

CUAUHTÉMOC'S HEIRS

AMOS MEGGED

The Ordenanza del Señor Cuauhtémoc Re-Visited

In a recent study of the famous *Ordenanza del señor Cuauhtémoc* Perla Valle and Rafael Tena provide us with a scrupulous analysis and an excellent translation of the full text, the glyphs, the various depictions and Náhuatl annotations, the historic personalities, hydraulic works, and local ecology, seen on the cadastral map of attached to this manuscript. Nonetheless, throughout her study, Valle voices doubts as to the authenticity of the given date of execution of this map, which was supposedly composed in 1523, still during Cuauhtémoc's lifetime and by his order; she is absolutely right to lean towards a far more probable date of composition, around 1560, and bases her doubts on the Náhuatl paleography, which is visibly that of the 1560s and not of the 1520s, as well as on the dating of the hydraulic works that appear there. The date of 1523 can possibly be associated with the entire process of upheaval that took place around Lake Texcoco concerning the division of the waters and lands around it during Cuauhtémoc's captivity.

Ending her study, Valle makes an important emphasis when she adheres towards viewing this manuscript as perhaps an inseparable part of the Primordial Titles'/*Techialoyans'* genre.¹ She may well refer there to what I would like to further address here, namely, the powerful sense of the *longue durée* that this particular manuscript as well as the rest of the sources studied below manifest in conjunction with what the "supratexts" of Lake Texcoco's social memory expresses. The *Ordenanza del señor Cuauhtémoc* could indeed be incorporated into the constantly enlarging corpus of the by-now recognized Primordial Titles. The manuscript, as its counterparts in this genre, contains sacred contents, reverential addresses, historical personalities from the Chichimec past, as well as a survey of boundaries. Furthermore, it also entails a judicial process, taking place around the same time as the rest of the Primor-

¹ *Ordenanza del Señor Cuauhtémoc*.

dial Titles (in 1704), as well as warnings supposedly issued by Cuauhtémoc [The Eagle Descends] himself, against letting the Spaniards encroach the lands and waters of the Lake. He thus calls upon his people to cherish this historical heritage, to preserve its values, to provide for local necessities, and resist any future encroachment of the Lake.² In spite of the overall similarities and compatibility with the Primordial Titles of the later eras, this particular manuscript is devoid of any Christian-Hispanic elements that vigorously intrude into its counterparts in the seventeenth and eighteenth centuries.

What lies behind all this is what one seeks to uncover here, that is, a more comprehensive explication of why and when this entire manuscript and others of the such were initially composed and thereafter re-asserted by the various towns and individuals involved. In 1708, the inhabitants of the *parcialidad* of Santa María Mixihuca appealed to the court of the Audiencia in Mexico City for the third time, for the sake of gaining access to marshlands and reed on the shores of Lake Texcoco. The two preceding appeals were in 1542 and in 1566. They claimed that the Lake shores, the marshland, and reeds had belonged to them for centuries back and was expropriated from them. Only on 20 May, 1712, were they allowed to present their case before presiding judges together with an accompanying material of evidence which they wished to spread open before them. The commissioned translator-interpreter of their appeal was Manuel Mancio. Mancio was already involved during the same time in yet another important case fought in the court of the Audiencia in Mexico City, and was possibly also the same person behind most if not all of the Primordial Titles presented during the first decade of the eighteenth century. The other lawsuit was fought in court between the inhabitants of the *parcialidad* of Santiago Tlatelolco, as a corporal body, with Don Lucas de Santiago, a native from the barrio of La Concepción, as well as with some inhabitants of the barrio of San Sebastián, between 1704 and 1708. The lawsuit concerned lands, *ciénega* (marshland) and the Lake's water and products, and what was presented by the people of Tlatelolco in defense of their claims against the expropriation of their legacy and property were the three old maps and texts painted on *maguey* paper belonging to the 1560s and earlier.³ There were, undoubtedly so, other appeals and lawsuits that followed suit by other members and corporate bodies of these communities bordering the Lake shores with others, who sought to interrupt the old order of

² *Cédula dada por el emperador Quauhtemotzin*, f. 16.

³ *Título Primordial de Santa María Magdalena Mixihuca*, Archivo General Agrario, exp. 23/899 (1708-1736).

things in the entire area, such as the owners of the *Baños del Peñol*⁴ and it was Mancio who was in charge of translating and interpreting the pictorial and oral testimony presented by the litigants.

The significance of this entire process lay in the essence of the ability of these members and corporate bodies to bring forth a whole complex of historic and memorial layers that transcended time and are fully evinced in the explanations translated by Manuel Mancio, who played a vital role in these dramas. Reading the appeals made by the people of Santa Catalina, and of Santa María Magdalena Mixihuca, one gets a clear sense of how, by the eighteenth century, such narratives contained separate pieces of the past, pertaining to three different eras, could eventually be taken over and be interwoven and maintained to make a whole, coherent schema, based upon both pictorial and oral accounts and testimony. We have in hand yet another Primordial Title belonging to the same area and time period that might throw additional light on the state of local remembrance around Lake Texcoco and its *modus operandi* during the first decade of the eighteenth century. The consciousness and identification with these texts and pictorial accounts and depictions was absolutely both vivid and lucid in 1704 as well as in 1712. What I suggest is to view this narrative plot from the vantage point of the people who produced their Primordial Titles and presented them in public between 1704 and 1712. Such view, in retrospect, may have the advantage of enabling us to seek out the *modus operandi* of selectivity and divergence within these local products of social memory as well as their place in the very heart of the Primordial Titles' genre.

Fragmented Memories of Lake Texcoco's Towns and former Altépetl

The "sub-texts" produced by the diverse towns and groups living around Lake Texcoco dealt primarily with as well as conveyed common, *longue durée* Nahua patterns of shared sacred contexts, established in both oral and pictorial traditions long before the Spanish Conquest, that seemingly maintained cohesion and common affiliations. These sub-texts, as I call them here, served to preserve and engender an ideal, "utopic" social model. These principals of cross-ethnic relationships, retained in the sub-text, strictly followed the centuries-long, multi-faceted creed of social as well as spiritual bonding in Nahua thought, upon which Nahua City-States (*altépetl*) were all founded. Implied is a "Unity of Diversity",

⁴ *Cédula Dada por el Emperador Quauhquemotzin para el Reparto de la Laguna Grande de Texcuco en 1523*. (México D. F.: Vargas Rea, 1943).

whereby diverse groups (*calpolleque*), settled together on a shared land, each retaining their own autochthonous identity. At the center lay the prime symbol of unity, represented by the Flowery Tree, which extended its branches across the universe and its all-embracing ramifications reached all the way to the limits of the lands.⁵ Accordingly, the conceptualization of the borders (*tepanlli*) signified for the Nahuatl that these do not enclose the inhabitants from the outside, but allow the inclusion of others, like the Nahuatl term *tellan*, which means, “among others”, “among peoples”.⁶ The “supra-texts”, in contrast, usually deal with fragmentation and diversification of interests, vis-à-vis the new rulers, and in this sense of the Post-Conquest, namely, the Spaniards. They were thus usually composed by individual towns, struggling to claim a new order, or by rivaling elite factions or individual nobles within a certain community, for the particular sake of gaining special rights and privileges. The supra-text in the social memory of towns and former city-states (*altépetl*) around Lake Texcoco contained acts of deliberate “social amnesia” that served, besides local interests vis-à-vis the Spaniards, definitive political purposes of settling long lasting feuds among foeing native parties. The initiative taken in this direction was not always based upon power relations that, supposedly was largely the privilege of former dominant groups; the case of Tlatelolco presented below clearly leads to this direction. Ancient legacies that survived in each of the towns throughout the Central Plateau of Mexico during the 1560s and 70s, therefore, concerned in their very essence: the imposing contexts of ethnic identities, hegemonies, and self-rule, before the Spaniards, had now to be revived and re-told as a direct outcome of acts of the rupturing of the old boundary-shrines. But, the way in which such legacies were re-told to the Spaniards was emphatically devoid of its sacred contexts, or, that these sacred contents remained veiled and incoherent to the Spaniards. What I would further like to emphasize at this point is the centrality of the performances of land and boundary surveys to the re-assertion of local social memory between the early sixteenth and

⁵ See, an extensive treatment of this concept, as well as Alfredo López Austin’s emphasis on the *axis mundi* conceptualization of the Cosmic Tree, below; the ramification of the Cosmic/Flowery Tree can be interpreted to represent each of the ethnic groups or communities united together in harmony. In his beautiful anthropological study of present-day Santiago Atitlan in Guatemala, Robert S. Carlsen refers to the Maya-Tz’útujuil expression *Kotsej Juyu Ruchiliew*, “Flowering Mountain Earth”, as a “multidimensional” concept, referring to “more than vegetation”. It “is a unifying concept, inextricably linking vegetation, the human life cycle, kinsip, modes of production, religion, political hierarchy, conceptions of time, and even celestial movements.” Robert S. Carlsen (*The War for the Heart and Soul of A Highland Maya Town*), p. 50-52.

⁶ Campbell, *Florentine Codex Vocabulary*.

the early eighteenth centuries, as well as the overwhelming significance of the process for the entire area studied. Just as the boundary-survey conducted in 1532 between Totomihuacan and Cuauhtinchan was the very background for the composition of the *Mapa de los linderos de Cuauhtinchan y Totomihuacan* and subsequently produced the *Historia tolteca-chichimeca*, which in turn was presented in the framework of a lawsuit between Cuauhtinchan and Tepeaca in 1546-1547.⁷ Such land surveys and performances of tours of the terrain were absolutely essential for the re-assertion of memory in this area of the Lake.

What is revealed to us from the contents of the first decade of the eighteenth-century's Primordial Titles of the Lake's communities should also be linked primarily with what was being projected already during the first part of the sixteenth century out of the social memory produced around the Lake, by distinct towns and individual indigenous nobles. It is there also that one is able to obtain part of the answers concerning the origins and background to Cuauhtémoc's *Ordenanza*: as to why and when such a manuscript was composed, and what are the inner and outer motives that triggered off the entire process of re-assertion and a re-vindication of the area's social memory of their past deeds and glories. Where should one begin is in the evolving state of fragmentation among the towns lying on Lake Texcoco's shores, between 1521 and 1530, which brings about a subsequent climate of appeals for rights and privileges drafted and presented to the Spanish crown, between the early part of the 1560s and the 1570s by a number of former city-states and towns around Lake Texcoco. In the core of all these accounts lies the split and fragmented nature of this social memory, an inclination which is easily understood in the context of the long-lasting power struggles between these city-states before the coming of the Spanish Conquest.

During the first decade of the seventeenth century, Fernando de Alva Ixtlilxóchitl, the Texcocan chronicler (1578-1650), was an heir of Texcoco's great ruling dynasty of Nezahualcōyotl (1402-1472) and of Ixtlilxóchitl II (1521-1531), as well as a distant relative of Cuitláhuac of Tenochtitlan (died in December 1520). In the two other parts of his *opera magna*, the *Sumaria relación* and the *Compendio histórico* he highlights Texcoco's prominent role under the baptized Don Fernando Tecocoltzin, Cacamatzin's brother, in fighting along with the Spaniards in the final acts of subjection of the Mexica territory. Tecocoltzin, the plague-stricken and unnamed heir to the Texcocan crown, who re-

⁷ Luis Reyes García (*Cuauhtinchan del siglo XII al XVI. Formación y desarrollo histórico de un señorío prehispánico*), p. 13.

mained in Tenochtitlan while his brother and three sisters were slaughtered by the Spaniards, replaced Coanacohtzin, who had apparently refused to succumb to Cortés's demand for a total submission due to Texcoco's killing of forty-five Spanish soldiers and three hundred Tlaxcalans. He foresaw degradation and humiliation, and made the decision to join Cuauhtémoc in Tenochtitlan. Tecocoltzin, who was the natural son of Nezahualpiltzintli, was the first to be baptized in this great city-state.⁸ According to Alva Ixtlilxóchitl, in his *Compendio histórico*, Don Fernando Tecocoltzin, as he was now called, was "extremely white-bodied and tall, as though he could have been like any Spaniard for his whiteness...and had already mastered the Castilian language". He was appointed by Cortés as the new acting governor of Texcoco, and vigorously continued Texcoco's active cooperation with Spanish campaigns of expansion and subjugation in Iztapalapan and thereafter in the entire Valley of Mexico, mobilizing allied armies from Chalco and the Acolhua for the final siege of Tenochtitlan and its subjects.

On the day of *metlacatli omome calli*, of the third month of *hueytezo-zotli*, under Ixtlilxóchitl, Tecocoltzin's brother and successor, Texcoco's army left for Tenochtitlan to wage the final battle on the city, entering by way of Acachinanco, the muddy flats on the southern entrance to the city, where former heroic battles between Texcoco and Tlatelolco were once fought. The author then describes the scene in the plundered and burned city of Tenochtitlan, on July 22, 1521. He describes how, during that night, Ixtlilxóchitl watched "pleasingly" the Mexica coming out of their hideaways, dying of hunger and thirst. Observing them he was thus able to form his impression of what were the astounding circumstances in the heart of this city: "of hunger, and pestilences, that the inhabitants underwent, and how by night...they came out to fish and search for herbs and roots and tree barks to be able to endure..." The author's forefather, Ixtlilxóchitl, then informed Cortés of those sites where the "unfortunate Mexica were", and sent his soldiers to kill nearly a thousand of them, taking many others as captives. There is not much sympathy here for this act. The author concludes the narration of Tenochtitlan's fall with the scene of Papantzin Oxocotzin, Motecuhzoma's sister, Cuitláhuac's wife, who, together with other principal wives of Tenochtitlan's ruling families, was being exiled to Texcoco; Tecuichpoch (doña Isabel Motecuhzoma), and Cuauhtémoc's consort, was also among the noble women taken by Cortés, to later become his mistress [mentioned in the *Cantares mexicanos*: "Tlaxcalan Piece"]. The great looting of Tenochtitlan was then followed by the carrying away of

⁸ Fernando de Alva Ixtlilxóchitl, *Sumaria relación*, v. I, p. 389-92.

large numbers of men and women as slaves. Then, the final tally of destruction and deaths on both sides: about 30 000 of Texcoco's soldiers, 240 000 men of the Mexica, and much of the Mexica nobility, by August 13, 1521.

In the *Título primordial de San Miguel Atlahuilla*, one finds a brief mention, in a unique way, of these last days: "Now, you should realize, my beloved children, that when Christianity entered Mexico, they have chosen who was to govern, when in Mexico and in Santiago Tlatelolco they have made war; during ninety-two days, they have taken the shield and the war club (*macuahuitl*) in their hands, in August of 1521 years."⁹ On that same day, Tenochtitlan's last ruler, Cuauhtémoc left the city, sailing across the Lake by canoe, and surrendered himself to the Spaniards. He was taken immediately to Cortés, and offered the latter to do away with him, which Cortés repudiated. A short while later, he gave his consent to one of his captains, Julian de Alderete, to interrogate Cuauhtémoc using heavy means of torture, so that he should divulge where the rest of his Empire's gold was hidden. After his feet were burned by boiled oil, Cuauhtémoc was finally left alone, gravely wounded.

During the following years, between 1521 and 1525, he remained imprisoned, awaiting his fate. Meanwhile, he regained health, and was baptized under the Spanish-Christian name of Fernando de Alvarado. Alva Ixtlilxóchitl concludes his account of the Tenochca ruin with a few lines dedicated to the death of Cuauhtémoc. He informs his readers that according to the native lords, the pictograms, songs, and histories of the land he consulted all tell of his death in the province of Acalan. In yet another piece he had written, the *Relación sucinta* Alva Ixtlilxóchitl made the choice of ending the part pertaining to the order of succession in Tenochtitlan with an epic description of Cuauhtémoc's execution by Spanish captains in Acalan, in 1525, "being the one who defended the city and lost it, garroted by orders of Cortés, with other lords and rulers of Texcoco, Tenochtitlan and Tlacuba, and from other parts."¹⁰ In the *Compendio histórico* Alva Ixtlilxóchitl supplies his own reasoning for the Cortés's actions: "Cortés killed him without guilt, only to have the land remain with no natural rulers; the former, if he would have been made by God to understand [his actions] he would have had to maintain them under his eyes, and esteem them like precious gems, which would have been the triumph of their deeds. Nevertheless, he was always determined to do away with the nobles, and even his own

⁹ *Títulos primordiales del pueblo de San Miguel Atlahuilla*, Ignacio Silva Cruz, Trans. and ed. (AGN, 2002), f. 7r.

¹⁰ Fernando de Alva Ixtlilxóchitl, *Relación sucinta*, v. I, p. 410.

grandchildren, and conceal their actions, and leave all the glory to himself..."¹¹

In the annal-type manuscript belonging to Cuauhtinchan, *Libro de los guardianes y gobernadores de Cuauhtinchan*, one finds a parallel explanation and information concerning Cuauhtémoc's death. Under the entry for the year 6 *Tecpatl* (1524), it says that, "it was then that they hanged the *tlatoani* [tlatoque] of Tlatelolco, Don Pedro Couanecotzin, Cuauhtemotzin and Tettlepanquetzatzin; they accused them, and the Marqués was informed that these three had authorized the act of assassinating them (the Spaniards) on the road. Having heard that, the Marqués ordered to execute the *tlatoani*. Nevertheless, this was not true, and not for this reason their souls were freed, but only that they were placed on poles, hated, and ultimately murdered."¹²

In 1531, perhaps for the first time that a native town presented litigation to the Spanish colonial court of the Audiencia in Mexico City against another native town. The case was fought between the lords of Santiago Tlatelolco and the town of Ecatepec, over rights over land and *calpulli*, due to the usurpation and expropriation of lands and precious possessions, belonging to their local supreme lord.¹³ *Ex-calpolli* (or, "estancias") mentioned in the Tlatelolco-Ecatepec lawsuit, as those of Acalhuacan, Coatitlan, and Tolpelac, were originally subjects of Tlatelolco; in 1531, Acalhuacan's governor and nobility were still trying to reappropriate these places, after they have been placed by Hernando Cortés (in 1527) under the encomienda granted to Leonor de Motecuhzoma.¹⁴ Tlatelolco's governor and nobility, on their part, were correspondingly trying to re-appropriate these places after they had been placed during the same year by Cortés under the encomienda

¹¹ Alva Ixtlilxóchitl, *Compendio histórico*, v. 1, p. 479-505.

¹² *Libro de los guardianes*, p. 40-71. Luis Reyes García (*Cuauhtinchan del siglo XII al XVI. Formación y desarrollo histórico de un señorío prehispánico*), p. 35.

¹³ "El consejo, justicias y regidores del pueblo de Santiago Tlatelolco, contra el gobernador e indios del pueblo de San Cristóbal Ecatepec, sobre el derecho de la estancia de Acalhuacan, 1562", AGI, Justicia, leg. 159, n. 5, testimony by Diego Gonzálo, Principal de Coatitlan, 15 April, 1530.

¹⁴ Emma Pérez-Rocha (*Privilegios en lucha, la información de doña Isabel Moctezuma*), p. 26-27, *ibidem*. One of the witnesses in the Tlatelolco-Ecatepec lawsuit, thirty-year-old Don Francisco, *principal* de Coatitlan, attested that he saw how the native lords of Acalhuacan would go to complain before Pedro Gallego, that the lords of Tlatelolco compelled them to come and work for them at the royal court, and provide them with turkeys, maize, and *mantas*. Gallego, who had been Leonor's instructor before her first marriage to Juan Paez (in 1527-8?), contested that, "if they do that, he would flog them and break the heads of those in Mexico City". Note that in their own litigation, the lords of Tlatelolco emphasized their autonomy from Motecuhzoma, and their separate rule from that of the greater Tenochtitlan; Valderrama based his allegation on Cortés's instruction from 1527.

granted to Leonor de Motecuhzoma, the heiress married now to a Spanish conquistador, Pedro Gallego. How fragile and shaky was the situation and power-balance in major areas around Tenochtitlan, even ten years after the Conquest, is attested in the *Anales de Cuauhtitlán*; according to these, Chiconahutla and Ecatepec, although tributaries of Motecuhzoma [*tequihuaque* = “tributaries”] remained under their own *tlatoque* until the Spanish Conquest, and the local rulers in Chiconahutla and in Ecatepec were, Tlattecatl and Paintzin, respectively.¹⁵

As the early lawsuits conducted between Tlatelolco and its ex-dependencies indicate, the lords of Tlatelolco, in effect, continued to ignore Leonor's rule, and compelled the local lords and inhabitants to remain loyal to them only, and to refrain from rendering tributes or services to either Leonor or to Christóbal de Valderrama, the *ex-visitador general* of the Royal Council of the Indies in Spain. One should note that in their own litigation the lords of Tlatelolco emphasize their autonomy from Motecuhzoma, and their rule separate from that of the greater Tenochtitlan; Valderrama based his allegation on Cortés's instructions from 1527, and on a *real cédula* from 1529. Attached to the litigation we find an appeal on behalf of the *principales* and inhabitants of Acalhuacan to the Audiencia. In their appeal, they disclaimed their declared belonging to the town of Ecatepec and maintained that they had always been an integral part of Santiago Tlatelolco. Like Tlatelolco, “they were now subject to His Majesty and not to any other encomendero”. In the past, they claimed, they had rendered a particular service to Motecuhzoma as his vassals, but were never part of his patrimony. As the rest of the inhabitants of Mexico, they had also recognized Motecuhzoma's rule and jurisdiction, but not over their lands. Their jurisdiction could not be separated from that of Santiago Tlatelolco, nor could it be considered void in the time when it had been granted by Cortés to Malintzin, his spouse.¹⁶ On October 5, 1557, the Tlatelolco's attorney presented an original document dated March 27, 1537 of an inventory of belongings, gold and jewelry, on a ship leaving Veracruz for Castile in Spain. This also included the original litigation between Cristóbal de Valderrama, and his wife Leonor de Motecuhzoma against Don Juan and the *principales* of Tlatelolco. A copy of the original denunciation made to the Audiencia in April 15, 1531, by Cristóbal de Valderrama, against Don Hernando de Tapia and Don Juan, of Tlatelolco, who disclaimed his and his wife's holding of Acalhuacan and

¹⁵ *Anales de Cuauhtitlán*, f. 83.

¹⁶ “El consejo, justicias y regidores del pueblo de Santiago Tlatelolco, contra el gobernador e indios del pueblo de San Cristóbal Ecatepec, sobre el derecho de la estancia de Acalhuacan, 1562”, AGI, Justicia, leg. 159, n. 5, f. 1289r.

Ecatepec.¹⁷ The third litigant, Arias Sotebo, contested by presenting his own interrogation of the witnesses with regard to Motecuhzoma's patrimony over Ecatepec, Tlatelolco and all other towns under his Empire, and what had been left as a deed to his daughters. Attached to the litigation we find an appeal on behalf of the *principales* and inhabitants of Acalhuacan to the Audiencia. In their appeal, they disclaimed their declared belonging to the town of Ecatepec and maintained that they had always been an integral part of Santiago Tlatelolco. Like Tlatelolco, they were subject to His Majesty, and not to any other encomendero. In the past, they claimed, they had rendered a particular service to Motecuhzoma as his vassals, but were never part of his patrimony. As the rest of the inhabitants of Mexico, they had also recognized Motecuhzoma's rule and jurisdiction, but not over their lands. Their jurisdiction could not be separated from that of Santiago Tlatelolco, nor could it be considered void in the time when it had been granted by Cortés to Malinche, his spouse.¹⁸

One could obviously interpret their appeal as the lords of Tlatelolco's taking advantage of the absence of Hernando Cortés from the colony. The new circumstances provided an opportunity for them to regain access and control over their ex-subjects such as Acalhuacan for a while. In 1531, a Spaniard came to testify about the use by the lords of Tlatelolco, in this lawsuit, of pictorial cadastral maps. He interpreted Tlatelolco's intentions, as attempting to regain control over the *estancias* [outlying communities] appropriated by Ecatepec and he tried to persuade the local lords in the *estancias* to abide to Tlatelolco only.¹⁹ On the one hand, what the representatives of *estancias* such as Acolhuacan obviously aimed at representing to the Spaniards a supra-text of a seemingly complex schema that, presumably, once connected and related everything to a coherent and a unified entirety: that the "*estancias*" were barrios [*tlaxilacalme*] of Tlatelolco. This signified that the lords of these *estancias* were closely related by marriage to the rulers of Tlatelolco and

¹⁷ "El dicho Marqués no tuvo poder ni facultad para hacer la dicha encomienda a la dicha Doña Leonor (doña Marina), a manera que hizo, dándole los dichos pueblos por juro de heredad, pues para esto se requiere expresamente aprobación de Vuestra Real Persona otra decir que Motecuhzoma era señor de esta tierra, que todo era suyo, por que aún que así fuese, no por eso dejaban de aver particulares señores que tenían pueblos y cosas conocidas suyas, y al tiempo del dicho Motecuhzoma los gobernadores del pueblo de Tlatelolco tenían y poseían por suyo la estancia la qual ni es de los bienes ni del patrimonio de Motecuhzoma ni de la dicha Doña Leonor." *Ibidem*, f. 1292v.

¹⁸ *Ibidem*, f. 1289r.

¹⁹ "Un día les dijeron los gobernadores indios de México [Tlatelolco] que viesan un papel que traían pintado, en que traían, puesta a Coatitlan y otras estancias, y que venían a suplicar a estos señores y oidores que mandesen dar para servir de ellos y que estaba allí el cacique de Coatitlan presente".

that the peoples of Tlatelolco and those of the *estancias* intermingled and married among them, and usually visited each other. They therefore emphasized the rule of the councils of the Triple Alliance, held every fifty-two days, during times of stress, rebellions, wars, among the three lords, and in each of the kingdom's capitals in turn. There, they would also nominate officers for judicial matters or otherwise; the succession of one throne depended on the consent of the two other rulers. On the other hand, the legal representative of the counter-litigant towns, of Ecatepec, based his rhetoric upon conceptual essences taken from the Salamanca debates on the Just War. The time in question was thus divided between the "time of the pagans" and the "time of the Christians". He emphasized that what had been justified in pagan times could no longer be accepted under the permissible post-conquest circumstances. No rule, once an acceptable norm, could now be taken for granted.

The close marriage ties that existed long, between the two lineages of Ecatepec (Ehecatepec) and Tenochtitlan contributed its share to this complexity, as the latter was the vicious enemy of Tlatelolco. In the "Various High Tenochca and Tlatelolca Lineages", *Codex Chimalpahin*, it is said that a noblewoman Tlapalizquixochtzin became a female ruler of Ecatepec (*cihuapilli* = "noble woman") and then Motecuhzoma Xocoyotzin asked for and married her; she gave birth to doña Francisca de Motecuhzoma. Yet, another great lord of Tenochtitlan married a noblewoman of Ecatepec, and to them Don Diego de Alvarado Huanitzin, the last native ruler of Ecatepec before the conquest, was born.²⁰ Apart from this tradition, there were the claims made by the local lords of Tlatelolco over the territory. When the Spaniards arrived in the area, Don Diego de Alvarado Huanitzin, who was to become the local ruler, was begotten by Tlaquilolxochtzin, a noble woman of Ecatepec, and of Tezozomoc Aculnahuacatzintli, a prominent lord from Tenochtitlan.²¹ In 1529, Cortés backed the lords of Tlatelolco's claims regarding their possession. Such were the major themes and patterns thread in the supra-text of these two towns.

In 1537, yet another major lawsuit was conducted between feuding Nahua communities located around the Lake: between Tequizistlan and Texcoco.²² The historical background for the feud between them, as they remembered in court, could be traced back to the times of King Nezahualcōyotl's reign in Texcoco, during which he instituted and re-

²⁰ "Various High Tenochca and Tlatelolca Lineages", *Codex Chimalpahin*, v. 2, p. 101.

²¹ *Codex Chimalpahin*, v. 2, p. 101; P. Carrasco, "The Territorial Structure of the Aztec Empire", in Harvey (edit.), *Land and Politics*, p. 100.

²² "El consejo de los indios de Tequizistlan con los indios de Texcoco sobre ciertas instancias de tierras, 1538," AGI, Justicia, leg. 128, n. 1, 139 folios.

inforced Acolhua control over the towns of Acolman, Teotihuacan, Tequizistlan, and Tepexpan and marked the exact boundaries between his kingdom and that of the Mexica.²³ The border with the Mexica and the Tepaneca on the western side of Acolhua territory extended now from near Cuitláhuac across the water to Tequizistlan and to the outlet between Lake Xaltocan and Lake Texcoco, thence north to Xoloc, and northeast outside of the Valley of Mexico, to Tototepec. Nezahualcōyotl is cited by the feuding parties to have placed walls (“*morillos muy gruesos*”; *tenamiltl*, in Náhuatl) and frontier-markers, along the line, the exact boundary divisions of which were recorded in the local annals of each of the towns, as is also attested by the Texcocan chronist, Alva Ixtlilxóchitl.²⁴ These walls clearly correspond to the Albarrada de Nezahualcōyotl which is depicted on the above map of the *Ordenanza del señor Cuauhtémoc*, traversing Mount Tepetzinco to the south-east, and are also annotated in the accompanying text of the sixth boundary-marker.

In the *Crónica mexicáyotl* written by Alvarado Tezozómoc, it is respectively accounted how the Mexica king, Motecuhzoma I, assigns Tequizistlan as the extreme point where the boundary between the Mexica and Acolhuaque territory dividing Lake Texcoco between the two kingdoms, should run, and the line passing through the reed fields, in the middle of the lake. The ritualized form of marking the boundaries is well attested in this account: the Mexica king makes it public knowledge that he intends to follow the necessary ritual procedures, stopping in Chiquihtepec to make the Cloud of Smoke sign (*Señal de humareda*), then proceeding to Tultepec and from there to Tequizistlan.²⁵ The lords and governors of the Náhuatl-speaking Tequizistlan also represented their aspirations and goals to the Spaniards, in the light of its geo-political situation. Located on the western side of the Acolhuacan/Chichimeca territory and province, Tequizistlan belonged to what Carrasco describes as having been part of the “third territorial category”. Those were towns that were “under the orders of stewards of the great king of the capital city...there was no lord but only headmen [mayores] and officials [*principales*] who ruled them. All were like tenants (*renteros*) of the lord of Texcoco.”²⁶ Situated on the most western point of the Acolhua territory, at a distance of only five leagues from Tenochtitlan, and two from Texcoco, so close to Mexica control, Tequizistlan’s local oligarchy naturally felt threatened by the new circumstances. They therefore responded to the new state of things by assigning their local *tlacuilco* to manufacture

²³ Gibson, *The Aztecs Under Colonial Rule*, p. 18, 24.

²⁴ Alva Ixtlilxóchitl, *Historia chichimeca*, p. 158

²⁵ Tezozómoc, *Crónica mexicáyotl*, p. 74-75.

²⁶ Carrasco, “The Territorial Structure”, p. 97.

a “novel” version of its history that served the purpose of dis-association from the rule of Texcoco. Around 1515, Motecuhzoma Xocoyotzin appointed his son-in-law, Cacamatzin, over Texcoco; the state was then divided between supporters of Ixtlilxóchitl, to whom the rule over Otumba [Otompan] was granted, and those of Cacamatzin. Ixtlilxóchitl made Teotihuacan and Otompan his “*cabeceras*”.²⁷

When Hernando Cortés had left for Hibueras in 1526, the lands of the *calpulli* of Tequizistlan were granted by the ruling lord of Texcoco to Don Juan Quxualtecl, a privileged *nahuatlato* (translator) serving the Spaniards and living in Coyohuacan. The deal was that the lords of Texcoco would still continue to harvest these lands, leaving half of them behind to the *macehuales* who were tenant -farmers living on them, and who were obliged to serve the *nahuatlato* with water and wood. The lands were still considered by then to be part of the barrios [*tlaxilacalme*] of the City-State of Texcoco and not a town on its own, and were depicted as such in the pictographic cadastral maps. One should also be aware of the fact that on January 4, 1537, the indigenous town, that is, the corporate enterprise of Texcoco, was established by the authority of Viceroy Mendoza, and a title-deed was granted by Don Antonio Pimentel, governor of Texcoco, on the orders of Fray Juan de Alameda.²⁸ Great parcels of land, however, including royal property that was partly shared with Spanish patrons remained private and came under dispute when the Oztoticpac Lands Map was presented in court by 1540.²⁹ Don Juan Quxualtecl owned the lands between 1524 and 1530, when they were again retaken by force by the lords of Texcoco. Post-conquest accounts on internal conflicts over inheritance within the Texcoco ruling oligarchy between the inheriting noble brothers begin to surge right after the establishment of the encomienda system in the area, by 1528-9. Don Pablo, the elder son of Nezahualpilli ruled in succession after the conquest. His younger brother, Tecocoltzin, was nominated by Cortés as the present ruler. As to the division of lands: Tollancingo, for example, was given to Don Carlos by his half-brother; Hernando Cortés Ixtlixocochitl, and his uncle Don Pedro Tetlahuehuetzquitzin gave him a large estate known as Octicpac. Those inner conflicts and the chance exploited by one or two of the brothers to go on raids over adjoint

²⁷ Joaquín García Icazbalceta, *Nueva Colección de documentos para la historia de México*, v. 3: Juan Bautista Pomar, *Relación de Texcoco*, Joaquín García Icazbalceta; also, Offner, “Aztec Legal Process: The Case of Texcoco,” p. 241.

²⁸ MacAfee, Byron and R.H. Barlow (eds. and trans.), “The Titles of Tetzcotzinco (Santa María Nativitas)”, *Tlalocan* 3, no. 2, 1946, p. 110-127.

²⁹ H. R. Harvey, “The Oztoticpac Lands Map: A Reexamination”, in Harvey (edit.), *Land and Politics*, p. 163-185.

towns' lands, could partly explain the raid on Tequizistlan's lands, and it is probable that therefore the entire action was masterminded from Ixtlilxóchitl's place of reign in Otumba.³⁰

The Tequizistlan case was a combination of circumstances. Texcoco's acts against Tequizistlan, between 1526 and 1530, were well rooted in Texcoco's intentions during the first decade or so after the Conquest, intentions to re-conquer lands and communities that were formerly part of their *altépetl* and were granted independence under separate *encomiendas*. The Texcocan brothers were also well aware of Cortés's absence from the area, and of the still shaky *repartimiento* system. But the feuding brothers obviously took advantage of Tequizistlan's desire for independence, to seek revenge over its ruler and to humiliate the entire town. The aims of those communities that sought separation and independence was to mobilize the help of more senior towns, which were part of the great Texcocan hegemony, such as Tepexpan, and their historical depository. Similarly, during the lawsuit's continuous hearing throughout 1538, Don Diego Mexialtecle, a witness belonging to the local nobility of Tepexpan, had testified how his supreme ruler possessed a set of cadastral maps indicating the situation that had existed in his area before the Spaniards arrived, as well as Tequizistlan's historical precedence over Texcoco. He recalled how he had viewed these "maps" many times in the past and that "they were extremely large, about three feet wide."³¹ Tepexpan, by then, was already establishing its own process of creating a official story that would reinforce its claims of a separate ethnicity, its long history as an independent entity, and its direct association with the royal line at Tenochtitlan.

How was the fate of such endeavors for independence recorded? The *Tira de Tepexpan* executed in different phases by local scribes-painters (*tlacuilo*) in this town was made up of a series of pictograms, to which Latin characters and Náhuatl phrases, written in the Spanish language, were added, as well as figures of historical personalities of the New Spain colony. Tepexpan was eager to attest to its favorable relationship with the Spanish Conquerors.³² The *Mapa Quinatzin*, owned around 1600 by the Texcocan historian, Alva Ixtlilxóchitl depicts, on leaf three, various crimes and their punishments. Column two, second row, illustrates a series of three warnings administered to a "rebellious" ruler, by the agents of the "Triple Alliance".³³ Jerome Offner comments on this: "...

³⁰ *Codex Chimalpahin*, "Juan de San Antonio's Letter", p. 230-231.

³¹ AGI, *Justicia*, leg. 128, n. 1, f. 79r.

³² J. H. Hernández, "Tira de Tepexpan", *Revista Histórica*, v. 1, n. 3, 1984, p. 17-19; Boone, "Pictorial Documents and Visual Thinking", p. 189-90.

³³ Alva Ixtlilxóchitl, *Historia chichimeca*, v. II, p. 191.

it appears that column two deals with offences against rulers and rulership,” and asserts that final determination of those cases was carried out at the *nappapoallaolli* (eighty-day council) in the Texcoco capital.³⁴ By 1530, this council virtually no longer functioned, but Texcoco exercised retaliation and punishment for such offences outside court, but with the same severity and rigorousness as determined in the Otumba execution, above. Many among the Triple Alliance’s subject towns filed claims for independent status in the Audiencia of Mexico from the early 1530s and up to the 1560s; they had once been inseparable from the former great hegemonies such as those under the *altépetl* of Texcoco. In 1537, Tequizistlan was among them. Two years after the beginning of the Tequizistlan court hearing, in 1539, Texcoco was shaken by yet another dramatic development, when Don Carlos Mendoza Ometochtzin, the ruler of Texcoco, was executed by orders of Archbishop Zumárraga for heresy.³⁵ In the course of the *auto cabeza del proceso* against Don Carlos, which began in June 1539, his landholdings in Oztoticpac came under review of the court. The cadastral maps of his palace, fields and orchards were updated by local *tlacuilco* to set up an exact record of his lands, as well as the rights by which he owned them, and the rents and taxes he received from them. The Tequizistlan case is, therefore inseparable from the internal turmoil within Texcoco’s *ex-altépetl*.

The 1537 presentation in the court of the Audiencia in Mexico City was clearly associated with memories going back to long before the Conquest. In his second appearance in the Audiencia on 20 May 1537, Don Juan, the acting *cacique* of Tequizistlan after Itzcayque’s death, presented a rather complex interpretation of history, based upon the early, deviating version assigned during the late 1470s for the local *tlacuilco* to record. According to Don Diego Mexialtecle, one of the lords who accompanied Don Juan: “Those of Tequizistlan were among the first settlers and founders [on these lands] and inhabited them well before those who established and populated Texcoco and became its rulers. And thereafter they had placed the corner stones between the two towns, marked and named...they came up with their tributes to the lords of Texcoco, but that each of the towns had its own proper ruler.”³⁶ Don Juan started by carefully describing Tequizistlan’s independent role and status as linked to its Chichimeca past, and he indirectly blamed the “tyrants of Texcoco” for ruling over them without any real right before the Conquest. Don Juan and the lords of Tequizistlan who appeared in

³⁴ Jerome A. Offner, “Aztec Legal Process: The Case of Texcoco”, in Elizabeth Hill Boone (ed.), *The Art and Iconography of Late Post-Classic Central Mexico*, p. 141-158.

³⁵ *Codex en Cruz*, Charles E. Dibble (ed.), p. 52.

³⁶ AGI, *Justicia*, leg. 128, n. 1, f. 8r.

court with him, acknowledged the ancient right of the lords of Texcoco over their jurisdiction, but claimed that the jurisdiction of the *altépetl* was limited to seniorial rights and a limited amount of tribute only. Rule and ownership of land and control over the *macehuales* was, accordingly, always confined to the local lords, or, *teuctli* and their *tecalli* and never to the *tlatoque* of Texcoco, until the lords of Texcoco had taken their lands by force, before the arrival of the Spaniards. Don Juan also quoted Cortés's decree issued in Coyohuacan that all the former rulers of *altépetl* should be fully aware that all the lands taken by force and compulsion should be returned to their legitimate owners.

According to the historical version presented by Don Juan, Texcoco played a malignant, destructive role in contributing directly to the disintegration that occurred in the indigenous society as a direct result of the Conquest and its local collaborators. That is, by letting the Spaniards in, to "end their tyrannical subjection", as well as by "looting the land and bringing oppression upon their people", Texcocan rulers had presumably forsaken their pre-Conquest loyalties.³⁷ Don Juan went on to describe Ixtlilxochitzin's rule (the *tlatoani* of Texcoco), as oppressive at first; and then, the change into the Spanish *encomienda* system, as a relief. This can also be related to what is told in the "Texcoca Accounts of conquest Episodes", namely, that after the Spaniards confined the rulers of the Triple Alliance in Coyohuacan, "Atenco, Tlaixpan, Papalotla, Calpulapa, and many more places that we abandoned used to belong to Nezahualcoyotzin".³⁸ What is manifest is, the conception of "a supreme form of justice": accordingly, the Spaniards carried out this justice in the form of restituting the lands and property unjustly expropriated by the lords and *altépetl* of Texcoco before their arrival. They, thereafter, granting each *cabecera* its "justified" autonomy, as separate from the overall structuration and empowerment of the new colonial regime. The Marqués's instructions had been carried out promptly from Coyohuacan, as Don Juan attested. Don Juan, the governor of Tequizistlan and Tototzingo, displayed in the court of the Audiencia a series of pictograms or "paintings" depicting the acts of plunder, usurpation, robbing, and assassination of his predecessor in office and his

³⁷ *Ibidem* Ixtlilxochitzin is mentioned in the "Texcoca Accounts of conquest Episodes" [Anonymous and by Don Pablo Ahuachpain, Don Francisco de Andrada, and Don Lorenzo], as the elder brother, supreme lord of Texcoco upon the arrival of Cortés in the city-state. His younger brother, Tecocoltzin, was set up as the ruler by Cortés. When Ixtlilxochitzin died, he designated Don Jorge Yoyontzin to be the ruler, who was succeeded by Don Pedro Tetlahuehuetzquititzin; Don Pablo is one of Nezahualpilli's sons who ruled in succession after the conquest. *Codex Chimalpahin*, p. 190-191, 202-203, 208.

³⁸ *Ibidem*, v. 2, p. 191.

precious possessions, by the governor and lords of Texcoco. One by one, Don Juan's witnesses appeared. Assisted by the pictograms, they recalled the sequence of events that had led finally to the assassination of their supreme lord, and to the dispossession of his lands. As the pictorials determined to stress, and as the witnesses had dramatically attested, one night, in 1530, Ixtlilxóchitl, the supreme lord of Texcoco who had previously assisted Cortés in his final conquest of Tenochtitlan, and his nobles came to Tequizistlan and forcefully entered the lodgings of Itzquake, the local governor. Then they carried him away, enclosed in a wooden cage, to a ravine near Otumba, where he was executed without a trial.³⁹ On the same occasion, the Texcocan lords were said to have also reentered the town and plundered Itzquake's household, as an act of vengeance and humiliation, taking away with them much of his golden jewels, rare feathers, and royal ornaments and clothes.

A year or so later, during the time when Tequizistlan remained without a ruler, a few of the Texcocan lords, among them Don Pedro Tetlahuehuetzquitzin, had also seized some of the lands that were both part of Itzquake's "private possession" (as *pillalli*, or lordly lands) and as part of the corporate town, the "*estancias*" de Ixtapa y Nesqupuyaque.⁴⁰ Before the court was the fact that prior to Ixtlilxóchitl's death, away from his seat in Otumba, the oidores of the Audiencia had already expropriated from him the lands formerly belonging to Texcoco that he had taken by force from other *ex-cabeceras*. Ixtlilxóchitl was then forced to flee from Otumba and seek refuge at the Franciscan monastery in Texcoco. As an epilogue to the course of events, we find one of Don Juan's witnesses, Martín Taateal, *principal* of Huexutlan, recalling how he was well aware of the fact that Ixtlilxóchitl had fled to the Franciscan monastery in Texcoco, "so that they would not seize him for the ill treatments he had committed against the inhabitants of the entire area. There he died painfully."⁴¹ In the letter of Juan de San Antonio, in the *Codex Chimalpahin*, one reads a short account stating that before he died, in 1531 at the monastery, Ixtlilxóchitl dictated a will in the presence of Fray Antonio de Ciudad Rodrigo, entrusting the lands to his brothers.⁴² According to *Codex Chimalpahin*, when Ixtlilxóchitl died

³⁹ Enclosure in a wooden cage was, apparently, a common punishment meted out by the judges in the *Tlaxtlan* in pre-Columbian Mexico. Thus, Sahagún tells us, "one would be seized and jailed in a wooden cage", *Bernardino de Sahagún, Florentine Codex*, Book 8, Chapter 14, p. 41-45.

⁴⁰ AGI, *Justicia*, leg. 128, n. 1, *Ibidem*, f. 2v.

⁴¹ *Ibidem*, f. 36r.

⁴² *Codex Chimalpahin*, v. 2, p. 211.

he designated Don Jorge Yoyontzin to be the ruler, who was succeeded by Don Pedro Tetlahuehuetzquititzin.⁴³ It was the latter who stood in court in defense of Texcoco, in 1537.

During the early 1560s, the important town Tlacopan (Tacuba), that was part of the prestigious league of the Triple Alliance before the coming of the Spaniards, presented its own history of its glorious past, in an attempt to legitimize the position, land holdings, and rights to tribute by the heirs of Doña Isabel, Motecuhzoma's daughter. Cortés assigned Tacuba to himself, but it was seized by the acting governors in 1525. The following year, Cortés set aside Tacuba as a permanent grant to Isabel Motecuhzoma and her descendants. The encomienda outlived her first two Spanish husbands, Alonso de Grado (died by 1527) and Pedro Gallego (died in 1531) and married a third, Juan Cano, before her own death in 1550. At this time, the tributes were divided among the four claimants, the widower Cano (who died in 1572), his two sons by Isabel, Pedro and Gonzalo, and the eldest son of Isabel by Pedro Gallego, Juan de Andrade (Gallego) Motecuhzoma. Isabel's third husband, the Spaniard Juan Cano commissioned one of the Franciscan friars from Culhuacan to "translate" the ancient, pictorial accounts of the Valley of Mexico into Spanish. The work, entitled "*Relación de la genealogía e linaje de los Señores... de la Nueva España*", and "*Origen de los Mexicanos*" were both dispatched to the Spanish monarch, Charles V.⁴⁴ And in 1548, Juan Cano appealed to the Audiencia on behalf of his wife, doña Isabel, for a restitution of her rights over her father's patrimony, as well as that of her maternal grandfather, Ahuitzotl; her parents' patrimony included among many other possessions, lands under Tlacopan's jurisdiction, Chichiguautla and Aguatepec. The appeal was made in two separate parts; the first, between 10 January and 21 June 1548, and the second, between 29 April and 23 June 1553, after Isabel's death. The final verdict by the Audiencia was given in 1556.⁴⁵ Ten years later, in 1566, Don Antonio Cortés, the governor of Tacuba (Tlacopan) and his fellow *principales* filed an appeal in the court of the Audiencia in Mexico City that their town be incorporated within the jurisdiction of the royal crown and thus be exempted from paying tributes. To achieve this goal the Tacuba dignitaries emphasized Tlacopan's central role in the administration and operation of the Triple Alliance hegemony before the Conquest, and for this purpose they brought forward

⁴³ *Ibidem*.

⁴⁴ Joaquín García Icazbalceta, *Nueva colección de documentos para la historia de México*, 5v.; v. 2, p. 240-280.

⁴⁵ *Privilegios en lucha, la información de doña Isabel Moctezuma*, p. 16, 23.

some of the senior witnesses who had previously testified in favor of doña Isabel.⁴⁶

Their testimony throws significant light on the living memory of the great traditions of rule around Lake Texcoco, mobilized during the 1560s for the sake of obtaining certain prerogatives from the Spanish crown. On 15 March 1566, Don Antonio Cortés addressed a letter to the monarch of Spain explaining the background for his and his dignitaries' petition for special rights. This was followed on 23 August 1566, by a formal petition presented to the Audiencia on behalf of himself and forty-nine members of the local nobility of Tlacopan, accompanied by a registry of the names of local nobles to be perpetually exempted from tribute.⁴⁷ The list began with the twelve presiding judges of the Supreme Council of Tlacopan (*tecutlatoque*), with Don Jerónimo de Aguila heading the list, the seven *tequillato* [or, tribute gatherers], as well as thirty others of the local nobility, who were not in office (*pilli* = "*hijos dalgo*"). Between 7 September 1566 and 2 March 1567, Don Jerónimo de Aguila presented the court with a number of Spanish and native lords as witnesses as part of the Interrogation (*interrogatorio*) carried out on their behalf. Those included Pedro de Menses and Alonso Ortiz de Zumisa, Spanish conquistadores of Tenochtitlan; lords and *principales* from Coyoacan; lords from the *barrios* of San Juan and San Sebastián, in Mexico City; lords and *principales* from Tlatelolco, from the towns of Tula and from Tepexi del Río, as well as Fr. Alonso de Molina Girona from the Franciscan monastery in Santiago Tlatelolco. The latter was possibly behind the drafting of some earlier accounts. Juan Grande was appointed as a translator from Náhuatl and as the scribe.

The first four questions in the Interrogation are related to the special status of sovereignty and self-rule that Tlacopan maintained throughout the pre-Columbian period and the subject towns under its jurisdiction. The fifth question centers on Tacuba's benevolent role under the Spanish rule and its obedience to the Audiencia. The sixth concerns the rules, norms and ceremonies of succession under the former rule of the Triple Alliance. The seventh deals with the last supreme rulers of Tlacopan and Texcoco and their present, legitimate heirs. In Tlacopan, Totohuiquatzin, who ruled between 1489 and until the Spanish Conquest, was the last among these rulers of the Triple Alliance to be seen to conduct the ceremony of bequeathing his rule to his son, Don

⁴⁶ "Don Antonio Cortés, cacique, y los demás principales del pueblo de Tacuba, sobre que se ponga el dicho pueblo en la corona real y les commute los tributos en otras partes, 1566", AGI, *Justicia*, leg. 1029, n. 10.

⁴⁷ "Para Regimientos perpétuos del Cabildo de la ciudad de Tlacopan, siendo Su Magestad servido", *Ibidem*.

Antonio Cortés. One of the indigenous witnesses from Tula, Juan Tlacuchexia, recalled how he was present at Totoquihuatzin's deathbed. And in Texcoco, the last ruler before the Spaniards was Cacamatzin who having no children, bequeathed the throne to his brother, Coanacochtzin, who was succeeded in turn by Don Hernando Pimentel (between 1545 and 1564), his elder son and the ruling governor of Texcoco.⁴⁸ The eighth described a solemn ceremony held in Mexico City during which the three former rulers of Tlacopan, Texcoco and Tenochtitlan took oath to remain forever loyal to the king of Spain, Philip II; this was probably in 1557, on the occasion of celebrating the king's accession to the throne (also mentioned in the *Código de Tlatelolco*, leaf No. 6). Two of the first Spanish conquistadors of this region, sixty-year-old Pedro de Menenses and sixty-eight-year-old Alonso Ortiz, were brought into court to speak on behalf of Tacuba, and testify about what they had witnessed when they first arrived in the Valley of Mexico and to Lake Texcoco. They said that they were fully aware of the extent of the rule of the three kingdoms of the Triple Alliance and their delineated limits of jurisdiction. Ortiz spoke Náhuatl and apparently was well acquainted with three lords of Texcoco and Tacuba. He said that he was aware of the fact that after he had conquered new parts he saw how the locally installed *calpixqui* of each of the three *altépetl* still represented a third part of the total rule of that particular province or town conquered; the situation remained so until the local ruler was finally disposed of by the Spaniards. Ortiz also informed the court that while the rulers of Tenochtitlan and Texcoco, Cacamatzin and Motecuhzoma were imprisoned by Cortés, they were still considered both by the Spaniards and the indigenous population as legitimate rulers. He had initially heard about the three kingdoms from the lords of Tlaxcala, and thereafter from the supreme lords of the three kingdoms themselves.⁴⁹

According to additional noble witnesses coming mainly from Texcoco, the division of power among the Triple Alliance city-states was based upon a tripartite organization, established by the primordial kings. The entire region that composed the alliance was divided into three parts, each defined geographically as the domain of one of the three capitals.⁵⁰ The three *altépetl* maintained their own governing body and courts of justice. The ruling council consisted of twelve members who

⁴⁸ See also, "Texcoca accounts of conquest episodes", *Codex Chimalpahin*, v. 2, p. 205.

⁴⁹ AGI, *Justicia*, leg. 1029, f. 6r-7v.

⁵⁰ See also, Pedro Carrasco, *The Tenochca Empire of Ancient Mexico*, p. 29. On the Triple Alliance, see also, Susan Gillespie, "The Aztec Triple Alliance", p. 236-239, especially her remark that, "a re-analysis of these texts [the documents related to the Triple Alliance] reveals how the "remembrance" of the "Triple Alliance" varied considerably along ethnic lines".

presided over and administered their levying of tribute and labor recruitment on the basis of an autonomous rule and legislature without outside interference, each of the rulers on his own account and over his own judicature.⁵¹ Each of the *altépetl* had its distinct “republics” of subject headtowns but in times of war and rebellion, they would get together in each of the kingdom’s capitals. In times of peace, elections of new office-holders for matters of justice or otherwise, would take place every eighty days when they would convene in each other’s capital.⁵² Succession in each of the city-states depended on the consent of the two other lords/kings. Upon the death of one of the three *hueytlatoani* (the supreme ruler), the others would convene and thereupon nominate his successor—his elder son. In a ritual of accession, with all the three of them wearing feathered headdresses, they placed their right hands on the nominee’s head. The witnesses of Texcoco testified that they had been present on one such occasion. The latest of such ceremonies took place in Texcoco in 1519, when Cacamatzin, the last supreme ruler was about to die, and chose Coanacotzin, his brother as his successor. “Likewise they conducted their ceremonies, electing him as such supreme ruler of such head-town in place of his father, and as such he would be confirmed by the rest, who would also see to it that he should be obeyed and the rest of the lords reaffirmed his nomination and treated him in the same manner as his late father, before he died.”⁵³

During the mid sixteenth century, yet another lengthy lawsuit over lands, boundary-shrines, and limits, between the town of Culhuacan and the town of Xochimilco, was also conducted in the Audiencia in

⁵¹ Motolinía describes this council in Texcoco as consisting of six sets of two judges, each of which was responsible for six large territories. The matters of law were dealt with by two supreme judges and the local ruler. Offner, *Law and Politics in Aztec Texcoco*, p. 56.

⁵² On the “Eighty-day council” see, Juan de Torquemada, Torquemada, *Monarquía indiana* v. 2, p. 355. An eighty-day period is also mentioned as a period of examination exercised by the Tenochca vis-à-vis potential allies in order to examine their loyalty, during which their rulers would have had to remain enclosed in their palaces and their temples would not operate. See, Alvarado Tezozómoc, *Crónica mexicana*, Chapter 48, on the instruction to the lords of Tenantzimco.

⁵³ “Así mismo hacían sus ceremonias nombrándole por tal señor de la tal cabecera en lugar del dicho su padre, y por tal le confirmaban y mandaban que le obedescan por tal señor y los otros señores le renombraron y le tenían como a su padre de antes que muriese.” AGI, *Justicia*, leg. 1029, n. 10, March 15 1566, f. 11v-13r; Seventy-five-year old Alonso Nuñez, *principal* of Texcoco (born in the year of the Discovery), and fifty-nine year-old Lorenzo Maldonado *principal* of Texcoco. See also, Gillespie’s remark that, “investigating how the Triple Alliance came to be incorporated into the historical traditions requires a thorough reexamination of the salient documents—both the historical narratives and these other types of records—against the larger background of events that affected the sociopolitical organization of indigenous peoples in the first century after the conquest.” Gillespie, “The Aztec Triple Alliance”, p. 241.

Mexico City between 1551 and 1573. The manuscripts related to this lawsuit correspond to two phases: the first, which began in 1551 and ended in 1573; the second, between 1703 and 1714, was inseparable from the *composición de tierras* of Culhuacan and concerns a site of *ganado menor* (sheep) and eight *caballerías de tierra* situated between Mexicalzingo and Xochimilco. The documents pertaining to the first phase contain, in addition, a map painted back in 1551 on *amatl* or fig-bark paper, the size of which was 68 x 67.5 cm. The map redraws the contours of the disputed areas, commemorating the locations of the old as well as the present towns, the roads, the canals, the lake, and the lands. Culhuacan appears to the north, to the foot of Cerro de la Estrella and to the south, the lands of Xochimilco, accompanied by two figures, one of which appears with a gloss, “alcalde de Xochimilco”. To the east, a willow tree stands, out of which two lines run all the way up to the Acequia Real [Royal Waterway] and to Tenochtitlan. The triangular formed signified the lands and boundary-shrines that had already been agreed upon. The red stripe, to the south, marked by Oidor Alonso Maldonado in 1551, was possibly to distinguish a “*tierra colorada*” or *pillalli*, lordly lands, while the black ink [*tictlilmahiotia* = “the scripture (made) in black ink”] depicted commoners’ lands. Gibson suggests that during the 1540s and 1550s some of the lands belonging to native rulers (*tlatocatlalli*) were converted into “common cultivated lands”.⁵⁴ Possibly, a single red line denoted a boundary between common land and neighbouring noble property... to distinguish the tribute-exempt status of *pillalli*.⁵⁵ Maldonado indicated the boundary-shrines to be “the true limits delineating between the two towns”. This “painting” which had been restored in some parts, was presented in 1574 to Pedro de Requena, the judge nominated to resolve the differences between the two towns, by the governor, alcaldes and *principales* of Culhuacan.⁵⁶ Both the Humboldt Fragment VIII in the Royal Museum of Berlin and the Cadastral Fragment of the Ramírez Collection to be found at the Museo Nacional de Antropología of Mexico (Archivo Histórico), portray colored plots of land with heads of their native owners, identified by personal-name glyphs and Náhuatl annotations.⁵⁷ The use of color in

⁵⁴ Gibson, *The Aztecs Under Colonial Rule*, p. 261.

⁵⁵ Harvey and Barbara Williams, *Códice of Santa María Asunción*, p. 38.

⁵⁶ “Culhuacan con los de Xochimilco, sobre ciertas tierras, mojonos y términos, que los del dicho pueblo de Culhuacan dicen son suyas”, Biblioteca Francisco Javier Clavijero, Universidad Iberoamericana, México, Manuscript n. 149, 149 folios. (“*Diligencias, autos, trasladados, notificaciones...*”).

⁵⁷ Eduard Selser, “Alexander von Humboldt’s Picture Manuscripts in the Royal Library at Berlin”, in *Mexican and Central American Antiquities, Calendar Systems, and History*. Translated by Charles P. Bowditch, p. 123-229.

marking land divisions may also be interpreted as yet another example of imparting memory by way of pictorial writing.

One of the documents, dating from 4 November 1573 described how Julián de Salazar, the Corregidor of the town, together with Cristóbal de Tapia, the *alcalde mayor* of Xochimilco, ten prominent persons of each of the two towns, as well as a few *macehuales*, walked to the disputed lands. From there, they proceeded to the site called Aculco, situated to the right of three trees, near the lake, down by Xochimilco. There, on the site, the elders of Culhuacan exhibited the 1551 map signed and authorized by Maldonado as containing a true testimony of the exact limits between the two towns, as well as the lands specific set aside for the lords of Culhuacan. Having shown the painting, those of Culhuacan declared that those were the true limits that they had always kept and cherished; and that those of Xochimilco had breached the agreed limits wishing to expropriate these lands. To which the lords of Xochimilco responded by exhibiting their own "painting" where it was indicated that the limits were located far below the points indicated, much closer to Culhuacan, next to Suchipacoya, and marked by different, former boundary-shrines, whose names "they had already forgotten". At first, the two parties refused to reach a compromise over the disputed lands but then, on 6 November 1573, the lords of Xochimilco came to an agreement. In 1574, the local authorities together with their *encomendero*, Hernando de Oñate, went to the site from where the difference originated. There they encountered the Corregidor, Cristóbal de Tapia, the *alcalde*, Pedro de Sotomayor, the *regidor* Pedro de Mendoza, the *alguacil mayor*, Pedro de Meneses, and some of the lords of Xochimilco. Pedro de Requena, the nominated judge on this case, presented himself to them through an interpreter, saying that he was sent by the Viceroy to deal with the differences still maintained between them. He then asked them to choose the six most elderly persons of each of the two towns, "who had thoroughly known the above lands and remembered their limits and boundary-shrines". The next phase took place at the disputed lands to where the six persons proceeded, and there they identified each one of the former boundary-shrines. Pedro de Requena then instructed them to divide in half the disputed land, being 212 brazas in size; the representatives agreed to divide the land equally and resolve the problem; and a tall wooden cross was erected next to the willow tree, which marked the dividing line reached by a compromise. Viceroy, Don Martín Enríquez approved the solution between the two towns on 20 March 1574.⁵⁸

⁵⁸ "Culhuacan con los de Xochimilco", *Ibidem*, f. 1v-6r.

Don Diego de Mendoza Imauhyantzin, a Native Impostor

Into this scene of the 1560s and 70s around Lake Texcoco, steps in Don Diego de Mendoza Imauhyantzin, a native noble of Tlatelolco. Don Diego de Mendoza de Austria, as he was also called, was by 1562 the seventh native acting governor (*tlatoani*) of Tlatelolco. Tlatelolco, his town, was governed by a succession of native governors, beginning with Don Alonso Quauhnochtli; he was followed by Don Martín Tlacatecatl and then by Don Diego de Mendoza Imauhyantzin Huitznahuatlaitotlac, who governed, according to Alvarado Tezozómoc for fourteen years, until his death in 1563.⁵⁹ He was succeeded by his heir, Don Baltazar de Mendoza y Motecuhzoma only in 1585.⁶⁰ By the early 1560s, Don Diego was already a highly reputed personality in both indigenous and Spanish-colonial circles and high places.

It was around that time that Don Diego de Mendoza Imauhyantzin Huitznahuatlaitotlac pretended to be Cuauhtémoc's presumed son from the latter's marriage with Tecuichpotzin, or, Doña Isabel, as she was later named. But we have no record of any offspring to this marriage, nor is he mentioned in the famous lawsuit conducted in the court of the Audiencia in Mexico City over Doña Isabel's privileges and rights to lands left to her by her late father, Motecuhzoma. Her sister, Doña Leonor Motecuhzoma Cortés Xochimatatzin, was married to Tepexic's ruler, Xochimatatzin.⁶¹ According to the Tenochca chronicler, Alvarado Tezozómoc, Don Diego was in fact the son of Zayoltin, a prince of Tlatelolco, but never was he an heir to Tenochtitlan's royal lineage. Nevertheless, according to the 1562 royal ordinance issued by Philip II, granting Don Diego the coat-of-arms, he is named there a direct son and heir of Cuauhtémoc, the ultimate Aztec Emperor and the ruler of Tlatelolco. As such, following the execution of Cuauhtémoc's statute (*Ordenanza*), possibly around 1560-1562, Don Diego de Mendoza Imauhyantzin was recognized by the crown also as a direct heir to Motecuhzoma's property of the Lake and its environs in spite of the pending lawsuit with the heirs of Motecuhzoma's daughter. That included Lake Ecatepec, San Cristóbal Ecatepec, Tacuba, Chontalpa, Meztitlan, Juchipila, Jalisco, Chalco Atenco, Cozcatlan, Tenamutla, Teposcolula,

⁵⁹ Alvarado Tezozómoc, *Crónica Mexicayotl*, p. 172, 173.

⁶⁰ "Información promovida por los descendientes de Moctezuma y Yuatonantzin, 1686", Biblioteca Nacional de Antropología Archivo Histórico (Colección Antigua), v. T-4, exp. 323; "Ordenanza del Emperador", p. 33.

⁶¹ Don Joaquín de San Francisco, cacique y natural del pueblo de Tepexi de la Seda, Archivo Histórico Judicial, INAH Puebla, doc. 256, 1585.

Ayacapan, Tezcamacoayo and Chilapan, as well as the permanent government of the towns of Santiago Tlatelolco and Chilapan, so that the compilation and presentation in court of such a title and a history had made Don Diego extremely profitable.⁶² In 1560, Don Diego de Mendoza's eminent figure appears in a key position on the first page of the *Códice de Tlateloloco*, related to all major events in this town between 1540 and 1560. There, he is portrayed as sitting on a Spanish-style chair placed on top of the toponym for Tlateloloco. His anthroponym, above his head, is made up of both his Náhuatl and Spanish names, and includes five phonetic elements. To his right, he is facing a glyphic summary of his pious works and donations to the Church, such as the acquisition of bells and ornamentation, as well as his participation in the ceremonial procession of the first entry of the Holy Sacrament to Tlatelolco in 1547. We also know from the information and testimony presented by his descendants in 1687 that, during this period he had also funded the establishment of a chapel dedicated to Our Lady of Pilar in the church of Santiago in Tlatelolco to become also the patron of her Cult.⁶³ To his left, are the figures of his predecessors in the governing of Tlatelolco, Don Alonso Cuauhnochtli and Don Martín Cuauhtzin Tlacatecatl, as well as the Spanish campaigns in which all these Tlatelolca nobles participated: the subjugation of the Chichimeca around Zacatecas during the so-called Mixton Rebellion, between 1540 and 1542 and the Spanish campaign in Pánuco. The sixth page in this *Códice* represents, perhaps the peak of Don Diego's career under Spanish rule: he appears there alongside the native governors of Tenochtitlan, Tacuba, and Texcoco, as well as the Viceroy and Archbishop, conducting the official celebration and public feast that took place in Mexico City in 1557 in honor of the inauguration of Philip II to the Spanish throne.⁶⁴

Nevertheless, also in 1560, Don Diego had undergone a process of *residencia* in Santiago Tlatelolco before Don Esteban de Guzmán, a native qualified judge from Xochimilco, and was interrogated for his acts of expropriating lands back in 1557.⁶⁵ The figure of the judge appears, perhaps, in the *Códice de Tlatelolco* on folio VII (for the years 1558-1559), on the right side of this page, on the bottom.⁶⁶ In the *Chimalpahin Codex*, we get an account of the judge's term of office in Tenochti-

⁶² "Ordenanza del Emperador Carlos V, 1592...", AGN *Tierras*, v. 3, exp. 1.

⁶³ *Ibidem*, testimony by Don Sebastián de Rivas, ex-governor of Tepozotlan.

⁶⁴ Valle and Xavier Noguez, *Códice de Tlatelolco*; "Información promovida...1686".

⁶⁵ Perla Valle and Xavier Noguez, *Códice de Tlatelolco, estudio preliminar*, f. 1 and 8.

⁶⁶ *Códice de Tlatelolco*.

tlan; it began in June 1554 and ended in January 1557.⁶⁷ The *Códice Cozcatzin* (ca. 1572) that served as a legal document in litigation, pictorially relates how during this time, Don Juan Luis Cozcatzin, the *alcalde ordinario* and *principal* of the barrio of Coyutlan, San Sebastián, in Tenochtitlan, presented the Viceroy with a petition in which he asked for a restitution of lands allegedly expropriated in 1557 by Don Diego. The *Cozcatzin* case entailed a total of fifty-five land titles, arranged in a similar format of four large, quarter-shaped sections, on the left side of which was the pictogram and toponym of the claimed property, together with its name in Latin characters. To the right, appeared the phonetic signs of the anthroponym of the original owner of the property, during the time when King Itzcóatl had formally divided these lands, in 1439, and of his descendants who later claimed the rights over their ancestors' lands, as well as the measurements of the claimed lands. By 1560, the owners from Ixhuatepec had been removed of their lands by Don Diego, then still the acting-governor of Tlatelolco. Don Juan Cozcatzin endeavored to prove that these lands had been held by the same owners for the previous 118 years.⁶⁸ In the *Códice Cozcatzin*, f. 3v, one gets a very similar account to the *Ordenanza*, possibly based upon one common, oral and pictorial source. Even the style and wording are almost the same. The donation and allocation of lands, however, was accordingly made between 1438 and 1439, by Itzcóatl, and produced as evidence in the 1572 litigation presented by Don Juan Luis Cozcatzin, who was the *alcalde ordinario* and *principal* of the barrio of Coyutlan, San Sebastián, in Mexico City.⁶⁹ In what followed, Don Luis de Velasco reinstated him as the governor of Santiago Tlatelolco and had made him the proprietor of the lands, part of which was contested in the 1572 litigation filed in the Audiencia by Don Juan Luis Cozcatzin.

As I read it, the *Ordenanza*, or Cuauhtémoc's statute, as well as the parallel *Códice de Tlatelolco* was most likely what Don Diego had undertaken to produce in order to justify his acts. Furthermore, one should also take into account the historical hostilities and differences between the Lake's feuding city-states: Texcoco, Tlatelolco, Tenochtitlan, and Azcapotzalco, whose epic ordeals and final defeats are vividly recorded and commemorated in the *Ordenanza del señor Cuauhtémoc*, as well as in the complimentary sources, mainly the testimony presented in the court of the Audiencia in Mexico City between 1531 and 1570, and described above. Taking into consideration the combined aspects and contexts,

⁶⁷ *Codex Chimalpahin*, v. 2, p. 41.

⁶⁸ *Códice Cozcatzin*, f. 3r-10v.

⁶⁹ *Códice Cozcatzin*, f. 3v, 14v.

one may assume that between the beginning of his period of captivity and his final death, Cuauhtémoc did gather the Tlatelolca and Tenochca nobles and did discuss with them matters concerning their glorious past as well as the administration of the Lake's lands and boundaries, that during these sessions he did spread open before them the ancient cadastral histories that he held in his possession and that recorded the major events and agreements reached between the Tlatelolca and Tenochca rulers in the past; among the nobles present on these occasions there might well have been Don Diego's father. But that the real process of the execution of the drawing of the limits between the feuding towns on the Lake's shores had happened only after Cuauhtémoc's death, beginning in 1533 and lasted entire thirty years.

We get a full support for this assumption from the *Libro de los guardianes y gobernadores de Cuauhtinchan*, under the entry for the year 2 *Calli* (1533), indicates an important development closely related to what we are dealing with here. That, during this particular year, "the limits were drawn between Mexico-Tenochtitlan and Tlatelolco", and that for that occasion all the *tecoanotzque* [common litigants] of the Lake's waters and products, the surrounding communities, that challenged Tenochtitlan's claims, were invited to partake in this meaningful act. Next, it says that the boundary line ran along the *acéquia*, to the east, next to the "middle place" of the Lake, where major site of worship there was the sacred cave at Ayacuhcalinla [Place of the Clouded Fighter], where a water source stood; the dividing line then proceeded along and approximated the Cerro de Guerrero, as well as the twelfth boundary-marker shown on the map of the *Ordenanza*.⁷⁰ The *Libro de los guardianes* further supplicates that, "On that year they divided the jurisdiction, the rulers of Mexico-Tenochtitlan, with those of Tlatelolco, and they have established as a boundary the *acequia grande*".⁷¹ The acts made by the different communities around the Lake to settle their differences and finally dissolve the disputes concerning the lands and *acequias* are also mentioned in the Primordial Title of Santa María Magdalena Mixihuca.⁷²

The same acts of division are also mentioned in the Primordial Title of San Gregorio Atlapulco. The Title forms part of a body of manuscripts known as *Anales de San Gregorio Apeapulco*. Although neither the date of their composition nor their presumed author is known to us, it is quite plausible that they originate from pictorial manuscripts,

⁷⁰ *Ordenanza del señor Cuauhtémoc*.

⁷¹ *Libro de los guardianes y gobernadores de Cuauhtinchan*, p. 41.

⁷² *Título Primordial de Santa María Magdalena Mixihuca*, f. 74r.

and cadastral histories painted somewhere around the third or fourth decade of the sixteenth century. I also view the *Anales de San Gregorio Apeapulco* as intimately connected with the complex historic theme of the division of Lake Texcoco, which took place some time after Cuauhtémoc's death. The town of San Gregorio Apeapulco was located near Ajusco and south-west of Lake Xochimilco, and its Title tells of the times when the borders between this community and the neighboring groups were finally established, and this in direct relation to the water sources surrounding them. The date provided for the performance of the setting of the limits is 1523, when the Spaniards had supposedly approved of their claims to the land, and thereafter Christianity arrived in their town.⁷³ The boundary line, as the Title describes, ran all the way up (north) to Xochimilco, where the boundary shrine was established in Moyotepetl (Mosquito Mound). The narration continues with an act of a reunion that takes place between distinct settler groups, and the marking of the boundary line by a delegate named Diego María Chalchiuhtzin, who came from the neighboring town of Colhuacan. The place where they all reunited is described as "*cueva del agua del baño*" [Cave of the Bathing Water], possibly, a former sacred location where ritual acts of purification would take place, where the boundary line passed. The author goes on to stress further that the limits of *Zacamalinalli* [Malinalli Grass] transcended the Lake's water, and the cave, and it was there that the people of *Xochiquetzalcotli* [Warrior in the cult of Xochiquetzal] met with the women of Xochimilco, Acatolchimilzpalé, and Xochihuipile Quetzalhuipile. The site of *Xochiquetzalcotli*, which was possibly one of the boundary altars/shrines, is referred to here as *María sobre el Agua* [Mary on the Water].⁷⁴

Further along the path, during the state of upheaval that erupted, after Cuauhtémoc's execution the oral testimony of these gatherings was promptly disseminated among the nobility of the joined cities and was in use in the developing feuds between the former city-states, as we have highlighted above. During the early 1560s, when the entire area had undergone an accelerated process of political change, came the time to turn the oral and the pictorial amalgam into effect by way of the executed manuscript, which was in the very form of a Primordial Title.

⁷³ The date of 1523 can possibly be associated with the entire process of upheaval that took place around Lake Texcoco concerning the division of the waters and lands around it during Cuauhtémoc's captivity. One wanders whether or not this date was intentionally inserted by the anonymous author of this Título to suit the *Ordenanza del señor Cuauhtémoc* supposedly composed and issued during this very same year, and which was probably well known by this time.

⁷⁴ Título Primordial de San Gregorio Atlapulco, *Tlalocan*, v. 3 (1952), p. 122-136.

I very much suspect that it was at that point that Don Diego de Mendoza Imauhyantzin himself was behind this initiative. The cadastral version of produced, then, meant to manifest the prominence of the former rulers of Tlatelolco, the major religious and political institutions, the wars won, the succession of the rule, and the lands and waters owned by his forefathers. In this respect, both the *Códice Cozcatzin* and the *Ordenanza* are intimately linked with other, mixed documents, such as *Códice de Ixhuatepec* and with the *Títulos de Santa Isabel Tola* providing an account of Itzcóatl's donations. All of them also refer to the independent histories [annals] of the rulers of Tenochtitlan and Tlatelolco ever since their origins, as independent rulers, the empowerment of Tlatelolco by the Tenochca in 1473, and the end of their joint dependency around 1560. The final division of the Lake was thereafter established between the great rulers of Tenochtitlan and Tlatelolco, and Texcoco's rights and jurisdiction were apparently discontinued, as it is explained.

As yet another facet to the explanation for the background behind Don Diego's deeds and actions are to be sought and found in the sphere of cultural transformation and shifting identities among some Tenochca and Tlatelolca nobility, by the mid sixteenth century. Don Diego's persona and deeds, as they appear in various documents of the time represent, in effect, an outmost case-study of such a shifting indigenous identity as well as a Mestized identity, highly split between deeply-rooted noble, indigenous essences and escalating Spanish-Christian persuasions that were both bequeathed for generations to follow. We know that Don Diego was married to doña Magdalena de Mendoza Cuacuapitzahuac; Magdalena's surname was after Cuacuapitzahuac, the son of Huehue Tezozomoc, king of Azcapotzalco, and himself, the founding ruler of Tlatelolco, who, according to Tezozómoc's *Crónica mexicáyotl* ruled up to his death during the year 4-*Tochtli*, 1418),⁷⁵ and she herself was a *cacica* from Azcapotzalco. They had three sons together: Baltazar, Melchior and Gaspar; the first, Don Baltazar de Mendoza Itzcuauhtzin, married a woman by the name of Ana, the daughter of Huitzilcalcatl Tlailotlac, whom Alvarado Tezozómoc describes as having been "simply a merchant among the Tlatelolca".⁷⁶ Don Baltazar would later succeed his father as the ninth governor of Tlatelolco (in 1582).⁷⁷

A manuscript entitled "*Información promovida por los descendientes de Moctezuma y Yuatlantzin, 1686*" the copy of which is now kept at the

⁷⁵ Tezozómoc, *Crónica mexicáyotl*, p. 98.

⁷⁶ *Ibidem*, p. 173.

⁷⁷ "Información promovida...".

Archivo Histórico de la Biblioteca Nacional de Antropología in Mexico City, contains 296 folios written in Spanish. On three consecutive folios placed at the beginning of this manuscript are the striking illustrations of three ancient Chichimeca-Mexica rulers. These were probably inspired or directly copied from old pictorial codices: Nezahualpintzintli, or, Nezahualcōyotl (1402-1472), the supreme ruler of Texcoco, who appears here as a young prince (figure 1); his deeds are given much prominence in the *Ordenanza del señor Cuauhtémoc*: on folio 12r of the text, in the context of the war fought over the Lake's territory between the Tlatelolca and the Tenochca, headed by Cuauhtlatohuatzin and Itzcohuatzin respectively, on one side, and the Texcoca, headed by Nezahualcōyotl, on the other. The thick walls constructed by Nezahualcōyotl to divide the Lake and as a dike (Albarrada de Nezahualcōyotl) are depicted on the above map of the *Ordenanza del señor Cuauhtémoc*, traversing Mount Tepetzinco to the south-east, and are also annotated in the accompanying text of the sixth boundary-marker. The other two figures are, Cuauhtlateza cuitlatzin, most probably referring to Cuauhtlatohuatzin (figure 2), the ruler of Tlatelolco in Itzcóatl's era, which also figures prominently in the *Ordenanza*, and Tocuzpotzin, whom we cannot identify (figure 3). The three are wearing traditional noble outfit; Nezahualcōyotl appears here with his famous headgear or hair ornament (*quetzallalpilloni*), with quetzal feather tassels,⁷⁸ and wears a long ornamented cloak, a loin-cloth and ear ornaments (*yacaxihuitl*). In his left hand he is holding a chalice-like incense burner (*tlemaitl*) with an incense bag (*xiquipilli*) possibly attached to it and on his feet he wears leather-skin sandals.

The figure of Cuauhtlatzacuitlatzin is even more elaborate and elegant: on the right hand he holds a pine-torch (*tlepilli*), usually held during processions, and on the left hand, an incense burner (*tlemaitl*); he also wears lavish ear-rings, and a headgear, and his stylized cloak is decorated with what appears to be the figures of the image of a *Cipactli*, the serpent skull, emerging from the earth, as well as other zoomorphic figures. The third, Tocuzpotzin, holds an arrow in his left hand and wears a greenstones' bracelet on his wrist; in his right hand he holds a quetzal-feathered fan (*ecacehuatzli*) and an incense bag (*xiquipilli*), and seems to represent the early, nomadic, Chichimeca phase in Mexica culture. The three figures representing the ancient ancestors also convey and impart a "cognitive schema" *per se*: these are all the compo-

⁷⁸ "Información promovida...", f. 15r-17v. The headgear worn by this king is shown in the *Codex Ixtlilxóchitl*, f. 108r; in the *Primeros memoriales*, Image 7, and in the *Florentine Codex*, I, f. 12r and 39v.



Figure 1. Nezahualpintzintli



Figure 2. Cuauhtlitzacuitlatzin



Figure 3. Tocuzpotzin

nents and iconography to be forever memorized and commemorated, “so that the word of the ancients won’t be lost” (*ynic amo poliuiz yn itlatol y huehuetque*), as it is said on the text of the *Ordenanza* (folio 12r.) Not a few of these components will be applied later on the coat-of-arms, below, to be carried over to the next generations.

The rest of the overall content and nature of this manuscript is an appeal for privileges and prerogatives by Don Roque García, the Mestizo governor of Atcopan, married to doña Magdalena de Mendoza de los Reyes, the governess of Tacuba, and originally from the Minas de Pachuca, who is presented there as a distant but a direct heir of the ancient rulers of Azcapotzalco, Tezozomocli and Cuacuapitlahuac, as well as of Don Diego de Mendoza de Austria. What Don Roque García, the Mestizo governor of Atcopan asked for was to be authorized to obtain equal rights, privileges and honors as those inherited by his wife from her ancestors in Azcapotzalco, Santiago Tlatelolco and in Tacuba; these included, among many other privileges, the right to appoint local governors in both Azcapotzalco and Tlatelolco. To strengthen his case before the Audiencia of Mexico, Don Roque presented a marriage certificate from the church of the Minas de Pachuca, dating from 23 March 1655; baptismal certificates signed by the parish priest of this town listing their six legitimate sons and daughters: Diego, Antonio, María, Francesca, María and Lorenzo, a formal declaration made in court by Don Joseph de Morales y Mendoza, his brother-in-law, about their status as living in matrimony, their merits and life as good Christians, and his wife’s royal ancestry from the times of the Aztec kings, as well as six testimonials by prominent indigenous nobles from various towns such as Don Sebastián de Rivas, the ex-governor of Tepozotlan, and married to Clara de Mendoza, Magdalena de Mendoza’s sister, and Don Diego Luis Motecuhzoma, a cacique and a noble from the barrio of San Sebastián Teocaltitlan in Mexico City. They all attested in full detail as to the genealogy, ancestry and eminence of “Cuauhtémoc’s heirs” and they all remembered how they were present during the baptisms of the children Don Roque García’s and Magdalena de Mendoza. Also mentioned are the pious deeds and duties done by all of those heirs, throughout the decades for the sake of promoting and disseminating the Christian faith and Hispanic interests ever since the days of Don Diego de Mendoza. Among the remaining heirs mentioned in the manuscript are, doña Augustina de Mendoza de los Reyes, the grand-daughter of Don Diego’s son, Don Baltazar de Mendoza, and married to Don Juan García Bravo de Aguilar, as well as her parents, doña Magdalena de Mendoza Moctezuma, Don Baltazar’s daughter from his marriage with Ana de Mendoza de Castilla (a Spaniard), and Don Juan de Santa

María, her husband, also a Spaniard, so that Spanish blood was running clearly in this genealogical memory.

Nevertheless, by far the most significant document kept by Don Roque's wife and presented in court by Don Roque himself was a certified copy of a royal ordinance issued in Madrid on 16 August 1563, a year after Don Diego's death, and signed by King Philip II. The ordinance granted Don Diego the exclusive privilege of possessing a familial coat-of-arms, as recompense for his active contributions to and his proliferation of both Spanish and Christian goals in Mexico. The ordinance begins with an emphasis on Don Diego's royal pedigree all the way down from the ancient king Tezozomoc of Azcapotzalco and from Cuacuatlatzacuilztin in Santiago Tlatelolco. It then goes on to relate how his supposed father, Cuauhtémoc, and himself had served the Spanish king and contributed their share to advance the Spanish Emperor's goals in New Spain, participating in all the military campaigns in Xochipilco, Jalisco, Mecatlan and Nueva Galicia, as well as Pánuco and the conquest of the Tierra Chichimeca, "that ensued right after the conquest of Tenochtitlan", with their men and arms. And therefore, as it is said, in order that his and his father's pious deeds for the Spanish crown cherished in *memoria perpetua*, and so that he and his descendants should be forever honored, they are to be granted a coat-of-arms that should be suspended above the doorways of his own house and in the houses of his future heirs. This had occurred seven years after the Audiencia of Mexico ruled in favor of Isabel de Motecuhzoma's petition for privileges and inheritance of her father's and grandfather's patrimony. The grant can obviously be explained by the fact that, until his death, Don Diego had accumulated a whole body of deeds carried out in favor of the Spanish king's goals and interests in New Spain. He was known for his cooperation and collaboration with Spanish campaigns to curb native resistance and warfare that still continued in some areas that were not yet fully subjugated, as well as encourage Christian practice among his compatriots. His ancestors' beliefs, and deeds before and during the Conquest, had undoubtedly not been cast aside but, by the early 1560s, were separated and "encapsulated" within a world totally distinct from the new loyalties, beliefs and alliances.

More than five full folios of this manuscript are dedicated to a lengthy and a vivid description of the iconography of Don Diego de Mendoza de Austria's coat-of-arms. The "syncretic" nature of this coat-of-arms, brings to light not only the full significance of the synthesis between native and Christian-Hispanic aspects of their separate identities, but also the collaborational nature of this emblem, which appears at first to be the product of a direct Spanish dictation and appropria-

tion; however, after reading the text in depth, one reaches the conclusion that this emblem was also, undoubtedly the end-product of Don Diego's willingness as well as initiative to imprint upon this family emblem the dual aspects of his and his descendants' identity. This dual nature is clearly manifest in the presence of Tenochtitlan's toponym within the coat-of-arms; and in the presence of diverse additional native representations, such as native feathers and a set of nobles' skin sandals ("alpargatas de indios"). In Aztec society, the commoners were allowed to wear only sandals of woven reeds, while dignitaries wore elegant leather skin sandals with painted figures on them, *cactli*.⁷⁹ See also, Nezahualpintzintli's image above, wearing such sandals that might possibly had inspired the designers of this coat-of-arms; the coyote figure, orange-painted bows and arrows.

And the outline of this coat-of-arms is as follows:

A shield that should be divided into two parts made of a quadrant shape. On the upper part is a large rock (*tecpatl* = *pedernal?*), placed in the middle of a white or a silver background and, on top of it, an old, wild and a shining black eagle, "with his golden feet on top of the rock; and on this eagle's side, a green tree, that they call *maguey* (*nopalli*)."⁸⁰ The association here is certainly that of *cuauhnochtli*, *tuna del águila*, which was also the name given to the hearts sacrificed as offering to the Sun, and the heart element, which symbolized the center of the universe. The eagle was also the most powerful symbol attached to the most valiant warriors who fought in the *xochiyaóyotl* – the Flowery War. On the other part of the shield, to the left hand of the eagle's figure, an orange-painted bow and an arrow [*mitl*]; and on the other part, below the rock, a source of water painted in white and in blue, with its healthful water, with a green background, all the way down to the middle of the shield.⁸⁰

On the lower part of the shield, on the left hand, an ornamental border in black and silver; together with eight golden shields, each one of which is divided into two parts; the one to the right hand, a tenderloin placed against a blue background, and on the left hand: "*Lumen ad revelationem Gentium et Gloriam Plebis quam visque scam. ad ultra clarai tuae*" which is somewhat an altered version of the original phrase, in Luke 2:32: "Lumen ad revelationem gentium et gloriam plebis tuae Israel. A Light for revelation to the gentiles and glory to your people, Israel" and, possibly, intended to carry through the essence of an "as-

⁷⁹ *The Essential Codex Mendoza*, p. 186 (folio 64r).

⁸⁰ [See, for comparison, *Códice Aubin*, "The Founding of Mexico", 51].

signment” for Don Diego’s heirs: to spread the Word of God among their people and convert them all to a true Christianity. This was followed by blue, yellow and silver feathers, followed by the coat-of-arms of the Mendozas, arranged in the following manner: it should be divided in the form of a cross, on the upper part, a colored band with a green background, and on the lower part, the same band, painted in gold, with a green background, and on its side, “*Ave María*” on a golden background, and on the other part, to the left: “*Gratia Plena*” with a golden background. On top, outside the shield, a grayish roll with an ornamentation of feathers, with colored feathers and a green, gold and silver flora. And overhanging from the shield, are yellow, blue and white feathers; on top of the shield, a spear with white and silver flags, and in their center, a golden willow; on the other side of the shield a sword, a golden guard, and in the middle of the sword, a set of native leather skin sandals (*alpargatas de indios*), painted in red, white and yellow, and on them a golden head of a coyote, ornamented with yellow and green feathers, that they call *ezpellatl* [Cloth decorated with figures]. Above, is a figure of a star on the upper hand of the shield with a red background, and the other part of this quadrant, *in Castilla. Gloria sic mundi.*”

BIBLIOGRAPHY

Archivo General de Indias, Sevilla, *Justicia*.

Archivo General de la Nación, México, *Tierras*.

Archivo Histórico, Biblioteca Nacional de Antropología, México, *Colección Antigua*.

Archivo General Agrario, México, *Fondo Reservas*.

ALVA IXTLILXÓCHITL, Fernando, *Obras Históricas, Incluyen el Texto Completo de las Llamadas Relaciones e Historia de la Nación Chichimeca en una Nueva Versión Establecida con el Cotejo de los Manuscritos más Antiguos que se Conocen*, México, Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1975-1977.

ALVARADO TEZOZÓMOC, Fernando, *Crónica mexicáyotl*, México, Universidad Nacional Autónoma de México, 1975.

———, *Crónica mexicana*, México, Editorial Porrúa, 1987.

- Anales de Cuauhtlán, noticias históricas de México y sus contornos, compuesto por d. José Fernando Ramírez y traducido por los señores Faustino Galicia Chimalpopoca, Gumesindo Mendoza y Felipe Sánchez Solís, Publicación de los Anales del Museo Nacional, México, Imprenta de I. Escalante, 1885.*
- ANDERSON, Arthur J. O. (ed.), *Codex Chimalpahin: society and politics in Mexico Tenochtitlan, Tlatelolco, Texcoco, Culhuacan, and other Nahuatl altépetl in central Mexico: the Nahuatl and Spanish annals and accounts collected and recorded by don Domingo de San Antón Muñón Chimalpahin Quauhlehuanitzin*, Norman, Okla., University of Oklahoma Press, 1997.
- , “The Indigenous Town Council of Huexotzinco to the King,” in *Beyond the Codices, the Nahuatl View of Colonial Mexico*, Arthur J. O. Anderson, Frances Berdan and James Lockhart (eds.), Berkeley, University of California Press, 1976.
- BERDAN, Frances F. and Anawalt Patricia Rieff, *The Essential Codex Mendoza*, Berkeley, University of California Press, 1997.
- BIERHORST, John (ed.), *Cantares Mexicanos, Songs of the Aztecs*, Stanford, California, Stanford University Press, 1985.
- BOONE, Elizabeth Hill, “Pictorial documents and Visual Thinking in Postconquest Mexico” *Native Traditions in the Postconquest World*, Elizabeth Hill Boone and Tom Cummins (eds.), Washington, D.C., Dumbarton Oaks, 1998, p. 149-199.
- BOWDITCH, Charles P., *Mexican and Central American antiquities, calendar systems, and history: twenty-four papers*, Detroit, B. Ethridge Books, 1975.
- BRICKER, Victoria Reifler, *The Indian Christ, the Indian King, the Historical Substrate of Maya Myth and Ritual*, Austin, University of Texas Press, 1981.
- BUENAVENTURA ZAPATA y Mendoza, Juan, *Historia cronológica de la noble ciudad de Tlaxcala*, Tlaxcala, Universidad Autónoma de Tlaxcala, Secretaría de Extensión Universitaria y Difusión Cultural, Centro de Investigaciones y Estudios Superiores en Antropología Social, 1985.
- CAMPBELL, R. Joe, *Florentine Codex Vocabulary*, 1997, 27 July 2005, <http://www.mrs.umn.edu/academic/history/Náhuatl/florent.txt>
- CARLSEN, Robert S., *The War for the Heart and Soul of a highland Maya Town*, Austin, University of Texas Press, 1985.
- CARRASCO PIZANA, Pedro, *The Tenochca Empire of ancient Mexico: the Triple Alliance of Tenochtitlan, Tetzcoco, and Tlacopan*, Norman, University of Oklahoma Press, c. 1999.

- CHAUVERO, Alfredo (ed.), *Códice Aubin, manuscrito azteca de la Biblioteca Real de Berlín, Anales en Mexicano y Geroglíficos desde la salida de las tribus de Aztlan hasta la muerte de Cuauhtémoc*, México, Editorial Innovación, 1979.
- CHIMALPAHIN CUAUHTLEHUANITZIN, Domingo Francisco de San Antón Muñón, *Codex Chimalpahin, Society and Politics in Mexico Tenochtitlan, Tlatelolco, Texcoco, Culhuacan, and Other Nahua Altepetl in central Mexico, the Nahuatl and Spanish Annals and Accounts*, Norman, Oklahoma, University of Oklahoma Press, 1997.
- Códice Ramírez*, México, Editorial Leyenda, 1944.
- CUAUHTÉMOC, *Cédula dada por el emperador Quauhtemozín para el reparto de la Laguna grande de Tescuco en 1523*, México, Vargas Rea, 1943.
- DIBBLE, Charles E., *Codex en Cruz*, Salt Lake City, Utah, University of Utah Press, c. 1981.
- DURÁN, Diego, *Historia de las Indias de Nueva España e Islas de la Tierra Firme*, México, Porrúa, 1967.
- GARCÍA ICAZBALCETA, Joaquín, *Nueva colección de documentos para la historia de México*, México, Editorial Salvador Chávez Hayhoe, 1941.
- GIBSON, CHARLES, *The Aztecs Under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519-1810*, Stanford, Calif., Stanford University Press, 1964.
- , *Tlaxcala in the Sixteenth Century*, Stanford, California, Stanford University Press, 1967.
- GILLESPIE, Susan, "The Aztec Triple Alliance: A Post-Conquest Tradition" en: *Native traditions in the postconquest world*, Elizabeth Hill Boone y Tom Cummins (eds.), Washington, D. C., Dumbarton Oaks Research Library and Collection, 1998, p. 236-239.
- GRUZINSKI, Serge, *Painting the Conquest, the Mexican Indians and the European Renaissance*, Paris, UNESCO, 1992.
- HARRIS, Olivia, "The Coming of the White People, Reflections on the Mythologization of History in Latin America", in *Bulletin of Latin American Research*, 14 (1), 1995, p. 9-24.
- HARVEY, Herbert R. "The Oztoticpac Lands Map. A Reexamination", en *Land and Politics in the Valley of México*, Albuquerque, University of New Mexico Press, 1991, p. 163-185.
- HASSIG, Ross, *Aztec Warfare, Imperial Expansion and Political Control*, Norman, University of Oklahoma Press, 1988.

- , *Time, History and Belief in Aztec and Colonial Mexico*, Austin, University of Texas Press, 2001.
- HERRERA MEZA, María del Carmen, *El Códice de Tepeucila: el entintado mundo de la fijeza imaginaria*, México, Instituto Nacional de Antropología e Historia, 1997.
- “Información promovida por los descendientes de Moctezuma y Yua-tonantzin, 1686”, México, Archivo Histórico, Biblioteca Nacional de Antropología (Colección Antigua), v. T-4, exp. 323.
- LEÓN-PORTILLA, Miguel, *Crónicas indígenas, Visión de los vencidos*, Madrid, Historia 16, 1988.
- Libro de los guardianes y gobernadores de Cuauhtinchan (1519-1640)*, edición, paleografía, introducción y notas de Constantino Medina Lima, México, Centro de Investigaciones y Estudios Superiores en Antropología Social, 1995.
- LOCKHART, James (ed.), *The Nahuas After the Conquest, A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries*, Stanford, California, Stanford University Press, 1993.
- , *We People Here, Nahuatl Accounts of the Conquest of México*, Berkeley, University of California Press, s/f.
- MCAFFE, Byron y R. H. Barlow, “The Titles of Tetzcotzinco (Santa María Nativitas)”, *Tlalocan*, México, II, 2, 1946.
- MEGGED, Amos, “The Religious Context of an “Unholy Marriage”, Elite Alienation and Popular Unrest in the Indigenous Communities of Chiapas, Mexico, 1570-1680,” in *Ethnohistory*, v. 46, n. 1 (Winter 1999), p. 149-172.
- , *Remembering Conquests, Mexico, 1476-1630* (forthcoming).
- MUÑOZ CAMARGO, Diego, *Historia de Tlaxcala*, México, Secretaría de Fomento, 1892.
- NOGUEZ, Xavier (ed.), *Códice de Tlatelolco*, México, Secretaría de Relaciones Exteriores, 1989.
- OFFNER, Jerome A., “Aztec Legal Process: the Case of Texcoco” en: *The Art and Iconography of Late Post-Classic Central Mexico*, edited by Elizabeth H. Boone, Washington, Dumbarton Oaks, 1982.
- , *Law and politics in Aztec, Texcoco*, Cambridge, Cambridge University Press, 1983.
- Ordenanza del Señor Cuauhtémoc*, paleografía y traducción del náhuatl de Rafael Tena, estudio de Perla Valle, Toluca, Gobierno del Estado de México, 2000.

- PÉREZ-ROCHA, Emma, *Privilegios en lucha: la información de doña Isabel Moctezuma*, México, Instituto Nacional de Antropología e Historia, 1998.
- REYES GARCÍA, Luis, *Cuauhtinchan del siglo XII al XVI*, México, CIESAS, 1988.
- SAHAGÚN, Bernardino de, *General History of the Things of New Spain, Florentine Codex*. Santa Fe, New Mexico, School of American Research; Salt Lake City, Utah, University of Utah, 1950.
- , *Primeros Memoriales*, Facsimilar Edition, Norman, University of Oklahoma Press, 1986.
- TORQUEMADA, Juan de, *Primera [segunda, tercera] parte de los veinte i un libros rituales i monarchia indiana: con el origen y guerras, de los indios occidentales, de sus poblaciones, descubrimiento, conquista, conuersion, y otras cosas maravillosas de la mesma tierra...*, Madrid, N. Rodríguez Franco, 1723.
- VALERO DE GARCÍA LASCURAIN, Ana Rita, *Códice Cozcatzin*, México, Instituto Nacional de Antropología e Historia, 1994.
- VÁZQUEZ DE TAPIA, Bernardino, *Relación de méritos y servicios del conquistador*, México, Robredo, 1953.
- WILLIAMS, Barbara J., *The Códice de Santa María Asunción: facsimile and commentary: households and lands in sixteenth-century Tepetlaoztoc*, Salt Lake City, University of Utah Press, c. 1997.
- WOOD, Stephanie Gail, *Transcending Conquest, Nahua Views of Spanish Colonial Mexico*. Norman, University of Oklahoma Press, 2003.