

10-1-1980

Conquest or Commerce: The Caballo Ordinance of 1526

Ross Hassig

Follow this and additional works at: <https://digitalrepository.unm.edu/nmhr>

Recommended Citation

Hassig, Ross. "Conquest or Commerce: The Caballo Ordinance of 1526." *New Mexico Historical Review* 55, 4 (2021). <https://digitalrepository.unm.edu/nmhr/vol55/iss4/4>

This Article is brought to you for free and open access by UNM Digital Repository. It has been accepted for inclusion in *New Mexico Historical Review* by an authorized editor of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sarahrk@unm.edu.

CONQUEST OR COMMERCE:
THE CABALLO ORDINANCE OF 1526

ROSS HASSIG

THE RECORDS OF THE MEXICO CITY *cabildo* provide useful and interesting information concerning the early colonial government of the city and of New Spain, including insights into the concerns of the early Spaniards, their view of their position, and their perspective on the growth of the region. On January 12, 1526, slightly less than four and a half years after the fall of Tenochtitlan, the *cabildo* of Mexico City passed an ordinance requiring that anyone owning a mule must also own a horse.¹ Although the language of this peculiar law is clear, its significance and the purpose for which it was established are not.

José Matesanz² has suggested that this ordinance reflected the early Spanish preoccupation with war rather than with economic concerns because it mandated an increase in horses (instruments of war) over mules (instruments of commerce). If this interpretation is correct, it indicates that the Spanish view of their position in New Spain bears further examination. At a minimum, this contention indicates a major economic reorientation resulting from the new emphasis on horses over mules. I suggest, however, that the purpose of the act was economic rather than military and reflected an early and sustained concern for commerce that can only be understood by examining the role of draft animals in New Spain.

Beasts of burden were absent in pre-Columbian Mexico, and the few that entered in the early years of colonization assumed great importance. Mules were the preferred pack animals because they were surefooted, resistant to disease and heat, lived long lives,³ and could subsist on maize and coarser fodder than horses.⁴ On the surface, then, official requirements that the number of mules be

equal to that of horses can be construed as favoring a noncommercial interpretation, such as Matesanz proposed.

But if the colonial stress was, in fact, on commerce, we are faced with an apparent paradox in which the action of the *cabildo* emphasized the increase of the less utilitarian horses over the more utilitarian mules. However, a closer examination of the situation yields a more understandable picture.

During New Spain's early years, both livestock numbers and production were low.⁵ Although it was Spanish crown policy to encourage stock raising in the New World, livestock raising centered in the Indies and did not succeed very well in New Spain.⁶ Thus, both the demand and price for animals in New Spain were high.⁷ The real reason the *cabildo* focused on horses rather than on mules lies in breeding practices. Mules are sterile hybrids, the result of mating donkeys with horses.⁸ Thus, the 1526 ordinance was, in fact, aimed at increasing the number of mules, not directly but indirectly, by increasing the parent stock. That there was no complementary ordinance aimed at building up the donkey population underscores the relative complexity of mule breeding. Mules are not simply the product of horse/donkey mixture. A mule results from breeding a male donkey (jack) with a female horse (mare).⁹ The offspring of the reverse combination—a male horse (stallion) and a female donkey (jennet)—is a hinny, and lacks the desired characteristics of the mule, most notably size.¹⁰ This asymmetrical gene cross demands, then, three separate breeding operations. Mares and stallions must be separately maintained to produce mares, and jacks and jennets must be separately maintained to produce jacks. Then, jacks and mares can be bred to produce mules. The organization of mule production is, therefore, neither a simple nor haphazard affair.

The bottleneck in mule production is the horse population. A relatively small number of donkeys is sufficient to sustain mule breeding since a single jack is capable of inseminating many mares. Mares, however, normally foal a single mule. Consequently, any attempt to increase mule population must aim not at donkeys, which are needed in only small numbers, but at horses.

Thus, the 1526 ordinance was not emphasizing war and conquest over commerce, but the opposite. The official concern for

numbers of horses reflects a widely-recognized fact of stockbreeding—horse population dictates mule production. Despite the recency of the conquest and the ongoing subjugation of peripheral areas for four and a half years, the ordinance indicates that officials were concerned with commerce, not war.

NOTES

1. *Actas de Cabildo de la Ciudad de Mexico*, 54 vols. (Mexico: n. p., 1889), I: 71-72.
2. José Matesanz, "Introducción de la Ganadería en Nueva España 1521-1535," *Historia Mexicana* 14 (April-June 1965): 533-66.
3. Albert C. Leighton, "The Mule as a Cultural Invention," *Technology and Culture* 8 (January 1967): 51-52.
4. H. W. Daly, *Manual of Pack Transportation* (Washington: United States Government Printing Office, 1917), pp. 1, 8; Alexander G. Fraser, "Draft Mules in the Field in Mexico," *Journal of the American Veterinary Medical Association* 52 (December 1917): 358; Leighton, "Cultural Invention," p. 51.
5. Matesanz, "Ganadería," pp. 540-43.
6. Export from Española to New Spain of mares for breeding was banned in 1524, but this prohibition was rescinded in 1525, after Cortes complained to the crown of high cost of livestock. William H. Dusenberry, *The Mexican Mesta: The Administration of Ranching in Colonial Mexico* (Urbana: University of Illinois Press, 1963), pp. 26-30.
7. A. Millares Carlo y J. I. Mantecón, *Indice y Extractos de los Protocolos del Archivo de Notarías de Mexico, D. F. (1524-1528)* (México: El Colegio de México, 1945).
8. Leighton, "Cultural Invention," p. 45. However, Savory (Theodore H. Savory, "The Mule," *Scientific American* 223 (December 1970): 108) maintains that female mules, when served by male horses or donkeys, may sometimes conceive. Although this is usually followed by miscarriage, occasionally there is a birth. Male mules are consistently sterile, a factor that the usual practice of gelding does little to improve.
9. Gary Webster, "'Unsung Empire Builder'—the Mule," *Natural History* 65 (March 1956): 130.
10. Leighton, "Cultural Invention," p. 7.