenous origins, the Indians and mulattoes in these communities were hard pressed when they tried to secure a corporate land base. In a position similar to the estate settlements, the *cuadrillas* had to try to wrestle land away from surrounding private property holders. But unlike the hacienda communities, the *cuadrilla* members did not often try to claim to be the descendants of a pueblo despoblado at the particular site. Their corporate memory went only as far back as the time

⁴³ AGN, *Criminal*, 230, exp. 6, and 92, exp. 3; and *Indios*, 38, exp. 32, and 65 exp. 339.

⁴⁴ For a review of the evolution of the mining *cuadrilla*, see Wood, 1984: 268-271.

⁴⁵ *Cuadrilla* as settlement: AGN, *Civil*, 1627, exp. 18, f. 8; *Tierras*, 1300, exp. 12, ff. 27-28, 44; 1314, exp. 6, f. 14; 2283, exp. 1, ff. 7-8, 44; 2638, exp. 2, doc. 3; and 2640, exp. 4, f. 8.

⁴⁶ See AGN *Inquisición*, 937, ff. 265-268, and AGN, *Tierras*, 2639, exp. 2, f. 88.

when the refineries were in their glory and drew upon temporary labor. The cuadrilleros admitted being left to fend for themselves as renters when the haciendas de moler metales had decayed.⁴⁷

The cuadrillas' struggles for pueblo status tended to culminate very late in the colonial period, during the last quarter of the eighteenth century or in the early nineteenth. Three prominent examples stand out in the cuadrillas of San Juan Atzumpá, San Sebastián Hueyatenco, and San Hipólito Atetzcapán, all in the Sultepec jurisdiction. Like sujetos seeking independence from cabeceras or hacienda communities desirous of separating from the estate, these quasi-Indian settlements in the mining regions concentrated on establishing a fully-decorated church with regular religious services and constructing municipal buildings and schools. They elected fiscales and mayordomos and held up their capitanes in the image of alcaldes.⁴⁸

From the mid- to late-eighteenth century, the populations of most cuadrillas had increased, but not enough to convince the judges of their viability as independent pueblos. There are hints that some people were giving up farming and beginning to return to mine work. Still, the hopes of those who persisted toward the goal of autonomy were not entirely dashed, for the justices often qualified their denials of pueblo status with a remark like "for the time being", and the people would continue to build up their communities, perhaps eventually attaining that goal.

Titles to substantiate claims

Population size was only one of the more decisive elements in a winning case. Mining communities were less well equipped than most pueblo aspirants in meeting the courts' demands for documentary proof of their territorial rights. In the cuadrillas or any of the other types of communities discussed here, having titles to corporate holdings could be the decisive factor for attaining pueblo rank and the confirmation of the legal town site; their lack could be a serious hindrance.

Few pueblos held legitimate land grant documents or other early colonial titles which supported their claims to corporate lands. Similarly, even though many communities obtained composiciones of their holdings in the early eighteenth century, confirmations often ignored

⁴⁷ See, for example, the story of San Sebastián Hueyatenco that can be drawn from AGN, *Tierras*, 1314, exp. 6; 2639, exp. 3; and 2640, exp. 4.

⁴⁸ San Hipólito Atetzcapán: AGN, *Tierras*, 1300, exp. 12; *Indios*, 69, exp. 242; and *Indios*, 71, exp. 11. San Juan Atzumpá: AGN, *Tierras*, 2638, exp. 2; 2283, exp. 1; and 1482, exp. 3.

the disputed properties in or near estates that meant so much to the Indian towns. Not many pueblos shared the fortune of Temoaya in the extension of its legally verified territory. As a result, over the years many communities maintained their own historical accounts which paid particular attention to their claims to corporate boundaries. These "primordial titles" were usually centered on a land grant and border survey of the sixteenth century, and were embellished with local pre- and postconquest historical events, particularly those which related to the town's foundation, municipal council formation, church construction, and any other enhancement of its status. The titles often admonish future generations to protect the community and its territory.⁴⁹

There are five sets of titles known to me for the Valley of Toluca.⁵⁰ Two sets, from Atlacomulco and Tepezoyuca, have yet to be located.⁵¹ Translations of those from Metepec and Ocoyoacac are still in progress, while an English translation of the fifth, from Capulhuac, is complete.⁵²

Since the primordial titles seem to have been made primarily for a local audience and only secondarily for presentation in the courts, sometimes other types of titles were acquired for the latter purpose. Some towns acquired titles which pretended to be ancient and in the codex tradition—the well-known Techialoyan Codices—and presented these in land litigation. Of the approximately forty identifiable pueblos represented in the Techialoyan group, about one third are in or near the Toluca Valley, and several lie between Mexico City and Toluca.⁵³ While the style and format are strikingly distinct from the primordial titles, the content of these Techialoyans is surprisingly similar: prehispanic historical phenomena such as the conquering and settling of the town and its leadership thereafter, colonial history including the coming of Christianity, the selection or honoring of the patron saint, the conferring of office and rights upon the local nobility by Spanish royalty or officials, and above all, the town's territorial

⁴⁹ See Gibson and Glass, 1975: 321 and Lockhart, 1982.

⁵⁰ AGN, *Tierras*, 2860, exp. 1, cuad. 2; Menegus Bornemann, 1979: 53-64; AGN, *Tierras*, 2998, exp. 3 and 3 bis; Garibay K., 1949; and McAfee Collection, UCLA/SC.

⁵¹ Colín (1963: xv-xviii) described having obtained the Atlacomulco title for study. Primordial titles from Tepezoyuca are described along with the Techialoyan from that town in AGN, *Tierras*, 1716, exp. 1, cuad. 1.

⁵² See Wood, 1984: 325-330 for a detailed recapitulation of the contents of the latter.

⁵³ See Robertson's catalog, 1975.

extension, characteristics, and divisions, as they were variously identified and verified over time.

Some towns had both their own primordial titles and Techialoyan codices to substantiate their corporate claims. Other Indian pueblos (and even a few of these same communities) also bought forged and customized copies of Spanish-language grants in their zeal to present more convincing documents to the courts. These documents, replete with fairly good copies of the viceroy's signature, included mercedes from the mid-sixteenth century, border surveys, acts of possession, and an occasional map or schematic plan of the territory in question. More than one investigation in the Toluca Valley in the eighteenth century traced this type of forgery to an Indian cacique from Jilotepec, Pedro de Villafranca (inconsistently called "don"). The fascinating details of his trade were mainly uncovered at the time of his murder, which occurred in Toluca in 1761, apparently at the hands of some of his local accomplices. He had serviced at least eleven towns in the Toluca Valley with his fraudulent land grants.⁵⁴

Of the three types of documents made or acquired to fill the gap of missing titles, the false mercedes seem to have fared the best in the courts. Yet even these were sometimes discovered and denounced for what they were. The various titles' possible effectiveness for land retention, while important in the overall picture of the resilience of corporate autonomy, should be weighed equally with the purpose and ingenuity they reveal on the Indians' part.

The indigenous people of the Toluca Valley were hardly passive victims subjected to a total destruction of their way of life induced by intruding Spaniards. Epidemics dealt them their greatest blow, but thereafter they began to hone their defense mechanisms and increasingly took the initiative to rebuild and reaffirm their corporate integrity. Smaller entities, expressing an age-old micropatriotism, and larger communities alike entered into the pursuit of the town site, the procurement of *composiciones*, and the creation or purchase of land titles. Even Indians living on agricultural, stockraising, and former mining estates, entered into such activities, patterning their communities after the prehispanic provincial unit, and striving to fulfill all the political, economic, and religious functions of independent pueblos.

⁵⁴ AGN, *Criminal*, 24, exp. 5. Similar forgeries from other provinces have been attributed to don Josef de León y Mendoza and to another man who borrowed the name of the notary José de Montalbán; see Dyckerhoff, 1979.

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