Legal Proceedings Against Six Men Who Arrived to the Port of Matina. Doc. 490

1819-1822.[1]

Despatch from the Sergeant Commander of *Matina*:

On the 18th instant a vessel was anchored, to take water off the Port, and at the very hour that I heard of it I went down to the entrance and there I found the men already on the shore. They told me that they had lost the vessel and I went where it was to satisfy myself as to the cargo it brought; and the cargo it brought was 65 *fanegas* of maize, 115 *arrobas* (a measure of 25 pounds) of meat, 65 small jars of lard, 4 dozen boards, 6 dozen hats, 50 mats, 6 *arrobas* of cheese; and of these there were rescued 20 jars of lard and some hats, 8 mats, 2 old guns and three cheeses.

These men had been prisoners on other vessels: one was called Juan González, another Francisco Acosta, another Francisco Martínez, another Juan Bautista Mercao, another Juan Bautista Hernández, and the other is an Englishman. They had been prisoners in *Providencia*; they were shipped in the corsair and while cruising on the coast of *Cartagena* the Corsair captured a vessel that was called the Schooner "Mariana," to which were transshipped five men and a prisoner, and sent to *Providencia;* and as they were old prisoners they took counsel with each other if they would like to go to a Spanish port. All with one voice said, "Yes," and looking for *San Juan de Nicaragua,* not being pilots they had gone astray, immediately. I passed them to the Camp but did not forward them immediately because two were sick, and I sent with a soldier those that left on the 25th instant, with two passengers and with cargoes together with the soldier that accompanies them until they are presented to Your Honor.

I have received the official communication of Your Honor dated the 1st instant, telling me that I had not made a report of the canoes that had arrived at this port. Your Honor may see and read the communication of October 10, which gives a report of 12 canoes of negroes, *Brufileños* (from *Bluefields*) who

[1] National Archives of Costa Rica. Historical Section. Bundle XLVI. No. 1441.

arrived at this port, and a pirogue which arrived at *Moin* when I went there it had already left, and two vessels which arrived and anchored at the same time I arrived there went away as I told them that no trade would be permitted. After that no other embarcation came in, except only this one that was lost, and I could not report it to Your Honor without satisfying myself who the men are and what they brought.

The Señor Royal official has forwarded to me four loads of sugar and cheese and soap, beside another load of sugar that came all broken open and a package of meat to be presented to the *Moscos;* and I took charge of it as there was no other justice, now that he came it will be turned over to him. Your Honor will let me know if another can be sent.

The soldier sent with the lists did not come and I have had much difficulty in complying with the orders.

The Sr. Adjutant has asked for the *machetes* and guns which were here.

Matina, October 23, 1819.

PABLO CALDERÓN.

To the Sr. Military Governor,
Don Manuel de Cañas.

The above is a copy of what was received almost illegible by this Government from the Sergeant Commander of the Detachment of *Matina.*

San José, November 2, 1819: which I certify.

JUAN MANUEL DE CAÑAS.

Don Juan Manuel de Cañas, Truxillo, Sánchez de Madrid, García de Pastrana y Bacaró, Colonel of Infantry of the Royal Army, Military Governor of this Province of *Costa Rica,* Chief Subinspector and Commander therein, Veteran of the Fourth Brigade of this Kingdom of *Guatemala:*

Whereas, the Sergeant Comandante of *Matina,* Pablo Calderón, has made a report of a small vessel having been wrecked at the entrance to that port, and of having saved six men of those which were wrecked, who were forwarded to this Govern-

ment; and they having arrived here on the 3rd of the present month and kept safely in the jail, I provided that they should be helped with one *real* per day for each one for his needful maintenance, at the charge of the Royal Treasury, and that after being recorded and the papers that might be found had been carefully inspected I should proceed to prepare the proper indictment, in order to ascertain with what passport they were sailing, from what port they departed, to what port they were going, what cargo they carried and whatever else might be desirable, for all of which it being necessary to appoint a Clerk to act in that matter, I ought to appoint and I do appoint the 1st veteran sergeant of the Provincial Battalion, José Reyes Quesada; who being present takes the oath and promises to faithfully discharge this duty, keeping secrecy; and in order that it may be recorded he signed it with me, in this city of *San José,* on the 8th day of the month of November, 1819 years, which I certify.

JUAN MANUEL DE CAÑAS.
JOSÉ REYES QUESADA.

On the same day, month and year, the Sr. Military Governor of this Province, Don Juan Manuel de Cañas directed that there should be added to this a copy of the papers which were forwarded by this mail to the Most Excellent Señor Captain-General of the Kingdom, and the report which was left in this office of the Secretary which was made by the Sergeant Commander of the Detachment of *Matina* and the others necessary.

And one of the six who were taken being of the English Nation and not understanding our language at all, he was brought before Felipe Romero, a resident of *Cartago,* who is said to understand the English language, in order that he might serve as an interpreter at the time of taking his declaration.

And for this which he provided, His Excellency commanded it and signed it, before me, which I certify.

CAÑAS.

Before me: JOSÉ REYES QUESADA.

It having been desired by this *Comandancia General,* the 5th of this month, that the passport which was produced by the Englishman who was shipwrecked, might be translated from French

into Spanish, so that the original might be forwarded to the higher authorities, it was verified by the Licenciado Don Rafael Barroeta in the following terms:

"United States of *Buenos Ayres* and *Chile.*

"I, the undersigned, Captain of the Schooner of *Buenos Ayres,* Isabela, certify that the Schooner Varianza of *Cartagena* was captured by me at three leagues of longitude from Cape *San Blas,* going to *Portobelo* loaded with provisions.

"This Schooner has received directions to go directly to *Santa Catalina,* under the command of Thomas Copen, having for crew those named.

"On board the Schooner Isabela, the 21st of September, 1819.

GEORGE THOMAS (alias) *Torradito,* Captain.

JOSÉ MANUEL, Clerk.

"The other signature I do not understand.

BARROETA."

Which copy is legal, with the translation, and that it might be recorded His Ex. signed it, before me, which I certify.

CAÑAS.

Before me: JOSÉ REYES QUESADA.

Communication was sent to the Captain of the Army, temporary *Comandante de Armas,* Don Juan Dengo, for Felipe Romero, and that it might be recorded I sign it.

QUESADA.

In the record that was made there was found on the Englishman the following articles: a *votante,* a compass and a map of the coast very badly damaged, and on one Juan another compass and a spy-glass, which are in this *Comandancia;* and that it may be recorded I signed it with Your Honor on the same day, month and year, which I certify, I, the said Clerk.

Also there are found some papers, which are forwarded to the Super. CAÑAS.

I certify: JOSÉ REYES QUESADA.

In the city of *San José,* on the 9th day of the month of November, 1819, there being present Felipe Romero who had been appointed by His Hon. as interpreter to take the declaration of the shipwrecked Englishman, before me the present Clerk, the Sr. Military Gov. of this Province took his oath in due form and according to law, by which he undertook to faithfully and legally discharge the duty of interpreter, according to the best of his knowledge and ability, and that it might appear it was recorded and it was signed by the said Señor, with the interpreter, before me: which I certify.

JUAN MANUEL DE CAÑAS.
FELIPE ROMERO.

On the same day, month and year, the Sr. Don Juan Manuel de Cañas, Military Governor of this Province and Colonel of the Royal Army having before him a man who was entirely ignorant of Spanish and only understood English, therefore through the medium of the interpreter Felipe Romero he asked him what religion he professed; and the interpreter stated that he said that it was the Roman, in virtue of which the Sr. Gov. administered to him the proper oath upon the sign of the cross, under which he promised to tell the truth as to what he should be interrogated; and being asked what his name was he replied that he was called Henry Cooper, that he was of the age of nineteen years, a native of Dol in the island of Great Britain, of the Roman religion and his calling was that of a sailor.

Being asked how or why he had come to this city; he said through the interpreter, that he left his land for *Providencia* to sell their provisions; that from *Providencia* he sailed for *Cartagena* and *Portobelo,* with provisions, and having observed that the sea was very rough, fearful that there might be enemies there and not carrying but one small cannon he determined to go to *San Juan de Nicaragua;* that having arrived at this destination they cast anchor not knowing if that was the destination they were seeking, that it was in the night and they took water by means of a canoe of some *Moscos* Indians who took two *pesos* for three barrels of water, and having set sail in place of coming in sight of *San Juan* they came in sight of *Matina* and at three miles they were tacking off and on for eight or nine days, until

they recognized that it was not the port they were looking for, but was that of *Matina;* but as they were getting short of water he determined to go to it and anchored in the night, and by the morning they had grounded on a sandbank, doubtless carried by the swell; that the cannon which he spoke of was not carried by the little vessel that was wrecked by the Isabela, for the little vessel which was wrecked only carried four muskets, five or six *machetes,* two extra pounds of powder in cartridges and six or eight pounds of munitions; that the cargo was maize, meat, two pigs, some jars of lard and six cheeses, two dozen hats and some mats: and that they also carried two compasses and a long distance spy-glass; that as soon as they saw that they were wrecked he proceeded with the sailors until they came to the river where they shouted and soon there came a canoe with two men and took them to a house where there was a cocoanut tree; that he gives this indication because he does not know the name of the men or of the place; that these men collected a part of the cargo which was wrecked, as much as they could, and having been four days in the house of the cocoanut tree they were taken where they arrived after twelve days on the way.

Being asked how many men the little vessel which was wrecked carried as crew and how they were called, he said: there were five and he was the sixth, one was named Juan Bautista, another Juan, another Francisco, who was a prisoner, another Francisco and another they called Portorrico as he does not know where they are from and they are now in this city.

Being asked where he took these sailors, he said, that he took four of them in the Port of *Providencia,* who were given to him by the Captain who despatched the deponent, who was called Diego but he does not know his other name, and the other is one of the Franciscos who was a sailor of the same little vessel that was wrecked.

Asked how it was that he sailed from *Providencia* when the passport which he had presented is from the *United States of Buenos Aires* and *Chile,* he said that he arrived there on purpose to take a commission from the General of the Insurgents, who was called Aury.

Asked how it is that he states that he came to *Cartagena* and *Portobelo* when the passport is directly to *Santa Catalina,* he said,

that having departed from *Buenos Aires* bound for *Santa Catalina* a Spanish Sailor lost the direction and getting short of water they looked for a Spanish port and this was the reason the vessel was lost.

Being asked how the vessel's Captain was called that gave him the passport, he said, that he was called Diego and the vessel Isabel.

Asked what the vessel was called which was wrecked, he said, that it was called Mariana.

Asked how many of the sailors that he carried were Insurgents and how many were Royalists, he said that they were neither Insurgents nor were they Royalists, that being in great need in *Providencia* they agreed to go to sea in the little vessel under the condition of sharing in the distribution of the prizes that might be made, and it was between them; that if the prize was English with a Spanish passport it was all right, and Spanish with an English passport for the cargo, the cargo would be taken from them and the vessel given to them.

Asked if Spaniards and Creoles who were carried in his vessel came under the condition he had mentioned, he said they did.

Asked where was the license that he took out in *Providencia* to navigate, he said that the Captain of the Isabela kept it and delivered to him the passport which he had produced.

Asked how it is that the passport is signed by George Thomas, he said that this George Thomas is the second Captain of the Isabela, and José Manuel the Clerk, and the signature which is not understood must be some Frenchman, for they were all of that Nation with the exception of José Manuel, who was the Clerk.

Asked if when they made prisoner the Schooner Mariana he went in it, he said, that then he, the deponent, was on board of the Isabela.

Asked in what latitude they captured the Mariana he said, that it was in front of *San Blas del Norte.*

Asked how it is that he says that he sailed from *Providencia* where he was going in the Schooner Isabela on a cruise, he said that being in *Providencia* they shipped him in the Isabela and he went to *Buenos Aires,* where he went cruising in the Isabela.

And although he was asked other questions and was reinterrogated, to none of them did he answer further than he had done; and this declaration having been read to the interpreter word by word, and the interpreter repeating it one by one to the deponent and having listened to it carefully he said that what had been read to him word by word was the same that he had declared, and that he had nothing to add or to take away, which he affirmed and ratified on the cross as he had done; and the said Sr. Gov. signed it with the deponent and the interpreter, before me, the present Clerk, which I certify.

JUAN MANUEL DE CAÑAS.
FELIPE ROMERO, Interpreter.
HENRY COOPER.

Before me: JOSÉ REYES QUESADA.

In the said city, on the 10th day of the month of November, 1819, the Sr. Military Gov. and *Comandante General de las Armas,* Don Juan Manuel de Cañas, caused to appear a man who was sworn before me the present Clerk and he took the oath in due form and according to law, by which he promised to tell the truth as to what he knew and should be interrogated; and this being done that he should state his name, age, country, religion and business or occupation, and he said, that he was called Juan González, that his age is 43 years, that his country is the city of Zaragoza, his religion is the Apostolic Roman Catholic, his occupation a sailor.

Being asked for what reasons he is in this city, being a sailor, he said, that having been discharged from the Royal Marine as unserviceable by the Sr. Commander Don José María Chacón, as shown by the two discharges which he produced the day that he arrived in this city, he occupied himself in the meantime until he could go to Europe in sailing to *Puerto Cabello,* which was where his discharge was given to him, and that having fallen into the hands of the Insurgents he was taken to the Island of *Providencia,* where he exhausted his means to get away and not having succeeded he took a share in the Schooner Isabela to cruise on the coast to *Cartagena,* where the Schooner Mariana

of *Cartagena* was captured, loaded with maize, meat, boards, lard and cheese and some fowls; that having been transshipped by order of the Captain of the Isabela, under the orders of an Englishman named Enrique (Henry), they were bound for *Providencia;* but that the water running short the Englishman determined to stop on the coast of the Indians, to which the deponent was opposed, and the other sailors, who were four and he five, and they decided to seek the mouth of the River *S. Juan de Nicaragua;* and having opposed the Englishman the deponent took the rudder out of his hand, and said: There is here no other Captain than myself, and he arrived at the coast, to see if it was the mouth of said River, and having made out the mouth of the River, he said to the companions: Boys, we are going to see if that is the River: and in fact they found it was and they provided themselves with water, and they made sail to find a Spanish port where they might take refuge; but the wind and the swell threw them upon the land and they grounded in six *palmos* (handbreadths, of eight inches) of water; that seeing that they were lost they embarked in the boat and came to the shore; and after having gone three or four leagues they arrived at the mouth of the River *Matina,* where having shouted there came a canoe from the Guard to their assistance; and finding themselves in this situation he took 15 pesos from the Englishman which the Captain of the Isabela had given to him, in order that he might support them, and with this he paid for provisions and the transportation of what they could save from the wreck, which was 23 jars of lard, 2 cheeses, one box of candles, all of which were carried to the Camp and there delivered to the Sergt. Commander, who in five days forwarded them all to this city.

Asked how, having served the King so many years and being a native of the invincible Zaragoza, he took a part in an Insurgent vessel, he said, that no one in *Providence* asked him whether he was willing to go in the vessel but if he did not do it quickly they would punish him and they made him do it.

Asked how it was that he sailed from *Providencia* when the passport is from *Buenos Aires,* he said, that in *Providencia* there is a General of *Buenos Ayres* who gives passports with the title of *Buenos Ayres,* and even as far as the same *Providencia* uses the flag.

Asked how long it was since he was taken prisoner, he said that it was at the last of July of this year, when he went in a vessel from *La Guaira,* called La Teresa.

Asked for what destination the Schooner Mariana carried the provisions which were wrecked, he said that it was for *Providencia.* Reminded that as he so states that the passport says that it was for the Island of *Catalina,* he responded that it is all one, the Island of *Providencia* and *Catalina.*

Asked what arms the Mariana had, he said there was one pistol, two old muskets and three unserviceable *machetes,* which is what he took charge of when he assumed command that he took away from the Englishman, with the purpose of looking for a Spanish port;—and although he was asked many other questions and repeatedly, he said that he did not know any more than the sailor Francisco, a native of New Barcelona, because he did not want to make the voyage they took him to the Isabela and gave him 25 lashes on a cannon and they made him go and embark on the Schooner Mariana.

And his declaration having been read to him he said that it was the same that he had stated, but he said that on the 15 pesos which he took from the Englishman he gave back 6 which were left over; that as to the rest he had nothing to add, nor to take away, but he affirmed and ratified it under the oath that he had taken. He did not sign it, not knowing how, but he made the sign of the cross and the Sr. Governor signed it, before me: which I certify.

JUAN MANUEL DE CAÑAS.

Before me: José Reyes Quesada.

(Then follow the declarations of Francisco Martínez, Juan Bautista Mercado, Francisco Acosta and Juan Bautista Hernández; and the document continues with the principal papers following:)

In view of this investigation being concluded and it being necessary for the deponents to ratify the same to give to it full effect, and most of them being under 25 years, let them be advised to appoint some one to defend them, who shall be to their satisfaction, in order that the said ratifications may be presented;

let the official communication be sent to the Military Commander *at interim* of *Cartago,* Don Juan Dengo, in order that he may have Felipe Romero appear in this tribunal as interpreter of the English language, on Monday the 15th, in the morning; so orders and signs the Sr. Don Juan Manuel de Cañas, military Governor of this Province, on the 12th day of the month of November, 1819, before me, the present Clerk, which I certify.

CAÑAS.

Before me: José Reyes Quesada.

In the city of *S. José,* on the 13th day of the month of February, 1819, the Sr. Military Governor and Commander General:

Having present the six sailors shipwrecked at the mouth of the River *Matina* who have deposed in these proceedings and the foregoing documents having been brought to their knowledge, and being advised of their statement that they do not know any person in this city, except the Sr. Capt. of Cavalry, Don Félix Bonilla, the latter having devoted himself to their service and to caring for their infirmities, they appointed him and do appoint him as their defender, and that it may be recorded, not knowing how to write they make the sign of the cross, and it was signed by the said Señor, before me, the present Clerk; which I certify.

CAÑAS.

HENRY COOPER.

Before me: José Reyes Quesada.

The condition of these proceedings being noted, the papers are forwarded to His Excellency the Captain-General in this Kingdom, Don Carlos de Urrutia, for his superior determination. Let the official communication be sent to the Sergt. Commander of *Matina* in order that he may forward to this Tribunal the formal inventory which was requested of him on the 31st of October and the 6th of this month, of all that was recovered and which he was able to save from the little vessel which was wrecked at the mouth of the River *Matina;* and this which he provided he ordered and signed, the Señor Don Juan Manuel de Cañas, Colonel of Infantry of the Royal Army, and Military Governor

and *Comandante General de las Armas* of this Province, in *S. José de Costa Rica,* on the 16th day of the month of November, 1819, before me the present Clerk; which I certify.

JUAN MANUEL DE CAÑAS.

Before me: José Reyes Quesada.

The official communication which was directed was forwarded to the Commander of *Matina.*

QUESADA.

Señor Colonel of the Army and *Com. Gen. de las Armas:*

The Captain of Cav. and defender appointed by the six shipwrecked persons who are imprisoned in the cells of the jail in this city, without communication, with due consideration submits to Your Honor that three of them are quite ill, afflicted with fevers and other troubles, which are from day to day increasing with unfavorable symptoms, for which they are in need of suitable care in the deplorable misery into which they have fallen, kept together in a narrow room, where they are necessarily infecting the air more and more which they breathe, to the progressive detriment of their bad health; and it being hoped that pure air and more fredom would very greatly contribute to their restoration and as regards the conclusion of their declarations in which they are confirmatory witnesses.

Your Honor is petitioned to open up to all of the six shipwrecked persons the large hall of the Jail or all of it, in order to be able to provide them with the conveniences possible and preparation of medicines and other necessary aids in the lamentable situation of these unfortunates, that in this they may receive mercy and justice, which is implored as being within the exercise of Your Honor.

FÉLIX DE BONILLA.

San José de Costa Rica, Nov. 16, 1819.

With the original proceedings, this petition is referred to the Sr. Licentiate Don Rafael Barroeta, in order that he may provide in this matter what he deems just. So he provided and commanded and signed, the Sr. Gov. and Commander General of

this Province, Don Juan Manuel de Cañas, Colonel of Infantry of the Royal Army, Chief Sub-inspector and Veteran Commander of the Fourth Brigade of this Kingdom: Before me, which I certify:

CAÑAS.

Before me: José Reyes Quesada.

Sr. Colonel and Commander General.

The consulting *Asesor* (legal adviser) has seen this despatch concerning the imprisonment of the six shipwrecked persons, Henry Cooper, Juan González, Francisco Martínez, Juan Bautista Mercado, Francisco Acosta and Juan Bautista Hernández, colored man.

Francisco Martínez cannot be an insurgent, for it appears that he came as sailor in the Schooner Mariana, which sailed with provisions from *Cartagena* for *Portobelo* with the necessary licences from the Spanish Government. This Schooner was captured by the Insurgent Schooner of *Buenos Aires,* the Isabela, whose Captain transferred the crew of it and manned it with five sailors from the Isabela and with Martínez who was whipped because he refused to continue as a sailor in the Mariana; and ordered it with provisions to go to the Island of *Sta. Catalina,* alias *Providencia,* under the command of the Englishman, Henry Cooper. This subject is not guilty in any way, and so Your Honor may give him the liberty of the jail in the city and the neighborhood until the Most Excellent Captain General determines as he may deem proper.

All the others say they are prisoners of the Insurgents of *Buenos Aires,* taken in different Spanish vessels in which they sailed, and that they went to serve in the Schooner Isabela compelled by punishment or misery. This may be true or not, but be that as it may, being ill it is necessary to alleviate their confinement, so that they may be doctored, and so it seems to me that during the daytime they may be given the liberty of the prison and that they may be shut up at night to prevent their flight: until His Excellency shall determine.

RAFAEL BARROETA.

San José, Nov. 17, 1819.

Further, I say: that to the speaker it seems that a charge ought to be made against the five shipwrecked persons, leaving out Francisco Martínez, of having sailed in an Insurgent privateer, to the injury of Spanish subjects, for although they all assert that they sailed under compulsion and that having the opportunity for freedom they were going to the port of *San Juan,* they took away from Henry Cooper the command of the Mariana and endeavored to enter into the port before they were wrecked, Cooper says nothing about this in his declaration, and so it seems to me that Cooper should be examined about this, and if he denies this that he should be confronted with the sailors.

BARROETA.

Dated *ut supra:*

In view of the opinion of the Sr. Licentiate, Don Rafael Barroeta, the Sr. Gov. and Com. Gen., Don Juan Manuel de Cañas says that it shall be so carried out as to the principal part thereof, and thereupon as he ought to command and he did command that the Englishman Cooper and the sailors Juan González, Juan Bautista Mercado, Francisco Acosta and Juan Bautista Hernández, be given the liberty of the hall of the Jail, in view of the ills which they suffer; and as to Francisco Martínez that he be given the city as his jail, under the special condition that he must present himself in the Guardhouse of the Jail in the morning, at mid-day and at night, where he ought to sleep.

Let their Defender, Capt. Don Félix Bonilla, be advised of this for them, with the clear understanding that it is for the present and until the superior determination of His Excellency Señor Cap. Gen. and notifying them that at the least ground that they give for it they will be put back into the narrow cell in which they were; and as for the other part of the opinion, let an official communication be sent to the Interpreter, Felipe Romero, so that the charges may be made against each one as the legal adviser states.

The imprisonment in the hall of the Jail should be understood as confined to that and no more, and in no way extended to the corridor, and at night they should be locked up in the same cell after the angelus; and for this which he provided, he commanded

and he signed, the said Señor Military Governor in *San José,* on the 16th day of the month of November, 1819, before me the present Clerk; which I certify:

JUAN MANUEL DE CAÑAS.

Before me: José Reyes Quesada.

At the same moment, I the Clerk, advised the Señor Capt. Don Félix de Bonilla of the foregoing action and being advised thereof the stated that he understood it and signed with me.

BONILLA.
QUESADA.

In the city of San José, on the 19th day of the month of No-

vember, 1819, the Señor Military Governor of this Province, Don Juan Manuel de Cañas, for the purpose of correcting the error and defect which the legal adviser notes in the addition to the foregoing opinion, of not having asked the Englishman Henry

take away and that it was affirmed and ratified by him under his oath away and that it was affirmed and ratified by him under his ernor, Interpreter and the Señor Official Defender, before me the present Clerk; which I certify.

JUAN MANUEL DE CAÑAS.
HENRY COOPER.
FÉLIX DE BONILLA.
FELIPE ROMERO.

Before me: José Reyes Quesada.

In the city of *San José,* on the 27th day of the month of November, 1819, the Señor Juan Manuel de Cañas, Military Governor of this Province, with the addition to the opinion of the Licentiate Don Rafael Barroeta, which had been finished, these proceedings were forwarded to His Ex. Señor Capt. Gen. of the Kingdom according and as it is commanded by the document of the 16th of this month, for his superior determination, which direction was commanded and signed by the said Governor in *San José,* before me the present Clerk: which I certify.

CAÑAS.

Before me: José Reyes Quesada.

These proceedings were forwarded by post as directed.

QUESADA.

Don José Ramón Zelaya, Deputy Clerk of the Chamber of the Intendancy and Captaincy-General of the Province of *Guatemala,* certifies: that in the inquest held to take the testimony of the six sailors who were shipwrecked in a little vessel at the mouth of the River *Matina,* which was sent to this Captaincy General by the Señor Military Governor of the Province of *Costa Rica,* with official communication of November 30, 1819; their maintenance is provided for in accord with the Señor Auditor of War, in this writ.

Palace of *Guatemala,* April 12, 1822.

Whereas: all of these provinces being already independent of the Spanish Government, and it being proper that all those who were captured on account of insurrection should be placed at

liberty, let this case be sent back to the *Comandancia* which forwarded it, so that steps be taken to stop the proceedings against those under process therein, unless there shall be some other charge than that of insurrection: and in case of having committed any other offense the same *Comandancia* shall proceed under its authority.

GAÍNZA.
VALLE.
JOSÉ RAMÓN ZELAYA.

And in order that it may be reported, I submit the present in order that it may be added to the proceedings mentioned, which in compliance with the order shall be returned to the Sr. Military Governor of *Costa Rica.*

Guatemala, April 16, 1822.

JOSÉ RAMÓN ZELAYA.

The Minister of the Treasury of the Central American Federation to the General Manager of Excises. Doc. 491

GUATEMALA, November 16, 1824.[1]

Ministry of War, Marine and the Treasury.
Department of the Treasury.
No. 105.
To the General Manager of Excises:

Under date of the 11th instant it was declared that Art. 19 of the Customs Regulations required the Administrations of the Ports to forward to the General Office the manifests or the original registers; and that this provision not being complied with, the lack of these documents not only occasioned confusion in the despatch of goods but was a source of trouble in the settlement of duties arising from the temporary tariff and the increase of the new impost.

For this reason the Supreme Government has seen fit to resolve that the Commanders or the sub-delegates of the Treasury at the Ports take especial care upon their own responsibility that the Administrators and Collectors of Customs Duties at such

[1] Archives of the Department of Foreign Relations of Costa Rica. Year 1824.

Ports forward the registers or manifests of cargos which are imported or exported, in the manner provided. This is communicated to you for its execution as to that wherein you may be concerned.

God, Union and Liberty: *Guatemala,* November 16, 1824.

FRANCO. GÓMEZ DE ARGUELLO.

Doc. 492 Don Pablo Alvarado, Deputy to the Federal Congress, to the Chief of the State of Costa Rica.

GUATEMALA, September 7, 1825.[1]

To the Supreme Chief of *Costa Rica:*

CITIZEN JUAN MORA:

I desire to suggest to the Federal Congress the recognition as a National Debt of more than 720,000 pesos, paid by your province to the King of Spain for work done on the *Matina* road, during the past centuries, under that notorious contract the Costa-rican Government made with that of Spain.

Will you be good enough to forward to me, as early as practicable, a statement of such contributions in detail or provincial impost, with an account showing how many thousands were contributed upon the date of independence of your State from the aforesaid government, for I think that by the use of it I may be able to prepare a petition and save your State as large a sum for future expenses as may have been heretofore paid out. There should be no delay about this, as this Congress will adjourn within two months. I trust you will take it up before anything else and advise me of the result.

I received the answer to my letter of July 7th. I will give due advice of the result.

God, Union and Liberty: *Guatemala,* September 7, 1825.

PABLO ALVARADO.

[1] Archives of the Department of Foreign Relations of Costa Rica. Year 1825.

Decree LXXXVI.

Doc. 493

SAN JOSÉ, April 4, 1826.[1]

The Supreme Chief of the Free State of *Costa Rica:*

Whereas, the Assembly has decreed and the Council approved the following:

"The Constitutional Assembly of the Free State of *Costa Rica:*

"Considering, how important it is for the State to encourage the traffic to the Valley of *Matina,* to develop its settlement and especially to extend the cultivation of its lands with cacao, which has always been grown to advantage;

"Has decided to and does decree:

"Art. 1. To freely open to every man and woman the right to trade and reside in the Valley of *Matina,* without any one being hindered under any pretext whatever.

"Art. 2. The political government will at once make provision for the choosing and for the establishment there of a municipal government, composed of an *Alcalde,* a *Regidor* and a *Procurador* (attorney), having the same duties and attributes as those in other settlements.

"Art. 3. Also, upon the proper ecclesiastical license being obtained, the construction shall be arranged for by the alms of the faithful of a building suitable for a *ermita* (building for religious purposes), from whence spiritual help may be furnished to the inhabitants within a circuit of a half league on each side upon national lands intended for settlement, where a plot of one *manzana* will be given to any one who may seek to settle and found a home.

"Art. 4. Every married man or family that comes to reside in the new settlement of *Matina* will receive from its municipal government, in addition to the plot above mentioned, five *manzanas* of land in fee, wherever it is desired to begin work.

"Art. 5. Any man or woman who commits an offense that is deserving of banishment under the Law, shall be

---

[1] Collection of Laws of Costa Rica. Year 1826.

sent to *Matina* and handed over to its municipal government, which shall look after the permanent residence and the occupation or employment of such person.

"Art. 6. The consort or family who may accompany such banished person, although not embraced in the penalty, and make a settlement there, shall acquire for themselves the properties mentioned in the two preceding Articles.

"Art. 7. Any proprietor who devotes himself to the establishment of a cattle ranch of any kind in *Matina* or in the uninhabited mountain region on the way, shall acquire a right to have the ownership of such locations.

"Art. 8. The old cacao plantations which may have some assessed value and have not been absolutely abandoned by their owners, shall not be levied upon in excess of their present value, even if they are thereafter improved.

"Art. 9. Those entirely abandoned by their owners are free from all assessments that were levied upon them and their owners may recognise and cultivate them anew under this guaranty, but unless they shall do so within one year the municipal government may allot them to any one else who is willing to take them, and in such case no right whatever shall be left therein in favor of the old owners, nor in the assessors to charge them.

"Art. 10. In order to classify them as such and to dispose of them, the municipal government after preparing a list thereof will serve official notice upon their owners within the year to decide whether they will reassume and cultivate them; and if they shall not do so, or after an inquest showing such abandonment where the owners are unknown, they may be allotted to others, after the expiration of one year.

"Art. 11. When the ecclesiastical fees collectable from the new population are deemed by the municipal government to be sufficient, it may undertake the erection of a Parish and the assignment of a Curate who shall attend to it in spiritual matters; but in the mean time the Political

Chief, upon petition of license for preaching, will address their prayers to the ecclesiastical authorities for the appointment of a Chaplain.

"Art. 12. The same municipal government shall prepare the Articles relating to the establishment of its public funds and arbitrations.

"Art. 13. The award of lands granted in the foregoing Articles shall always be given without prejudice to the plantations of cacao or the half league for settlement.

"To the Representative Council:

"Given in *San José,* on the twenty-ninth day of the month of March, 1826.

"JOAQUÍN RIVAS, Deputy President.

"PEDRO ZELEDÓN, Deputy Secretary.

"FRANCISCO MARÍA OREAMUNO, Deputy Secretary.

"Hall of the Council:

"San José, March thirty-first, 1826.

"Let it be sent to the Executive Power:

"JOSÉ RAFAEL DE GALLEGOS, President.

"GREGORIO GUERRERO, Secretary."

Therefore, let it be executed:

JUAN MORA.

San José, April fourth, 1826.
To the Citizen Manuel Aguilar.

Decree 136.

Doc. 494

SAN JOSÉ, August 25, 1827.[1]

The Supreme Chief of the Free State of *Costa Rica:*

Whereas, the Assembly has passed and the Council has approved the following:

"The Constitutional Assembly of the Free State of *Costa Rica,* desiring so far as possible to provide for the needs of the Valley of *Matina,* and to secure the comfort and safety of travellers, and considering that for such important purposes the latter will cheerfully make some sacrifices,

[1] *Supra.* Year 1827.

"Has decreed and does decree:

"Art. 1. Boats shall be built for ferriage over the rivers *Pacuare* and *Reventazón,* in which the charge shall be one real for each passenger who is a resident, and one-half for transients.

"Art. 2. For cargo the charge will be a half real per *arroba* (weight of 25 lbs.), upon articles produced within the country; and upon foreign goods one real for each *arroba;* but if there are any spirits the charge shall be four reales for each twenty bottles.

"Art. 3. Mules and cattle, carried on board, shall pay, for the former one real, and for the latter four reales.

"Art. 4. Pigs that have been killed shall pay one real; and each head of cattle two.

"Art. 5. These shall first of all be applied to the purposes of the first Article, and the Municipality shall attend carefully to their collection and investment.

"To the Representative Council:

"Given in *San José* on the fifth day of the month of August, 1827.

"MANUEL ALVARADO, Deputy President.
"PEDRO ZELEDON, Deputy Secretary.
"BRAULIO CARRILLO, Deputy Secretary.

"Hall of the Council:

San José, August twenty-fourth, 1827.

"Let it be sent to the Executive Power:

"CECILIO UMAÑA, President.
"GREGORIO GUERRERO, Secretary."

Therefore, let it be executed:

San José, August twenty-fifth, 1827.

JUAN MORA.

To the Citizen Joaquín Bernardo Calvo.

Decree 159.

Doc. 495

SAN JOSÉ, June 16, 1828.[1]

The Supreme Chief of the Free State of *Costa Rica:*

Whereas, the Assembly has passed and the Council has approved the following:

"The Constitutional Assembly of the Free State of *Costa Rica,* desiring to put an end to contraband trade and the frauds which are perpetrated by the introduction of foreign and domestic merchandise without payment of the duties, to the prejudice of the State, and to stop the individuals engaged therein, especially those who come in through *Matina;*

"And considering that the duties from this source hardly amount to enough to establish a guard, as in *Puntarenas,* and that it is absolutely necessary to afford some assistance to other established branches of trade which do not produce very much, out of regard for the welfare of the people;

"Has deemed it proper and does decree:

"Art. 1. To authorize the First *Alcalde* of the Valley of *Matina,* and in his absence the Second, to supervise the commercial shipments which are brought in at that part and forward to the Treasury a list of all of them.

"Art. 2. The said *Alcalde* shall be allowed for his services three percent. of the duties arising therefrom at the Custom House and produced at that port; beside the portion which may go to him in seizures as the apprehender of smuggled goods, and allowed to him by the Decree of the National Constituent Assembly of June 23, 1824.

"Art. 3. All the cargos which are brought into the State shall be presented in the most direct way at the Custom House of their destination, with the proper permit, to which must be attached a detailed invoice of the goods therein contained, with their weight; except packages which shall be registered at the *Garita* (inspection office) in the case of trunks or bundles that may appear suspicious.

---

[1] *Supra.* Year 1828.

"Art. 4. Consignees or interested parties who violate the foregoing Article shall pay a fine equal to the amount of the duties that must be satisfied, and the Conductor one of twenty-five pesos for each load, for the benefit of the public Treasury of the State.

"Art. 5. The Cashier, with an inspector appointed by him, shall examine the goods in each package, making an appraisement according to the provisions of the most recent Customs tariff.

"Art. 6. The vendors of rural and urban properties, or cattle, mules and horses, shall only pay a tax upon values of fifty pesos inclusive and upwards, transfers being understood in the same way, and an account must be submitted to the Treasury or Deputy of another settlement within fifteen days after the contract is made, and if this is not done double duties shall be paid.

"Art. 7. The interior imposts shall be satisfied within three months at the Treasury or paid to the respective Deputy, the sale not being an immediate one, and the purchaser shall be held responsible if the vendor is in default.

"Art. 8. Let Art. 2 of the Decree of September 13, 1825, be amended.

"To the Representative Council:

"Given in San José, on the twenty-fourth day of the month of May, 1828.

"MANUEL ALVARADO, Deputy President.
"VICENTE CASTRO, Deputy Pro-Secretary.
"FÉLIX HIDALGO, Deputy Secretary.

"Hall of the Council:

San José, June 14, 1828.

"Let it be sent to the Executive Power:

"JOSÉ RAFAEL GALLEAOS, President.
"GREGORIO GUERRERO, Secretary."

Therefore: let it be executed.

San José, June 16, 1828:

JUAN MORA.

To the Citizen Joaquín Bernardo Calvo.

Decree 170.

SAN JOSÉ, November 4, 1828.[1]

The Supreme Chief of the Free State of *Costa Rica:*

Whereas, the Assembly has passed and the Council has approved the following:

"The Constitutional Assembly of the Free State of *Costa Rica,* desiring the welfare of the people and the prosperity of the State, having in mind the fact that there are within it many and vast areas which are uncultivated and deserted; and that, while these in their present condition are of no value or advantage for the general good, they might if cultivated be made to yield great benefits;

"And being desirous, moreover, of aiding in a movement of so much interest and helping in some way to encourage those who engage in it, by granting to them some parcels of land;

"Has decided to decree and does decree as follows:

"Art. 1. There is granted, for the period of eight years, to those who may cultivate upon the shores on the North, the North-East, the East and South for five consecutive years, the land which they shall cultivate and one *caballería* (a measure of land) beside; and to those who devote themselves to cultivation or begin within the first two years after the publication of this law one *caballería* more in addition to the two parcels above mentioned.

"Art. 2. A premium of still another *caballería* more in addition to what is granted in the preceding Article shall be given to those who engage in the cultivation of cacao or any kind of dye plants.

"Art. 3. Cattle raisers shall also be granted, for the same period of eight years, a location for the establish-

[1] *Supra.* Year 1828.

ment of twenty-five head up to a thousand, and from a thousand upward; two locations for five years continuous occupation; and those who take possession during the first two years shall have three *caballerías* more.

"Art. 4. The privilege allowed by Decree of July 14, 1825, is extended to all the products of the establishments referred to.

"Art. 5. Every one purposing to engage in such an enterprise who asks for measurements shall be given them in accordance with the Decree of May 27th last; and if this is done during the first two years after the publication of this law, they shall have the privilege of having it done for them by a commissioner appointed by the party interested and sworn by the Intendant, and office fees will be allowed free, including those for the title, when it is desirable.

"Art. 6. The parcels in the North, North-east, shall be granted by the route explored by the city of *Alajuela* from the neighborhood of *Fraijanes* island to the River *San Juan;* by the route explored in *San José,* from the neighborhood of the River *Blanco* and *Santa Rosa* to the banks of the same *San Juan* and the Atlantic; by the route in the direction of *Cot* from the neighborhood of the River *Pescado* to the Volcano of *Turrialba;* by the known roads of *Matina,* from the River *Turrialba* and districts of *Tucurrique* forward; and by the frontiers of *Colombia,* from the beginning of the mountain region of *Santa Clara* to the boundary, keeping for the present as the line of demarcation that which is formed from one of the points cited to the other;—and in the South in those cases which may come up the Government shall indicate approximately the demarcation for the parcels of land that are granted between those of *Portalón* and the River *Naranjo,* those that run above the coast of *Las Mantas* between the mouths of the large rivers of the interior and *Candelaria,* and the peninsula of *Nicoya* or Cape *Blanco,* mouths of

aforesaid has deemed it proper to forward the matter to that high body, that it may be before it when the assignment is made.

I have the honor to make this response to the note mentioned.

D. U. L. (God, Union and Liberty).

SALAZAR.

Doc. 498 **The Federal Minister of the Treasury to the Chief of the State of Costa Rica.**

GUATEMALA, January 27, 1832.[1]

Ministry of the Treasury.

To the Chief of the State of *Costa Rica:*

By the copy you were good enough to forward to this Ministry my Government has been informed of the Resolution which you prepared and issued on December 16th last, that the Citizen Alexander Escalante, appointed by the National Executive as Administrator of the Maritime Customs of *Matina*, should resume his duties.

I have been directed to make this response to you by my Government and in doing repeat my assurances of esteem.

D. U. L. (God, Union and Liberty).

National Palace in Guatemala, January 27, 1832.

VALENZUELA.

Doc. 499 **The Federal Minister of the Treasury to the Chief of the State of Costa Rica.**

GUATEMALA, May 19, 1832.[1]

Ministry of the Treasury.

To the Citizen Chief of State of *Costa Rica:*

My Government had previously issued its orders to the Intendancy that provision be made for establishing at the Port of *Matina* the Custom House that ought to be there; and in view of what you have stated as to the matter in your esteemed note of the 18th ultimo, I determined that the Intendancy repeat the orders for such purpose, so that the transfer of the Custom

[1] *Supra.* Year 1832.

[1] *Supra.*

In addition to the aforesaid, the National Government desires, after the contract is made, the adjustment of which is left to you, that you make a report in regard to it, stating at the same time the place where it may be deemed most convenient to locate the Custom House referred to, whether at the old Custom House close to the salt inlet, or at the mouth of the River *Matina*, or even in the Valley of that name, so that having all the facts in its possession the matter may be definitively settled.

This is stated to you for the purposes mentioned, renewing the assurances of my appreciation.

D. U. L. (God, Union and Liberty).

The Section Chief:

MANL. YRUNGARAY.

Doc. 501 **The Federal Minister of the Treasury to the Chief of the State of Costa Rica.**

SAN SALVADOR, October 25, 1834.[1]

Ministry of the Treasury.

To the Citizen Chief of the State of *Costa Rica:*

House of the Supreme National Government.

San Salvador, October 25, 1834.

I have made a report to the Vice President of the Republic, with your esteemed note of the 18th of September last, in which you were pleased to advise me of having already forwarded, since November of the year previous, the proceedings had to justify the charges made against the Administrator of the Maritime Customs of *Matina;* and the necessity for relieving Citizen José María García from the appointment which you then secured with the view of his return to take charge of his position as Cashier of the General Treasury of that State.

The Vice President of the Republic, having this in view, has been pleased to direct that suitable orders be communicated to the General Intendancy so that Citizen Alexandro Escalante be again charged with the Maritime Customs of *Matina*, there being no one else to serve at that distance, and so that the Cashier, the Citizen José María García, be left at your disposal.

[1] *Supra.* Year 1834.

I have the honor to state this in response to you, advising you at the same time that I duly acknowledged the receipt of the proceedings referred to, which you were good enough to append to your note of the 3rd of November of last year, which doubtless went astray.

Be good enough to accept the assurances of my respect and consideration.

D. U. L. (God, Union and Liberty).

ALVAREZ.

The Federal Minister of the Treasury to the Chief of the State of Costa Rica. Doc. 502

SAN SALVADOR, February 11, 1835.[1]

Ministry of the Treasury.

To the Citizen Chief of the State of *Costa Rica:*

House of the Supreme National Government:

San Salvador, February 11, 1835.

Under date of the 2nd instant I stated to the General Intendant of the Federation, the following:

> "The Chief of State of *Costa Rica,* in a note of October 3rd ultimo, states that the Administrator of the Maritime Customs of *Matina* has collected certain sums for account of the percentage provided for by the Decree of August 11, 1829, which belongs to the States and claiming the return thereof.
>
> "The Vice President of the Republic, in view of this and the report by that Intendancy and the Chief Accounting Office has seen fit to direct that you make the proper investigations to ascertain whether the Administrator of *Matina* has taken charge of sums belonging to that State, issuing the proper orders in such case that they be turned over, putting them immediately at the disposal of that Government."

I have the honor to transcribe this to you in response to your note of October 3rd, reiterating the assurances of my consideration and esteem.

G. PARRA.

---

[1] *Supra.* Year 1835.

Doc. 503

Decree CIX.

ALAJUELA, April 3, 1835.[1]

Privileges and Concessions granted in favor of companies undertaking to open a road to the North.

The Vice Chief, in charge of the Supreme Executive Power of the Free State of *Costa Rica:*

Whereas, the Assembly has passed and the Council has approved the following:

"The Constitutional Assembly of the Free State of *Costa Rica:*

"Considering, that the enterprise of opening roads to the North Sea is of the greatest interest to the State, and that its first duty is to encourage it on account of the immediate and necessary results this must have upon the development of agriculture and the increase of population and industry,

"Has deemed it wise to decree and does decree:

"Art. 1. Without prejudice to the action of the Supreme National Government, to which report has been made, concerning measures proposed by companies located in *Alajuela* and *Cartago* for the purpose of opening a good road, the first to *Sarapiquí,* and the second to *Matina,* the State on its part, provided the roads turn out well, will appropriate therefor not only the expenses of the undertaking, but also a premium of six pesos annually upon the capital invested until it is amortized.

"Art. 2. To amortize this debt a toll of two reales shall be established as a charge for going and returning upon the roads mentioned, during the term of ten years.

"Art. 3. For the same purpose each of these companies may dispose of one thousand *caballerías* of lands from those that are vacant along the course of their roads, making a report to the Government of each alienation that may take place, so that it may be surveyed and the proper title issue, the income from this source as well as that provided for in the preceding Article being set aside to meet, in advance of anything else, the cost of the said roads.

[1] Collection of Laws of Costa Rica. Year 1835.

"Art. 4. Each one of the companies referred to shall make up the account of the costs and the vouchers therefor in such a manner that the Government, to which they must be submitted annually, shall have no trouble in understanding them, these companies being allowed for such purpose to appoint their own administrators, treasurers, agents and other employees, as they may deem necessary, all of them under their own responsibility.

"To the Representative Council:

"Given in the city of *Alajuela,* on the twenty-eighth day of the month of March, 1835.

"MANUEL AGUILAR, Deputy President.

"RAFAEL REYES, Deputy Secretary.

"JOSÉ GARBIEL PADILLA, Deputy Pro-Secretary.

"Hall of the Council:

"Alajuela, April 3, 1835.

"Let it be sent to the Executive Power:

"JOSÉ JULIÁN BLANCO, President.

"JOSÉ MARÍA ALVARADO, Secretary."

Therefore, let it be executed:

Alajuela, April 3, 1835.

MANUEL FERNÁNDEZ.

To the Minister General of the Department.

The Federal Minister of Interior Affairs to the Chief of the State of Costa Rica. Doc. 504

SAN SALVADOR, May 26, 1835.[1]

Ministry of Interior Affairs:

To the Citizen Chief of the State of *Costa Rica:*

House of the Supreme Government;

San Salvador, May 26, 1835.

I have made report to the Supreme Government, with your esteemed note of April 4th last, and documents accompanying the same, as to the contracts made by your Government, as in-

[1] Archives of the Department of Foreign Relations of Costa Rica. Year 1835.

dicated by the said note, with the companies undertaking to open a road along the trail which leads to the River *Sarapiquí* and to improve the one which goes to the Valley of *Matina* and Port of *Moín*.

As the Law of May 19, 1832, provides that the General Government is to make these contracts, with the consent of the Senate, the Vice President of the Republic has arranged that the said High Body be consulted in regard to the matter, forwarding to it everything pertaining thereto. When the Ministry under my charge shall receive due response thereto, and the Executive Power acts upon this affair, I shall have the honor to advise you, as I also do now, renewing to you, Citizen Chief, the assurances of my appreciation and respect.

D. U. L. (God, Union and Liberty.)

ALVAREZ.

Doc. 505 The Federal Minister of the Treasury to the Chief of the State of Costa Rica.

SAN SALVADOR, June 10, 1835.[1]

Ministry of the Treasury.

To the Citizen Chief of State of *Costa Rica:*

House of the Supreme National Government:

San Salvador, June 10, 1835.

I made a report to the Supreme Government, with your esteemed communication of the 4th prior thereto, in which you were pleased to state that the building used for a barracks and for the storage of goods belonging to merchants at the Custom House of *Matina,* was in very bad repair.

The Supreme Executive being advised of the contents of said communication was pleased to give to the Intendancy the proper orders for the repair of that building and the construction of a thatched house intended for the use of that Custom House, the employees being asked for estimates therefor.

The Intendancy has also been notified to have the Administrator and Cashier Inspector of the Custom House in question move to

[1] *Supra.*

that place within a period of one month; and the President expects it to take under its charge the duty of making the said employees carry out so urgent and useful a measure.

In thus responding to your note referred to, I repeat my assurances of respect.

D. U. L. (God, Union and Liberty).

ALVAREZ.

The Federal Minister of the Treasury to the Chief of the State of Costa Rica. Doc. 506

SAN SALVADOR, August 6, 1836.[1]

Ministry of the Treasury.

(Enclosed to the *Comandancia General* under date of August 21st.)

To the Citizen Chief of State of ***Costa Rica***:

House of the Government:

San Salvador, August 6, 1835.

The National Executive being informed by your much esteemed note of the 4th of last month that the guards at the Port of *Matina* had presented to your Government a petition that they be appropriated the salaries they had earned during the months of April, May and June of the current year, but that there was in that Administration no funds whatever—the President of the Republic has resolved that what was due to the said guards up to June be paid by that of *Punta Arenas,* according to your wishes.

I state this to you, Citizen Chief, in response to your note referred to, assuring you again of my consideration and respect.

D. U. L. (God, Union and Liberty).

ALVAREZ.

[1] *Supra.*

Doc. 507 The Federal Minister of Interior Affairs to the Chief of the State of Costa Rica.

SAN SALVADOR, August 12, 1835.[1]

Ministry of Interior Affairs.

To the Citizen Chief of State of *Costa Rica*:

House of the Supreme National Government:

San Salvador, August 12, 1835.

I had the honor to make a report to the Supreme Government of the official note which you, Citizen Chief, were pleased to address to the Ministry under my charge on the 3rd of July last, relative to the road which a contracting company, a statement of which was enclosed, proposed to open toward the Port of *Matina.*

The President, taking note of both documents, was very much pleased, for nothing could cause him greater satisfaction than the opening of the road which is sought to be realized. This High Functionary believes that good roads are so many centres of activity and enlightenment, widening the scope of occupation, fostering the general welfare, introducing and cementing sociability, detaching the mind from local affairs and the preoccupation produced by isolation and concentration, encouraging agriculture, creating new values, putting into circulation those that were dormant and in general contributing to the development and prosperity of nations. Such is the idea formed by the Executive of the benefits that must flow from so laudable an enterprise, and he is therefore determined to afford the company all the help within his power and to assist its useful labors by using all the means within his reach for that purpose.

If it depended alone upon the resolution of the Supreme Government to accede to the petition made by the company that it be granted the revenues from the Custom House of *Matina* for the benefit of the enterprise, it could at once rely upon the most favorable response; but as this measure can not be adopted except by the Legislative Body, the only thing the Government can do in this matter is to initiate and support before that Body the

[1] *Supra.*

request of the company, with all the ardor and interest with which it is inspired by the conviction of the benefits which should be derived by that State and the entire Republic from the enterprise.

I do not doubt that the National Representatives, taking it up with the preferential consideration which it deserves, will accede to the wishes of the contracting parties.

Moreover, Citizen Chief, it is proper to state to you that the President regrets that he is quite without authority in this matter, for the purpose of giving at the present time to those interested more positive proofs of his desire to secure the success of so useful a project, especially on account of the delay from which the affair will suffer, inasmuch as the Congress is not in session; but as soon as it takes up its legislative duties in December, it will be brought to its attention.

At this time this is what I have to say to you in response to your note referred to, for your information and that of the contracting parties; and to renew upon this opportunity the assurances of my respect and most distinguished consideration.

D. U. L. (God, Union and Liberty).

ALVAREZ.

Decree CXXXI.

Doc. 508

ALAJUELA, September 2, 1835.

Grants to the contracting companies of Sarapiquí and Matina the power to sell a thousand Caballerías of land conceded to them by the Law of March 31, of this year, and imposing a toll upon loads carried over the roads that have been opened.

The Supreme Chief of the Free State of *Costa Rica*:

Whereas, the Assembly has passed and the Council has approved the following:

> "The Constituent Assembly of the Free State of *Costa Rica*, being desirous of affording encouragement to agriculture and commerce and to secure the welfare of this State, has decreed and does decree:

"Art. 1. The contracting companies upon the *Sarapiquí* and *Matina* roads are granted the power to sell the thousand *caballerías* of land ceded to them by the Law of March 31 of the present year, so as to continue work upon the said roads, making a report to the Executive as provided in the Law mentioned.

"Art. 2. The said thousand *caballerías* of land ceded to the companies shall be excepted from the duty imposed by the Law of March 31st last, for the term of fifteen years, with the purpose of facilitating their rapid disposal.

"Art. 3. The toll of two reales shall be paid for each load going and returning, already stipulated upon said roads for the period of ten years, and the sum thereby produced be used for the repair and betterment thereof.

"To the Representative Council:

"Given in the city of *Alajuela*, on the twenty-fifth day of the month of August, 1835.

"MANUEL AGUILAR, Deputy President.
"RAFAEL REYES, Deputy Secretary.
"MANUEL A. BONILLA, Deputy Secretary.

"Hall of the Council:

"Alajuela, September 1, 1835.

"Let it be sent to the Executive Power:

"MANUEL FERNÁNDEZ, President.
"JOSÉ MARÍA ECHAVARRÍA, Secretary."

Therefore, let it be executed:

Alajuela, September 2, 1835.

BRAULIO CARRILLO.

To the Minister General of the Department.

The Federal Minister of the Treasury to the Chief of the State of Costa Rica. Doc. 509

SAN SALVADOR, October 17, 1835.[1]

Ministry of the Treasury.

Citizen Chief of the State of *Costa Rica.*

House of the National Government.

San Salvador, October 17, 1835.

Having submitted to the National Executive the esteemed note of your Government, in which the losses in the tobacco revenues of your State are explained by reason of the introduction of this product from abroad, which evidently cannot be avoided except by the cooperation of the officials of the Federation, the National Executive, who desires more than anything else that the utmost harmony shall prevail among the subordinates of both authorities and that each help the other in everything that may tend to a maintenance of public order and respect for the laws, has thought it best to resolve:

1. That the General Intendancy notify the officials of the Department of the Treasury, located at the ports of your State, to actively cooperate on their part to prevent the smuggling of tobacco.

2. That a like notification be given to the Commanders of the Ports of *Matina* and *Punta de Arenas,* directing them to afford all the assistance needed to your Government for the same object.

The President of the Republic has also directed that this resolution be communicated to your Government, as I now have the honor of doing, and at the same time take this opportunity of again assuring you, Citizen Chief, of my especial appreciation and respect.

D. U. L. (God, Union and Liberty).

ALVAREZ.

[1] Archives of the Department of Foreign Relations of Costa Rica. Year 1835.

Doc. 510 The Federal Minister of the Treasury to the Chief of the State of Costa Rica.

SAN SALVADOR, October 18, 1835.[1]

Ministry of the Treasury.

To the Citizen Chief of *Costa Rica*:

House of the National Government:

San Salvador, October 18, 1835.

By your esteemed note of the 20th of September last the National Executive has been advised that the Customs Guards located at the Port of *Matina*, who left for lack of means for their subsistence at that point, were directed to return to it by your Government as soon as it received the order communicated by the Minister of the Treasury for the payment of the salaries due to said guards at the Port of *Punta Arenas.*

You are informed of this in response to your courteous note, at the same time renewing my assurance of my distinguished appreciation and respect.

D. U. L. (God, Union and Liberty).

ALVAREZ.

Doc. 511 The Federal Minister of Interior Affairs to the Chief of the State of Costa Rica.

SAN SALVADOR, January 26, 1837.[1]

Central America. Ministry of Interior and Foreign Affairs.

To the Citizen Chief of the State of *Costa Rica*:

Government House: *San Salvador,* January 26, 1837.

In view of the fact that there is at the present time no Commander at the Port of *Matina,* and it being at the same time necessary to appoint some officer of your State for the purpose of issuing passports to persons who desire to leave the Republic by that port, the President resolved to ask you, as I now have

[1] *Supra.*

[1] *Supra.* Year 1837.

the honor of doing, if you will be good enough to use your influence to have the Political Chief of *Cartago* take charge of that duty while there is no Commander at *Matina*.

I renew to you, Citizen Chief, the assurance of my distinguished consideration.

D. U. L. (God, Union and Liberty).

ALVAREZ.

Decree XLIX.

Doc. 512

SAN JOSÉ, January 13, 1839.[1]

Authorizes the Executive Power to assist in repairing the Matina road.

The Vice-Chief of the Free State of *Costa Rica*, in the exercise of the Executive Power:—

Whereas, the Assembly has passed and the Council has approved the following:

> "The Constituent Assembly of the Free State of *Costa Rica*, convinced of the need which exists for a road to the North to develop the commerce of the country; and also knowing that while companies have been formed at different times with a view to increasing the traffic upon the one leading to *Matina*, yet the results have not been commensurate with the efforts put forth for various reasons as shown by experience; and believing also that an enterprise of such great importance as this will never be realized unless it is taken up by the State, expending from the Public Treasury what may be required for its cost, except such sums as may be collected from voluntary gifts; and that it is certain Agriculture will gradually fall into decay unless some means is provided for getting out the products which are already offered, with the consequence that it will be followed by the disaffection of the residents interested in the development of this source of

[1] Collection of Laws of Costa Rica. Year 1838.

public wealth, and it being only just to the clamor raised in regard to this matter by those agriculturists and traders for the repair of the *Matina* road,—

Has decided to decree and does decree:—

Article Sole: To authorize the Executive Power (1), to assist in the repair of the *Matina* road in the way that may be deemed most suitable, by taking the sums needed from the Public Treasury; and (2) to open voluntary subscriptions in those settlements where circumstances will permit it, which are to be used toward meeting the expenditures the enterprise may require.

"*To the Representative Council*:

"Given in the city of *Heredia* on the fourth day of the month of January, 1838.

"FÉLIX SANCHO, President.

"JUAN B. BONILLA, Deputy Secretary.

"JUAN DE DIOS MARCHENA, Deputy Secretary.

"*House of the Council*:

"*Heredia*, January twelfth, 1838.

"Let it be sent to the Executive Power:

"MANUEL A. BONILLA, President.

"JOSÉ MARÍA ECHAVARRÍA, Secretary."

Therefore, let it be executed:

San José, January 13, 1838.

JUAN MORA.

To the Minister General of the Department.

Doc. 513

Decree LIII.

SAN JOSÉ, January 29, 1838.[1]

Authorizes the Executive Power, in case of need, to make a loan for the repair of the Matina road.

The Vice-Chief of the Free State of *Costa Rica*, in the exercise of the Executive Power:

[1] *Supra.*

Whereas, the Assembly has passed and the Council has approved, the following:

"The Constituent Assembly of the Free State of *Costa Rica,* with the important purpose that the enterprise for the repair of the *Matina* road may not prove a failure for the lack of means necessary to execute it, notwithstanding what was provided by the Decree of the 4th instant, has decided to decree and does decree:

"Sole Art. The Executive Power is authorized, in case the resources afforded by the Public Treasury and the voluntary donations made in virtue of the Law of the 4th instant, for the repair of the *Matina* road, shall prove insufficient, to make a loan from private persons of the sums needed for such purpose, stipulating with them the premium and the guaranties they may require.

"*To the Representative Council*:

"Given in the city of *Heredia,* on the thirteenth day of the month of January, 1838.

"FÉLIX SANCHO, Deputy President.
"JUAN R. RAMOS, Deputy Pro-Secretary.
"JUAN DE DIOS MARCHENA, Deputy Secretary.

"*Hall of the Council*:

"*Heredia,* January 23, 1838.

"Let it be sent to the Executive Power:

"MANUEL A. BONILLA, President.
"JOSÉ MARÍA ECHAVARRÍA, Secretary."

Therefore, let it be executed:

San José, January 29, 1838.

JUAN MORA.

To the Minister General of the Department.

Doc. 514

Decree LVI.

SAN JOSÉ, January 20, 1838.

Directs that Subscriptions be opened to undertake the repair of the Matina road.

The Supreme Chief of the Free State of *Costa Rica*:

In the execution of the Decree of the 4th ultimo, providing for the repair of the road to the Port of *Matina*, considering the importance of that enterprise, as a preliminary necessity for the undertaking of that road, provides:

1. That a contract be made with Señor Henrique Cooper for the inspection of the road to the Port of *Moin* as to the condition in which it is now, its exact measurement, with the directions in which it runs, the rough places, rivers, etc., and the preparation of a formal plan thereof, paying for this work and the incidental expenses from the General Treasury the sum of One hundred and fifty pesos, agreed upon with him—also allowing him on the part of the Government the instruments it may have and giving orders for protection and assistance.

2. That the voluntary subscriptions, contemplated in the Decree referred to, be at once opened, for the purpose of providing for the expenses of this enterprise; and that there shall be appointed for this purpose, in the city of *Cartago* the Citizens Priest José Ana Ulloa, José Antonio Oreamuno, Ramón Jiménez and Narciso Esquivel; and in that of *San José* the Citizens Rafael Gallegos, Jorge Stiefel, Agustín Gutiérrez and Joaquín Mora; and in that of *Heredia* the Citizens Priest Joaquín Flores, Rafael Moya, Nicolás Ulloa and Raimundo Trejos; and in that of *Alajuela* the Citizens Priest José María Arias, Matías Sandoval, José María Alfaro and Joaquín Méndez; who are all expected by the Government not to decline to render this important service.

---

[1] *Supra.*

2. That as a token of recognition, let there be appropriated for him out of the Treasury Two hundred pesos more, in addition to the One hundred and fifty for his work, and ten *Caballerías* of vacant lands, in the locality he may ask for and select them, of which he shall be given the corresponding title of ownership, without any further expense upon his part than defraying the cost of survey when it is asked for.

That the memorial submitted by him be printed, for account of the Government, to the number of 400 copies, and those required by the State being taken, the remainder shall be placed at his disposal.

And for your information this is stated to you by order of the said Chief.

D. U. L. (God, Union, Liberty).

San José, May 23, 1838.

JUAN DE DIOS ZÉSPEDES.

Doc. 516

Decree LXXVIII.

SAN JOSÉ, June 11, 1838.[1]

Opens as a Major Port that of Matina.

The Supreme Chief of the Free State of *Costa Rica*:

Whereas, the Assembly has passed and the Council has approved the following:

"The Constituent Assembly of the Free State of *Costa Rica,* being desirous of affording to the commerce of the country the protection needed for it to reach that degree of perfection which its welfare demands; regretting that by dispositions of the National Government and the reduction of *Matina* to a minor port, trade fell off to a very serious extent, the merchants having to register their goods and have appraisements made at some other port of the Republic;

"And considering that although with [redacted]

"Having in view some opinions by Judges of the First Instance, asking as to the class of Public Works and the location, to which convicts sentenced by them should be sent; and the Tribunal considering that the opening up of the *Matina* road is about to be undertaken; and that many of the convicts up to the present time have not performed their sentences, either for lack of a destination or of security, thus flattering themselves as to their impunity, while there are places in which such prisoners could work out their offenses, having also in mind the benefit to the public by reason of the facility afforded agriculturists and traders in bringing in and taking out their merchandise;

"It was agreed to advise the Judges of First Instance that within the term of eight days they cause to be forwarded to the jails of this city all the convicts sentenced to Public Works, leaving out those sentenced for less than fifteen days, who shall be employed in the repair of bridges, bad places and the cleaning up of the streets and squares of the settlements where it may be deemed desirable, and for other purposes of domestic administration;

"That inasmuch as vagrants ought also to be employed in such work, like instructions be given the Judges of First Instance, that within the same period they proceed in accordance with law to arrest and send forward those who are in the localities under their jurisdiction, doing the same with women prostitutes, and without any proceedings they shall be set at work in the mess or kitchen where those upon the Station are fed;

"And, lastly, it being necessary to provide them with requisite food and proper safeguards, the Supreme Executive shall be advised so that he may provide what is proper in so important an affair.

"By order of the same Tribunal I send to you a copy and that it may be brought to the attention of the Supreme Government for the purposes necessary."

And in pursuance of the foregoing note, the said Government, under date of the 22nd instant, declared as follows:

In accordance with the resolution of the Superior Court of Justice, directing all the convicts sentenced to Public Works to be employed upon the *Matina* road:

It is declared, that until the repair work upon the said road is begun, which will be started as soon as the explorer can give the proper directions, his health being reestablished, they shall be kept busy in the repair of the one that leads from *Cartago* to the village of *Turrialba,* along the trail that turns from the pass of *Quebrada Honda,* indemnifying the discoverer:

And that all this be performed let the Citizen Narciso Esquivel be appointed as Director of the road and as purveyor of the convict stations, with an allowance of thirty pesos monthly, who will collect the tools used in past years for such purpose, with the fetters and other appurtenances; and he shall also provide two tents with an extent of eight yards each, receiving from the General Treasury the money he may need, whenever the requirements of the work demand it, presenting his account monthly with vouchers at the Intendancy; all to be ready for the 6th of the coming month.

The General Commander will furnish the guard to look after the prisoners in proportion to the number of them collected in this city upon the day set by the Tribunal, for which purpose soldiers shall be taken from the company of the city of *Cartago;* and the order of the Court extending also to women who may be sentenced to Public Works, the Political Chief of the Eastern Department will make arrangements for their reception and occupation and the house to be used as barracks in the same city; asking also from the Intendant for this purpose in the corresponding budget the necessary funds; asking the former head whether he desires to continue in such service, as also the gatekeeper, or propose other persons to act in such capacity.

Let this matter be communicated to whomsoever it may concern.

Doc. 518

Decree LXXXVII.

SAN JOSÉ, July 18, 1838.[1]

Uniting in a single Custom House in this city those of Matina and Calderas, and making the necessary provisions therefor.

The Supreme Chief of the Free State of *Costa Rica*:

Being authorized by the Decree of May 18th of the present year, which opened as a Major Port that of *Matina*, to establish its Custom House provisionally, under the Federal provisions of February 27, 1837, having regard for the greater economy of officers and employees under the immediate care and supervision of superiors and the proportional distance between ports as well as the needful security for the interests of commerce and the public funds; and considering that this and the combination of operations will require the union in a single one of the Maritime Custom Houses of *Matina* and *Calderas*,

Decrees:

Art. 1. The Maritime Custom Houses of *Matina* and *Calderas* shall be united into a single one, located in this city, and made up of an Administrator, and inspecting Cashier and a clerk, with the allowance received by the Treasurer, Cashier and clerk of the Treasury of the State.

* * * * * * * *

Done in *San José* on the eighteenth day of the month of July, 1838.

BRAULIO CARRILLO.

To the Minister General of the Department.

---

[1] *Supra.*

Resolution V.

Doc. 519

SAN JOSÉ, October 11, 1839.[1]

Disapproves the Trail discovered by Señor Henrique Cooper in the direction of Moín.

Supreme Government of the State.

San José, October 11, 1839.

Señor Enrique Cooper having applied to know whether or not the trail had been approved, which he opened under the contract made by him with the Government on July 24, 1838, from the vicinity of *Turrialba* to the Bay of *Moín,* and from thence to the Port of *Limón;* having in view the contrary report upon that coast which should be recognised and this having been formally done, the result is that the commissioners and those accompanying them declare that the opening of a good road, passable for mules, to be impossible over a great part of the way; and that at less cost and with less delay one can be opened along the old path.

It also appearing, by the contract referred to, that in case the trail of Cooper was disapproved he should be allowed three hundred pesos for his work from *Turrialba* to *Limón,* and the expenses incurred in the undertaking; and that if it should be approved an additional allowance should be made of one thousand pesos; therefore, inasmuch as it comes within the first case, the General Treasury will pay to said Cooper the three hundred pesos and the expenses incurred, after a previous auditing of the accounts by the tribunal of this name, to which a direction shall be sent for that purpose.

CARRILLO.

By his order: RAFAEL G. ESCALANTE.

[1] *Supra.* Year 1839.

Doc. 520

ORDER XVIII.

Provides That an Effort be Made to Attract by Mild Measures the Native Savages Who Dwell Near Matina.

SAN JOSÉ, June 25, 1839.[1]

CITIZEN EASTERN POLITICAL CHIEF:

From oral statements made by the Citizen Henrique Cooper concerning his tour of inspection towards the Port of *Moín,* the Supreme Chief is advised that along the trail which is opened from *Matina* to said Port, several *palenques* or huts of wild Natives are to be found, who subsist in those mountain regions upon the product of their plantain groves and the chase of animals which they hunt in the woods. They afforded him assistance on his journey, letting him know their desires that he should visit their settlements situated a few hours distant. From this it is thought they may be tractable people and disposed to enter into friendly relations with the Costaricans who live in the interior.

This is a point of great interest to the State, from which it may some day derive incalculable benefits; and the said Chief being desirous of securing the confidence of those people and leading the way to amicable relations, it is provided:

1. That all those who travel to *Moín* by that trail treat kindly and reward in all possible ways the dwellers in those stockades; besides respecting their plantain crops and properties.

2. That both the Commander of the Port and the subordinates of the Custom House, as well as the *Alcaldes* of *Matina* take the greatest care that this disposition is strictly complied with, they being held responsible for any excesses or wrongs committed, however slight they may be, if they do not punish them; for which they are given competent authority, compelling the guilty persons to make good the damage and wrongs that may be done, and requiring them to labor up to one year in the work upon the same trail.

---

[1] *Supra.* Year 1839.

This is stated to you for its fulfillment and that it be communicated by an express to the authorities and subordinates in that valley.

D. U. L. (God, Union, Liberty.)

RAFAEL G. ESCALANTE.

Decree X.

Doc. 52.

SAN JOSÉ, October 25, 1839.[1]

Directs a road to be opened in the direction of the Port of Moín and provides measures connected with that object.

The Supreme Chief of the Sovereign State of *Costa Rica*:

The trail having been disapproved which was opened by Henrique Cooper under the contract with the Government, from the neighborhood of *Turrialba* to the Bay of *Moín* and Port of *Limón;* it appearing from the report made by the Commissioners for its inspection and the declaration of persons who accompanied them, that the old road could be opened at less cost and in a shorter time, changing it in some places, improving its surface and the crossings of the great Rivers *Reventazón* and *Pacuar;* it being a matter of absolute necessity for the commerce and agriculture of the State that there should be direct communication by the North Sea with the nations of this continent and with those of Europe, which can not be secured as long as the bad roads leading to the coast lay so heavy a burden upon the taking out of products and the bringing back of imports that it almost amounts to complete obstruction; and

Considering, that individual interest ought in this matter to display all its energy and assist the Government in an undertaking of general advantage to the State and more especially to private individuals; but it has been shown by the failure to obtain any result from subscriptions heretofore decreed for objects of public beneficence that the desires of the Government would be frustrated and the hopes of the agriculturist, the mer-

[1] ***Supra.*** **Year 1839.**

chant and of all classes of society, all depending upon these pro-

ducers of wealth, prosperity and the aggrandisement of nations, if the Government lack the recourse of applying thereto for the sums needed, guaranteeing them with the revenues of the State; and that while those ruined by a wasteful and careless administration and borne down by an enormous interior and exterior

debt are unable at the present time to defray the costs of that enterprise, they are nevertheless an accredited security in favor of the lenders:

Decrees:

Art. 1. The road will be opened from the *Villa del Paraíso* to the Bay of *Moín*, by the old roadway, with possible straightening and improvement, giving it forty *varas* (Spanish yard of 2.78 ft.) in width in the mountains or where the surface is bad, and twenty in those that do not have those objections, taking advantage of the passes called *Peñón* and *Calabozo* of the Rivers *Reventazón* and *Pacuar*. The first operation will be confined to laying out and clearing, contracting by *manzanas;* and for this

is not full, the said Political Chief shall fill them up with people of the class indicated. There shall be granted under the same condition of non-alienation a like number of *manzanas* of land to those who may desire to establish themselves therein after the hamlets have been formed, or at any other point along the road, within two years.

Art. 3. To make the contracts, to direct the work, establish the hamlets and for matters relating to the launching of safety boats on the Rivers *Reventazón, Pacuar* and *Matina,* authority is given to Señor Jorge Iglesias, who shall be indemnified for his personal expenditures, and he shall be rewarded with ten *caballerías* of land at such place as he may select.

Art. 4. For the expense that may be incurred, the merchants and the planters of coffee, sugar cane and cacao shall be asked to contribute Fifteen thousand (15,000) pesos, with an acknowledgement of the principal sum and interest at six percentum per annum, pledging to them the same branches which are charged for the amortization of the bonds, under the same terms relating thereto, but if they shall desire to take vacant lands a rebate shall be allowed of ten percentum. Therefore, there will be distributed in the city of *Cartago* a call for six thousand pesos, and in that of *San José* nine thousand, among a number of persons in each place, not exceeding twenty nor less than ten. The payments to the General Treasury must be made in three instalments; that is to say, the first one at the end of December, the second one at the end of March and the last one at the end of June, delivering in each case a certificate signed by the officers and registered in the General Accounting Office.

Art. 5 To make such allotment there shall be appointed, in the City of *Cartago* the Señores Antonio Figueroa, Ramón Jiménez and Joaquín Iglesias; and in *San José* the Señores Domingo González, Manuel Fernández and José María Jiménez. These committees shall meet in the hall of the municipality, the first one named acting as chairman, and they shall make their allotments within the first eight days of the month of November next, and forward the lists, signed by the members of such committees and by the secretary of the municipality who shall serve them in that capacity, to the General Treasury through the Intendant, who will provide for the registry in the General Ac-

counting Office, and upon being stamped it shall be forwarded to those mentioned therein for their information. At the same General Treasury the commissioner will ask for the sums needed for outfit, payments and other expenses, preparing an account and vouchers therefor, which must be presented at the end of the year at the General Accounting Office for his audit.

Given at the city of *San José* on the twenty-fifth day of the month of October, 1839.

BRAULIO CARRILLO.

To the Secretary General of the Department.

Doc. 522

Decree XI.

SAN JOSÉ, November 18, 1839.[1]

Directs the Transfer of the Natives from the Settlement of Tucurrique to that of Cot.

The Supreme Chief of the Sovereign State of *Costa Rica*:

Having in view the report made by the Vicar of the State in consequence of the accounts given by the Padres Simón Marín and Aniceto Chacón, who have administered the village of *Tucurrique*:

And it appearing from all thereof that the population is diminishing to such a degree that there are now but eleven families; that the cause of such decadence is the insalubriety of the location they occupy, the savage propensities of the natives, the ill treatment they indulge in toward their women and their indolence and aversion to labor; that the Church and the parish house hardly exist any more, being in such a dilapidated state that they threaten to fall into speedy ruin, it really being impossible to rebuild either one unless the Government attends to the expense, for which reason no eccleciastic can be found to live there; and moreover there not being enough to support him properly, so that worship must be maintained out of his own private purse for lack of a building, the portion the State has allowed and the part the Capitular Vicar granted him out of his own revenues;

[1] *Supra.*

And considering that the expense for the support of a priest in said village and what it would take for the rebuilding of the Church and Parish House could with more advantage to the State be expended in localities better settled, under better conditions and with more hopes of development, such as the Valley of *Matina;*

And being mindful also that those unhappy ones ought not for such reasons to be abandoned to their sad fate, but on the contrary must be afforded some amelioration of their state and condition, by taking them away to a place where they can have the society of laborious people and be incited to clothe themselves and where to obtain comforts they will be obliged to work;

DECREES:

Art. 1. The native inhabitants of *Tucurrique* shall be moved to the village of *Cot,* where they shall be deemed to be the same as its natives, giving to them plots of land for their dwellings, land for cultivation and all the advantages that are appurtenant to that vicinage. For the cost of such transfer and for the building of dwellings, two hundred pesos are appropriated from the Public Treasury; and the municipality of the village will secure the help and personal cooperation of its inhabitants so that they may be helped with their houses. The Political Chief will make a report of the full completion thereof in the month of February next.

Art. 2. In the Valley of *Matina* there shall be built a Church and Parish House, whither shall be sent the Padre who served in *Tucurrique,* the altar furniture, vessels, ornaments and whatever belonged to the Church in that village. That ecclesiastic will have under his charge the administration of the whole valley, from the Port of *Moín* to the River *Reventazón;* collecting for his own support the first fruits and the ecclesiastical fees which are to be paid according to the schedule, beside the Synod, which shall continue collecting during the first two years.

The municipality of that valley shall appoint a committee consisting of five persons, who shall make an examination and locate the site where these buildings are to be erected, where it shall be safe from floods, dry and with a favorable exposure, a place suitable for the establishment of a large population. Having been laid out, building shall be begun under a commissioner who shall

be named for that purpose, those in the vicinity being required to give the cooperation needed. Two hundred pesos are appropriated for the cost of this work from the treasury of the tithes, the tenths in that valley having been paid voluntarily upon the harvests of cacao, notwithstanding the privilege that exists in favor of that product, and the amounts thus collected are to be devoted to the building of this church, for altars, images, ornaments, holy vessels and its decoration.

Art. 4. Those persons who desire to establish a home shall have a parcel of fifty *varas* in the settlement; and upon taking thither their wives and families during the first two years they shall be granted an area of sixty *manzanas* of land at such place as may be suitable for them in the same valley, without prejudice to third parties; or the half of such allowance during the three years following. The settlement shall be laid out by *manzanas* of 100 *varas* square each one, running the streets at right angles, having a width of 18 *varas* throughout their entire extent.

Given in the city of *San José* on the eighteenth day of the month of November, 1839.

BRAULIO CARRILLO.

To the Secretary General.

Doc. 523 **The General Military Commander of Costa Rica to the Minister General of the State.**

SAN JOSÉ, August 24, 1841.[1]

General Military Command of Costa Rica.

SEÑOR MINISTER GENERAL:

By private hand and under date of the 17th instant the Commander of *Moín* tells me what he has discovered:

"I take advantage of this opportunity to inform you that today there arrives at this Port a man of war, having on board the Superintendent of *Waliz* (*Belize*) and the King of the *Mosquitos*. I do not know the purpose of this expedition but I have been assured by Señor Terel at *San Juan* that it has no sinister motive. On board of the same bark comes as a prisoner the

[1] National Archives of Costa Rica. Administrative Section. Bundle of communications of the General Military Command. Year 1841.

Administrator of *San Juan,* Manuel Quijano, for insults offered by him to the said Superintendent, and I will inform you of everything by a messenger who will leave to-morrow."

I have the honor to transmit this to you in order that you may bring it to the attention of the Supreme Chief.

San José, August 24, 1841.

MANUEL A. BONILLA.

(Resolution of the Chief of the State.)

Let an answer be sent saying that if the Governor of *Belize* and the King of the *Moscos* touch at the Port of *Moín* they are to be received with urbanity and courtesy, provided they come without hostile intent or with the pretensions the latter has put forward over that portion of the coast; and if they insult the State flag in any way the authorities and the residents of *Moín* are to support the dignity and the respect due to said State, the Commander of *Moín* acting under the instructions he has received.

Separately orders will be given, so that if at any time Manuel Quijano should come ashore at any place upon the coast which belongs to *Costa Rica,* he shall be immediately shot; since this was so directed in the Decree of July 2, 1836, which put him outside the protection of the laws.

The General Military Commander of Costa Rica to the Minister General of the State. Doc. 524

SAN JOSÉ, September 1, 1841.[1]

General Military Command of Costa Rica.

September 1, 1841.

SEÑOR MINISTER GENERAL:

By the regular mail from the Port of *Moín* I have received, under date of today, the following communication:

"Although in my former letter, which I addressed to you by the care of the Señor Commander of *Cartago,* I advised you that an English war vessel was to arrive on that day, it did not so take place, by reason of a calm and the currents which carried it on to *Bocas del Toro.* Yesterday I had positive news that

[1] *Supra.*

the Superintendent of *Waliz* (*Belize*) declared that the said Port belonged to the British Government and that he made a report to H. B. M. of having taken possession of it, directing at the same time the Colombian employees to leave there within a period of six months, within which time the Superintendent would come back to replace them with English employees. It is also positively known that they have gone to the Island of *Mangle* and I have no doubt that they will come to this port with like intentions.

"As the same Superintendent told Señor Terel at *San Juan* that he did not come to this port with hostile intentions, I have not undertaken to increase the garrison, so as not to show either fear or lack of confidence; and the only step I have taken is to prohibit the crossing of the *Pacuar* and *Reventazón* without a passport; and this under the pretext of building a church at *Matina*.

"I will continue to act with the greatest prudence towards the English of the war vessel and the *Mosco* King as long as they do not demand that rights of the State be given up nor attempt to have me do any humiliating acts. I will duly give to you an account of everything."

I transcribe this to you so that an account of it may be given to the Supreme Chief and the action he may take be communicated to me.

San José, August 31, 1841.

MANUEL A. BONILLA."

(Resolution of the Chief of the State).

Let the answer be given that he act in accordance with the general instructions and the orders of August 23rd last past.

Doc. 525 **Military Orders Relating to the Port of Moín.**

1841.

LEÓN CORTÉS CASTRO, Director General of the National Archives,

Certifies; that in book number five of Letter-books of Correspondence with Commanders, kept by the Secretaryship of State in the Department of War and Marine, beginning on January 3, 1839, and ending April 12, 1842,

at the leaves (*folios*) which are mentioned, will be found the official papers which literally read:

Leaf 101.

No. 139. To the Commander General:

The Supreme Chief, being advised by the communication which the Commander of the Port of *Moín* sends under date of the seventeenth instant, relating to the news he had that an English war brigantine, having on board the Governor of *Belize* and the King of the *Moscos,* was sailing along the coast, has been pleased to provide: that if it should touch at your port, provided it is not with hostile intent, the persons indicated are to be received with politeness and courtesy, but that, if, by reason of the pretensions which the King of the *Moscos* has shown toward this portion of the coast, he should in any way insult the flag of the State, the authorities or residents of *Moín* are to maintain the dignity and respect of the State, the Commander of *Moín* acting in conformity with the instructions he holds.

I state this to you for your information and its execution.

August 24, 1841.

Leaf 103, *over.*

No. 147. To the Commander General:

I communicated to the Supreme Chief your note of yesterday, transcribing that of the Commander of the Port of *Moín*, referring to the one which he had previously addressed to you communicating to you the proximate arrival of an English war vessel carrying the Superintendent of *Belize* and the King of the *Moscos,* and in which he states that he has reliable information that the said Superintendent declared that the Port of *Boca Toro* belongs to the British Government, with other things relating thereto; and he directs me to reply to you that he orders the Commander aforesaid to act as he has been advised in the general instructions and orders of August 23rd last past.

I state this to you for the purposes thereof.

September 1, 1841.

Leaf 104.

No. 149. To the Commander General:

You will arrange that a squad of fifty men shall set forth at once, under the command of an Adjutant, for the city of *Cartago,* where it is to be at the disposition of the *Jefe Político* (Political Chief) of that Department, to preserve order and execute the commands he may give. It will take the necessary field tents and reserve relays. The mess will be provided for it by the *Jefe Político* of this Department and therefore the daily allowance will be reduced a half *real.*

I state to you this per ord. sup. for its execution.

September 3, 1841. 8 p. m.

Leaf 104, *over.*

No. 151. To the Commander of the Frontiers:

Your official letter, dated the fifth instant, has reached this Ministry, and it includes a paragraph from a letter which was addressed to you from *Nicaragua,* with reference to the arrival of an English war vessel at the Port of *San Juan del Norte,* and it having stood off for Quijano; and it having been brought to the knowledge of the Supreme Chief, he directed me to reply to you by stating that the Government already had despatches from the Command of the North concerning the events at *San Juan* and *Boca Toro,* and that by these it was known that the said vessel, without touching at any of the coasts of the State, returned to *Belize.*

I state this to you in response to your note mentioned.

September 10, 1841.

It conforms.

Given in the city of *San José,* at 3.30 p. m. on the twenty-fifth day of January, 1912.

There is a seal which reads:
Archivos Nacionales. San José.
República de Costa Rica.

León Cortés,
Director.

Victor M. Ramírez,
Chief Clerk.

Report of the Commander of Moín Concerning His Visit to Talamanca. Doc. 526

Moín, May 15, 1861.[1]

To the Honorable Señor Minister of the Treasury and War:

Señor: On the fifth day of the present month I returned to this place after having passed through the inhabited points of the coast and having made a long visit to the Indians of *Tierra de Blanco,* carrying out Order Number 10, which you were pleased to communicate to me under date of March 7th, in which I was directed to make a visit to those localities to appoint suitable officials to maintain good order and protect the native Indians from the many depraved persons who for some years past have infested those places.

Although I met with obstacles everywhere, in the end I succeeded in reaching the interior peacefully, until I came to the Indians, who received me with great distrust and I had to conduct myself in the most friendly manner in order to inspire confidence and attain my object.

I had to remain eighteen days with those people in order to instruct them in their duties with the officials and the Government and also to settle some matters between the traders. I appointed an *Alcalde,* who is Don Joaquín María Iglesias, and having called together two tribe chiefs and the creole and Spanish traders I made them acknowledge Señor Iglesias as the only *Alcalde* in those regions, and the two chiefs promised to protect the said official as far as was necessary.

I have in my possession various documents which I collected in those places, which will inform you who the evildoers are who have been committing the horrible crimes which were perpetrated during the past year, in which the Indians are implicated, and I think it best for me to bring them myself so that I may be able to explain them and at the same time advise you of all the observations I made.

I am glad to tell you that in all the territory of *Blanco* peace has been established and that all wicked persons who disturbed

[1] National Archives of Costa Rica. Administrative Section. Department of the Treasury and War. Correspondence. Year 1861.

good order have disappeared. As soon as the Engineer, Don Francisco Rurche, arrives in this place and arranges for his journey I will follow to your place.

With great respect and consideration I subscribe myself your obedient and faithful servant, Q. B. S. M. (who kisses your hands),

F. ALVARADO.

Doc. 527 Appointment of Captain Don José Antonio Angulo as Political Chief and Military Judge of the Port of Moín.

January 23, 1862.[1]

No. 37.

To Captain Don José Antonio Angulo:

The Government, confiding in your well proved patriotism, your abilities and zeal for the service of this administration, has seen fit to commission you to proceed to the Port of *Moín*, at the head of a respectable garrison, to discharge the duties that are set forth in the paragraphs following:

1. The President confers upon you a civil and military character, with administrative and judicial functions, ranking superior to the official who is now acting at that port as the Political Chief and Military Judge.

2. Your principal mission shall be to make the principle of authority respected and to let all the population of *Moín* know and understand that the Government of *Costa Rica* exercises in that settlement, as in others of the territory, the highest authority; that all the inhabitants there are subject to the authorities and laws of the country; and that no one without becoming a criminal can trample upon them with impunity. Notwithstanding this, the greatest moderation must be observed in the exercise of your duties, seeking to conciliate all of the inhabitants, to reconcile enemies if possible and above all to proceed with the utmost tact and along the course indicated by the law in matters concerning foreigners who may bring up claims hereafter against the country.

[1] National Archives of Costa Rica. Administrative Section. Department of Government. Year 1862.

3. In *Cartago* you will put yourself in touch with the Governor and Commander of the station, who will give you suitable instructions in respect to garrison, armament, war material and other things needful for the successful carrying out of your commission, and you will take note of and respect the suggestions he may make to you, provided they are not in opposition to the present letter.

4. Having arrived at *Moín* you will make a proclamation, notifying the population that the Government has invested you with power and authority to settle any difficulties that may exist and to pacify the inhabitants.

5. In the same proclamation you will declare that under the police laws and those of the communes, no one is allowed to carry arms within the settlement, under the penalties provided in those laws against those who may infringe the same and a fine which shall not be less than ten pesos.

6. You will so arrange that during the whole period of your stay in *Moín* the flag of the Republic shall be displayed at the place of your residence, the inhabitants thus becoming accustomed to see it and to respect it.

7. You will remain in the Port of *Moín* a full month, and even fifteen days longer if you shall deem it necessary, and you are to communicate to the Government and to the Governor of *Cartago* anything new that may occur.

8. You will endeavor to have the present Military Judge and Political Chief left thoroughly well established in his position, instructing and counselling him in the proper discharge of his duties.

9. You will keep a journal of everything that may occur and which you may observe at that port, in order to prepare a report to this Department upon your return.

10. Lastly, discretionary powers are given to you for such matters as may come up and which from this distance can not be foreseen by the Government.

May God guard you.

January 23, 1862.

Doc. 528 **The Alcalde of Talamanca to Governor Angulo.**

Republic of *Costa Rica*. *Alcaldía* of *Talamanca*.

OLJABA, March 22, 1862.[1]

To the Señor Governor and Commissioner of the Supreme Government, Señor Don A. Angulo:

Yesterday upon arrival at this port there was delivered to me your note, dated the first of the present month, in which you invited me to appear in your offices, together with the *ladinos* who reside upon this river, and also those called the chiefs of *Biribre*, who I am not sure will go down, although I will make all the efforts that are within my power.

As this notice was not communicated to me before I came down it was not possible for me to notify the said *ladinos*, but I only await your answer in order to go up immediately and coming down in company proceed upon the journey to your place.

This is my reply to your communication aforesaid.

I am with great consideration, your obt. servant,

JOSÉ JOAQUÍN IGLESIAS.

Doc. 529 **Report, Presented to the Supreme Government of the Republic of Costa Rica, by Captain José Antonio Angulo. Status of the "Valley of Matina," "Port of Moín," "Atlantic Coast," and "Territory of Talamanca," Year of 1862.[1]**

REPUBLIC OF COSTA RICA,
SAN JOSÉ, May, 1862.

To the Hon. Sr. Minister of State in the Department of Government:

SEÑOR:

Having the honor to comply with the duty imposed upon me by the Supreme Government in the instructions contained in the note of Your Honor, No. 37, of the 23rd of January of the

[1] National Archives of Costa Rica. Administrative Section. Department of Government. Year 1862.

[1] National Archives of Costa Rica. Secretaryship of State in the Department of Government. Book No. 1411. Folios 1-40.

current year, in which I was directed to proceed, to the Port of *Moín*, in charge of a respectable garrison, I do not hesitate to set down everything I have been able to observe, not only at the port mentioned, but also in the Valley of *Matina*, upon the coast and even in *"Talamanca,"* or *"Viceita"* or *"Tierra de Blanco,"* which are the most interesting points for the Republic and it will be necessary to know their situation, population, healthfulness, character of the bay and anchorage, commercial productions, revenues, as well as the causes which have led to their decadence; and lastly the advantages of the Port of *Moín (Salt Creek)*. I am conscious only of my insufficiency and upright character, for perhaps my account may not be pleasing to many persons who may inconsiderately expect not what a zealous soldier says who is desirous of the prosperity of his country, but the pompous narratives of a traveller;—but I am filled with confidence in considering that my intentions are understood by the heads of the Government and the sensible people of the Republic. Under this conviction I do not fear to tell the truth, devoid of all partiality, to the end that it may be appreciated at its just value and the due result attained, securing for those localities those institutions which will develop and improve their commerce and agriculture, now almost entirely dead.

* * * * * * * * *

TALAMANCA

or "Viceita," or "Tierra de Blanco."

Your Honor was advised by my note of April 1st of the necessity of my going to *Talamanca* in order to establish the rule of law in that most interesting portion of the territory of the Republic, where some men of little judgment, exercising an influence over one of the so-called Kings, have sought to draw away the inhabitants from obedience to the Government of the Republic and tear it asunder. Although I only had an escort under my orders and was obliged to leave with the Commander at *Moín* a force sufficient to compel respect and obedience in any event; and although I had been told that one of those evil-minded persons was talking about 15,000 bows and arrows, with other things added thereto of a nature to intimidate spoiled children, I did not

hesitate one moment for a stamped authority in the *"proceeding taken to ascertain the causes which may have led to the decadence of the Port of Moín and the Atlantic Coast belonging to the Republic,"* to show the necessity of visiting those localities.

Having made up my mind and notwithstanding the sea was very high and rough, not wishing to wait, I ordered a vessel to be made ready, contrary to the opinion of those experienced upon the coast, and I embarked with the necessary oarsmen, four soldiers and a corporal, at eight o'clock in the morning of the 3rd; but hardly had we passed the breakers at the mouth of the stream of *Salt Creek* when the rudder irons broke. We got into the cove of *Portetillo,* where we put in new irons, and started out again at 11 o'clock, with a wind from the Northeast, but in front of *"Punta Simón"* or *Grape* Island[2] the current was so strong that the rudder again broke, so that not being able to reach either of the two points near which I found myself I was compelled to go back to *Salt Creek* upon the solicitation of the experienced pilot and of the seamen who began already to be worried.

Two of the company, Don José Joaquín Iglesias, *alcalde* and military judge of *Talamanca* and Don Sotero Buitrago, an expert in the language, had gone on foot along the beach from *Portetillo,* because they had listened to the warnings of the pilots.

Therefore, I returned in the evening and spent the 4th and 5th there; but on the 7th, a lucky number, I started out once more, though not without the opposition of some of the residents out of their regard for my person; but this time the North-west wind favored me steadily, until we came to the beautiful point of *"Cagüita,"* without anything happening except the wetting of some baggage. I decided to pass the night there under the fine cocoanut trees and we had the same wind which kept up until the break of day. The baggage was already dried out and we proceeded upon our voyage, reaching *"Old Harbour"* (*Puerto Viejo*) and landed at the *"Portete"* at one o'clock in the afternoon on Tuesday the 8th. There Señores Iglesias and Buitrago were awaiting me, a Jamaican Englishman Joainer and the Irish

[2] *Grape Key* or *Uvita* are the names borne today by the *Quiribrí* Island of Columbus.

Captain William Swift, who were good enough to receive me with the respectful courtesy due to a guest and a public functionary.

The two last named gentlemen, Joainer and Swift, had a very troublesome question at issue between them, which had several times led to the use of arms. The matter was pending and so without changing my wet clothing I went at once to the house of Captain Swift, where his adversary also came, and I looked into the difficulty which had led to the quarrel and which was nothing more than the damage to some poor vegetables the Captain had in his plantation caused by some hogs belonging to Joainer. They were soon reconciled, embraced each other fraternally and we went together to the house of Joainer, where dinner was waiting for us, at which the Captain sat down, all their former troubles entirely forgotten.

This occasion gave me an opportunity to learn about the plantation which Captain Swift had established, covering about three *manzanas* (*manzana*, a square of land 100 by 100 *varas*), upon the shore of the sea. I admired the extraordinary fertility of the soil, as shown by the beauty of the plants, and the Captain was good enough to give me a list of them. It appears that he came to that place on December 3, 1860, and the large trees which he cut down with his own hands, and with the help of a *Jamaica* negro who accompanied him, named William, had not yet decayed. He had two houses covered with thatch and enclosed with palm boards, one of them although small being so comfortable and well furnished, with pictures and hangings in such good taste for so remote a spot, that truly I was greatly pleased.

1475 Cocoanut palms of different sizes.
20 Orange trees.
20 *Aguacate* (Alligator Pear) trees.
5 Bread Fruit trees.
2 Lime trees.
800 settings of Plaintains, of different kinds.
700 settings of *tiquisque*[8] or *Mafafa*, each one of which yields at least one *arroba* (weight of 25 lbs.), for my assistant

[8] *Xanthomosa sagittifolium.*

Julián Bonilla saw two *arrobas* taken from one plant, which the Captain directed should be presented to me.

50 Pineapple plants, of as good a sort as those of *Guayaquil* or of *Taboga* in *Panama*.

300 Coffee bushes, which at the time I saw them were ten months old, from the time the seed was planted in the ground, forty inches high and having such fine lateral shoots that I was more than ever persuaded of the great fertility of the soil.

I began with this to form a very good opinion of these localities, which, forgotten by the Government of the Republic and depreciated by Costaricans generally, will some day be the most productive portion and do the most business and therefore have the most traders of any part of the Republic.

It is many years since that the Government of the State was advised that *Talamanca* was the richest portion of the country, in a statement prepared by Señor Don Rafael Osejo, a Nicaraguan, who was a Professor of Philosophy here during the administration of Señor Don Juan Mora.

* * * * * * * * *

I must not fail to call attention to one important fact and that is that the positive character of the Costaricans has prevented them from recognising and appreciating at its real value the territory of which I am speaking, and I shall try, although my ability may be very limited, to set down whatever I was able to observe and find out in the second third of the month of April last, during which time I was in the interior of *"Talamanca,"* or *"Viceita"* or *"Tierra de Blanco."*

Leaving *Old Harbour* (*Puerto Viejo*) on Thursday the 10th of April, 1862, I took up my march along the road that leads to the bank of the River *"Sixola," "Doraces"* or *"Telire,"* accompanied at the same time by the military Judge, Don Joaquín Iglesias, Don Sotero Buitrago, whom I took along as interpreter, he being an expert in the *"Blanco"* language, and the Jamaican Joainer, as my personal escort, with the men needed for the ascent of the river.