

**New Spaces, New Territorialities: a Nineteenth Century Colombian Tale:
*The Aldea Maria***

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1.1 Introduction

In this presentation I explore the interaction of settlers and state agents in Colombia's antioqueño region during the mid-nineteenth century. I focus, in particular, on the *Aldea de María*, hereafter a place I'll refer to as "Maria," which is a village established in a frontier region of Colombia by the Provincial Legislature of Cauca on October 20, 1852. Soon after its founding on a recently deforested Andean slope, Maria became the center of a heated boundary dispute between the provinces of Cordova—a section of the larger territory of Antioquia—and Cauca, a province that, as is perhaps obvious, also claimed sovereignty over it.¹ According to national statutes, the border between the provinces of Antioquia and Cauca was the Chinchiná River. The issue that I am focusing on had its origins in the ground itself, or rather in two rivers that allegedly carried the same name—or at least that was what actors in this multilayered conflict claimed.

Not unsurprisingly, both provinces acted according to the belief that each included Maria within their respective jurisdiction. The province of Cauca granted 7,680

¹ Two notes about the provinces of Cordova and Cauca. The province of Cordova was part of that of Antioquia until 1851. In that year, the liberal government in Bogota split Antioquia in three smaller units: Antioquia, Medellin and Cordova. Congress reinstated the province of Antioquia in 1855 and one year later it became a federal state. The province of Cauca became in 1857 par of the namesake state. It roughly constituted present day department of Risaralda and Quindío as well as the northern part of Valle del Cauca

hectares of land in the disputed territory, to the settlers of Maria in accordance to existing national legislation. Antioquia had already established the township of Manizales, located just across the riverbank, three years earlier. As soon as Cauca tried to settle Maria, provincial and local authorities in Cordova and Manizales claimed that another town so close to Manizales was redundant. Both sides lobbied in Bogota attempting to force the other side's capitulation. The governments in the provinces of Cordova and Cauca were both unwilling to cede their jurisdiction of the strip of land around Maria. Locals, on both sides, raised irregular militias and, in the neighboring town of Manizales, whose citizens on the whole were loyal to Cordova's claim, helped institute criminal penalties for citizens submitting to the other's provincial authority. Additionally, the mayor of Maria also sporadically blocked roads that resulted in impeding commerce.

I am attempting to show in this paper how the capacity to define and enforce property rights was limited for both central and local governments, and that political inconsistency at the national level triggered a conflict between these two recently established towns.² The conflict's aftermath exceeded the borders of this territory. The conflict spilled well beyond the confines of Antioquia and Cauca, and eventually involved the national government. The incapacity of state institutions to settle the dispute between the towns transformed this typical conflict of frontier societies—the definition of property rights for land and other resources—into a symbol that embittered for the rest of the century the relations between Antioquia and Cauca.³

² Manizales was founded in 1848.

³ In the nineteenth-century, the states of Antioquia and Cauca comprised the western section of Colombia, from the border with Ecuador up to the Caribbean state of Bolivar. Antioquia is located in the central northwestern part of the country. Most of its territory is mountainous with some valleys, much of which is part of the central and western Andes cordilleras. Cauca bordered Antioquia to the

Map 1⁴

My argument is broken down into the following stages. After summarizing the different issues at stake in this conflict I'll explain the geographic significance of the settlements of Maria and Manizales for each of the two provinces in question. And then, once the basic geographical issues out of the way, I want to introduce an important commercial actor into the equation, the company of Gonzalez & Salazar. This company

south. The territory of Cauca, though similar in topography to Antioquia, also comprised the fertile plateau known as the Cauca Valley.

⁴ Manuel Ponce de León and Manuel María Paz, "Carta corográfica del Estado del Cauca, construida con los datos de la Comisión Corográfica i de orden del Gobierno Jeneral," (Bogotá 1864).

represented the rights of the Aranzazu Concession, a large colonial land grant that occupied the area where the townships of Manizales and Maria were established. The road between the provinces of Antioquia and Mariquita, which runs through the Ruiz mountain pass, is also key consideration in evaluating the situation that erupted there and so I bring up the road and issues connected to it once Gonzalez & Salazar's motives are presented. As we will see, though the definition of property rights was central, the conflict over Maria was mostly political. The connotation attained to the jurisdictional struggle over Maria can be conceived as another stage in the conflict for political hegemony between liberals and conservatives in nineteenth century Colombia. Though its geographic location added to its connotation, the incapacity of state institutions to settle this conflict in the 1850s had nothing to do with the value of the land of that Andean slope but to its political significance.

1.2 Chronology of Events

October 12, 1849	The Governor of Antioquia enacts the ordinance founding Manizales.
May 15, 1851	Congress splits Antioquia in three provinces: Antioquia, Cordova and Medellin. Manizales belongs to Cordova.
October 20, 1852	The Legislature of Cauca establishes the <i>Aldea de María</i> .
1852	Codazzi mixed up the River Claro with the Chinchiná and the Chinchiná with the Manizales. Therefore, Maria belongs to Antioquia (and the land to Gonzalez & Salazar).
June 8, 1853	Contract between the National Government and Gonzalez & Salazar settling the dispute on the vacant lands claimed by the latter. The company gets the territory in between the Rivers Pozo and Chinchiná.
November 25, 1853	The Legislature of Cordova authorizes the governor to grant a privilege to build a toll road. Cauca calculates the 18-month period to build the road from this day.
February 28, 1854	Liberal President Jose Maria Obando issues a decree clarifying the border between Cauca and Cordova. Maria is part of Cauca.
March 30, 1854	The province of Cordova grants Manizales the privilege to build a toll road. Manizales has 18-months to build it.
April 17, 1854	Military coup against President Obando. Short-lived civil war, April to December, to overthrown Dictator Melo. The inhabitants of Maria were accused of supporting the coup.
January 10, 1855	Vice-President José de Obaldía and Secretary of Governance Pastor Ospina (Mariano Ospina's brother) transfer Maria to Antioquia.
April 14, 1855	Congress reinstates the province of Antioquia.
May 11, 1855	Congress overturns Obaldía's decision: Maria is once again part of Cauca.
October 19, 1855	The Legislature of Antioquia grants Manizales an 8-month extension to complete the toll road.
November 20, 1855 ⁵	The central government grants 7.680 hectares of vacant land to the inhabitants of Maria.
1856-1857	Lawsuit involving the dispute between Maria and

⁵ Avelino Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca," (Bogotá: Imprenta de Echeverría Hermanos, 1857), 16.

	Marcelino Palacios over the ownership of the plot of land known as <i>La Florida</i> .
February 15, 1860	Conservative President Mariano Ospina confirmed Gonzalez & Salazar's ownership on the strip of land between the Rivers Chinchiná and Claro. Ospina used the map of 1852 where the Chinchiná is named Manizales.
April 29, 1863	The all-liberal Convention of Rionegro declares vacant land the territory in between the Rivers Chinchiná and Otún and grants it to the State of Cauca, aggravating the conflict.
March 9, 1870	Settlement of the seventeen-year dispute: Gonzalez & Salazar gets 12,800 hectares of vacant land and \$10,000. Maria gets titles for the 7.680 hectares granted in 1855. Marcelino Palacios gets the ownership of <i>La Florida</i> .

1.3 A new space, a new territory: unleashing a conflict

The establishment of Manizales and Maria was another, and important, stage in the colonization of the central cordillera of the Andes in southern Antioquia, bordering Cauca. Settlers in both towns migrated from other areas within Antioquia, where the scarcity of arable land drove inhabitants south toward the open frontier. The common geographical origin and backgrounds of immigrants in both sides of the border did not prevent the escalation of the conflict, as we might expect. Both settlements are within a twenty minutes walking distance. Manizales is on the northern bank of the Chinchiná River and Maria on the southern. Not only did provincial and local authorities in Antioquia and Manizales claim that another town so close to Manizales was redundant. Throughout the 1850s, this same faction continually argued that Maria was basically a refuge for undesirable persons.⁶ In Cauca, the argument that Maria attracted

⁶ Los habitantes de la Aldea María no son trastornadores del orden público y tampoco “hombres perdidos i vestidos de todos los vicios que aflíjen a la especie humana.” “Declaraciones a que se refiere la hoja anterior,” (Cauca?: [s.n.], 1854).

undesirables was dismissed as uninformed. To protect their own interests and to prevent further defamation, the settlers put forward a public relations offensive.

In 1854, the inhabitants of Maria responded to these constant accusations by publishing a pamphlet containing three depositions made by inhabitants of Cartago (Cauca). With this pamphlet, the mayor of Maria Luis Maria Cevállos attempted to counter the negative propaganda launched by Manizales in the midst of the military campaign to reinstate the constitutional government overthrown by General Melo on April 17, 1854. From November 14 to 16, 1854, the *personero* of Maria, Antonio Cardenas, questioned Ramón Rubiano, Jerónimo del Castillo and Felis de la Abadía, all of them from Cartago, about the inhabitants of Maria.

In their oral testimonies, they sustained settlers did not support the military coup of General Melo or got involved in any way in the skirmishes unleashed by that event but contributed with money and supplies to the constitutional army. In addition, they all declared the inhabitants of Maria were neither troublemaker nor slothful but law-abiding, hard-working and Catholic citizens.⁷ Rubiano affirmed the *aldea* contributed to the war effort with \$100 pesos, supplies and thirty-three local troops. Along the same lines, Castillo asserted he personally saw these troops marching through Cartago in their journey to Ibagué. De la Abadía also stated he saw the troops of Maria marching when he was casually standing in a place known as Mata de Caña.

Besides demonstrating that the inhabitants of Maria were law-abiding citizens, local authorities wanted to display their hard-working character. Rubiano declared villagers, in spite of counting with very limited resources, supported a school with forty students. They also built a bridge to cross the Chinchiná in the road that connects the

⁷ Ibid.

province of Cordova with Cauca and a decent church, the latter in the short time of seven months. So, who was behind this negative propaganda? For Rubiano, those that purchased the terrains litigated by Elias Gonzalez were the ones that launched the vilification campaign against Maria. Gonzalez & Salazar resorted to denigrate the settlers after their claim upon the terrains of the aldea was dismissed by the central government in 1855. Indeed, Rubiano's claims were widely supported by the evidence. As Ramon Arana proclaimed on November 1, 1857, the heinous crimes of Gonzalez & Salazar on the towns of Salamina, Neira and Manizales marked its path through the region.⁸

Gonzalez & Salazar was established by Juan de Dios Aranzazu as an attempt to control immigration and settlement in the territory from the Rivers Pozo to Chinchiná (see map 1), a section of the vast area granted to his father Jose Maria.⁹ Aranzazu constituted the company to counter the unstructured and from his perspective illegal occupation of his lands by migrants from other parts of Antioquia.¹⁰ From the outset, settlers confronted the unyielding, and at times violent opposition of the company.¹¹ The

⁸ Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca," 3.

⁹ According to Jaime Vallecilla in *Café y Crecimiento Económico Regional*, the Spanish Crown granted José María de Aranzazu a large track of wasteland in southern Antioquia in 1763. The Aranzazu Land Grant contained in between 200,000 and 240,000 hectares of land. This number, however, is still subject to debate for other scholars calculate its size up to 600,000 hectares. After the mid-nineteenth century, beneficiaries of this grant were successively Gonzalez & Salazar, Moreno & Walker and Angel, Velasquez & Company, the latter subsisting until 1922. Jaime Vallecilla Gordillo, *Café y crecimiento económico regional : el Antiguo Caldas, 1870-1970* (Manizales, Colombia: Universidad de Caldas, 2001). 311-12.

¹⁰ Hermes Tovar Pinzón, *Que nos tengan en cuenta. Colonos, empresarios y aldeas: Colombia 1800-1900* ([Bogotá]: Tercer Mundo Editores, 1995). 93.

¹¹ *Ibid.*, 93-94; Marco Palacios and Frank Safford, *Colombia: país fragmentado, sociedad dividida : su historia* (Bogotá: Grupo Editorial Norma, 2002). 347. Elias Gonzalez Villegas, Juan de Dios Aranzazu's uncle and the most visible representative of Gonzalez & Salazar, was notorious for employing violent methods against settlers. In 1851 Gonzalez was assassinated in the bridge of Guacaica by two gunmen hired by Eduardo Agudelo, a neighbor of Salamina, in retaliation for burning settlers' cabins in the territory of the land grant. José María Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913* (Manizales: Imprenta de San Agustín, 1914). 38.

conflict between Gonzalez & Salazar and the newly established towns of Salamina (1827), Neira (1842) and Manizales (1849), the three of them located in the area of the Aranzazu Land Grant, dragged on until 1853 when the central government finally intervened settling the dispute.¹²

On June 18, 1853, the Secretary of Hacienda Jose Maria Plata and Jorge Gutierrez de la Lara, representative and partner of Gonzalez & Salazar, signed the contract ending the dispute between the Nation and the land company. The Nation relinquished any rights it could have in the territory from the Rivers San Lorenzo and Poso (northern boundary) to the Chinchiná (southern boundary) and from the highest point in the Cordillera Central (eastern boundary) to the Cauca River (western boundary). In return for renouncing its claims of all vacant lands in that territory, the Nation received 25% of the shares of Gonzalez & Salazar. For its part, Gonzalez & Salazar agreed to grant 10 *fanegadas* of land to each settler already established in the territory and 12,000 *fanegadas* (7,680 hectares) to each of the town councils of Salamina, Neira and Manizales. President Obando duly signed it the contract a few days later, on June 23, 1853¹³

With this agreement began the conflict between Maria and Gonzalez & Salazar, as the latter claimed the village was established in its territory. The land dispute between the settlers in Maria and Gonzalez & Salazar was just another stage in a decades-long conflict. Settlers as well as the owners of the company claimed the rights to the land

¹² In 1851, an agreement between Gonzalez & Salazar and the inhabitants of Manizales, even though the parts signed a contract and recorded it in a notarial instrument, failed to settle the dispute in this township. Ambrosio Mejia, representative of Gonzalez & Salazar, and Manuel Grisales, president of the first cabildo of Manizales concluded an agreement by which the company granted the town the populated area of Manizales and settlers agreed to purchase their terrains at a discounted price. Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913*: 39.

¹³ "Terrenos de Salamina, Neira y Manizales," *Gaceta Oficial*, 5 de julio de 1853 1853.

where Maria was established. The definition of property rights over that land, however, was subordinate to settling the boundary dispute between the two provinces. The border between the province of Cordova (and, therefore the border of the municipality of Manizales), and of the land granted to Gonzalez & Salazar, was the Chinchiná River.¹⁴ The problem was that, as we saw above, on the ground two rivers apparently carried that name. Liberals supported the settlers' claims designating as Chinchiná the river that flows north of Maria. Conservatives backed Gonzalez & Salazar; thus, they used the 1852 map produced by the *Comisión Corográfica*. In that map, the Chinchiná is the watercourse that flows south of Maria.

At first sight, this conflict appears to be a simple land dispute between settlers from Antioquia and Gonzalez & Salazar. What cannot be forgotten with respect to this dispute is that it was not merely about vacant lands. The founding of Maria was a tactical endeavor for Cauca in the same way as the founding of Manizales was a tactical move on the part of Antioquia. Both Cauca and Antioquia recognized that the area was a highly strategic crossroads within western Colombia, and this particular feature accounted for its value more so than did anything else. Both Manizales and Maria are located in an area with an abrupt and very uneven topography, and it is difficult to imagine a more inadequate place to build a town.¹⁵

But the roads that connect Antioquia with Cauca and eventually to southern Colombia and to the Magdalena River are another matter. The road that connects these two towns also runs westerly, connecting up to the Cauca River and to mining areas on the river's west bank. Both regions had mining interests and since colonial times, were

¹⁴ Ibid.; Secretaría de Relaciones Exteriores, "Decreto determinando los límites entre las Provincias de Córdoba i del Cauca," *Gaceta Oficial*, 1 de marzo de 1854 1854.

¹⁵ Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913*: 32, 40.

Colombia's main gold producers. Not far to the east is the Magdalena River, a critical waterway for transporting goods from central Colombia to the Caribbean. For commercial reasons, therefore, both Cauca and Antioquia thought of the area as strategic. According to the arguments put forth by both provinces in their lobbying efforts in front of Congress and the Presidency in Bogota, the issues at stake were more complex than that.

The boundary conflict was made worse because the definition of the Chinchiná River also entailed control over an important mountain pass through the Andes central cordillera, the *páramo del Ruiz* pass. The road that traverses the Ruiz pass provided mountain-locked Antioquia (and northern Cauca) with a much-needed linkage to the Magdalena River, Colombia's most important inland waterway and a link to the Caribbean Sea. To facilitate traffic through the Ruiz, the province of Cordova granted Manizales, in 1854, a privilege to build a toll road.¹⁶ Therefore, settling the border dispute also meant settling upon which river would carry the name Chinchiná, and it also entailed the continuation of the road concession. Thus, the conflict between Maria and Manizales was also a conflict over a strategic mountain pass, which played a key role, not only for trade, as mentioned above, but also for war and migration.¹⁷

In addition to these factors, the conflict between Maria and Manizales touched upon even larger political issues. The conflicts I just outlined should be also seen in the context of liberal and conservative competition for political hegemony. Even though the presence of competing political actor was not, in general, a problem in and of itself, for

¹⁶ The concession was from Manizales to the border with the province of Mariquita, in the Ruiz. The road traverses the mountain pass and continues eastward until it reaches Lérica and other towns in the province of Mariquita. Ultimately, it reaches the Magdalena River. The province of Mariquita was from the 1850s to the 1870s the center of the tobacco industry, Colombia's main export during that period.

¹⁷ Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913*: 40.

the inhabitants of Maria, that competition meant more uncertainty. Because the definition of property rights for persons inhabiting deforested land was contingent upon the demarcation of the boundary, if the national government switched the border, it automatically altered property rights for Maria's settlers. It can be safely argued that conservatives favored the interests of Manizales (and thus of Antioquia) and that liberals favored the interests of Maria, that is to say, Cauca. Thus, alternation in power at the national level was perceived as a threat for locals.

Liberals controlled the national government from 1849 until 1854. That year, the liberal administration of General Obando ended abruptly by means of a military coup. An unexpected consequence of the military coup of 1854 was that conservatives took control of the executive. In January 10, 1855, Maria was transferred to Cauca. Even though in April Congress reversed that decision that was not the final word. In 1858, conservatives attempted again to reverse the definition of the boundary dispute taken by liberals. As a result of political competition between liberals and conservatives, the fate of Maria settlers remained hanging by a thread for about two decades after its foundation in 1852.

All the while the approximately 3,000 inhabitants of Maria dealt as best they could in their conflicts with Manizales's political and economic elites and Gonzalez and Salazar.¹⁸ Settlers in Maria faced state institutions that had a limited capacity to enforce its own decisions and with political inconsistency. By the mid-1850s, Maria was already a place charged with symbolism for both antioqueños and caucanos. This state of affairs

¹⁸ In 1858, Ramón María Arana, mayor of Maria, estimates the population in more than 3,000 inhabitants. Ramón María Arana, "Refutación al informe del Jeneral Codazzi sobre límites de los Estados Unidos de Antioquia i Cauca por la aldea de María," ([s. l.]: [s. n.], 1858), 1.

continued for more than two decades, and it exacerbated the already uneasy relations between conservative Antioquia and liberal Cauca.

This case also exemplifies the challenges that Colombia faced when trying to establish local state institutions that could take advantage of the opportunities provided by the country's Liberal Reforms.¹⁹ For example, the situation in Maria reflects the difficulties faced by impoverished Colombians to migrant to new localities during the nineteenth century. By Liberal Reforms I am referring to the reformist agenda that took place in the mid-nineteenth-century which shook up lethargic New Granada, setting in motion unprecedented institutional transformations.²⁰ A crucial aspect of these reforms was decentralization of state authority. From 1849 to 1858, liberals successfully passed legislation that dispersed decision-making governance closer to the population. This process was by no means free from conflict, as we can see through this particular dispute between Cauca and Antioquia. Indeed, as the central government transferred authority to the provinces, its already limited capacity to settle disputes, and the capacity given to provincial governments to enforce their decisions was even more curtailed. In addition, the conflicts that first erupted among provinces, which later became federal states, made governance even more challenging.

In 1858 Congress enacted a new constitution that reorganized Colombia into a federation. As the central government lost competencies and the federal states further challenged its authority to intervene in domestic issues or even to control public order,

¹⁹ Senado Colombia, "En la aldea de María," in *ALC 1858 Senado XII* (AGN, 1854), 279r.

²⁰ Colombia, *Codificación Nacional*, vol. XV 1852-1853 (Bogota: Imprenta Nacional, 1929). 515. The reforms enacted by the liberal administrations after 1849 expanded the sphere of action and autonomy of municipalities and provincial governments. For instance, in 1850, Congress granted provinces and municipalities the authority to autonomously administering their revenues and to reform their tax system. In addition to that, it also granted a significant portion of wasteland property of the nation. By law of June 1, 1853, Congress granted 25,000 fanegadas [one fanegada is approximately 6,400 square meters, or approximately 1.58 acres; 25,000 fanegadas are approximately 39,500 acres] per province.

its capacity to settle disputes became almost inexistent. Though the conflict between Antioquia and Cauca did not fade away, the property rights of Maria's settlers became more secure as the central government had no authority to resolve boundary conflicts or to force an agreement, unless both states approved it. Nevertheless, the dispute between the settlers and Gonzalez & Salazar continued, returning to political limelight after conservatives regained power in 1857.

I consider the conflict between Maria and Manizales relevant for three reasons. First, it provides insights on the interaction among central, provincial (after 1857 federal states), and local governments in Colombia during the 1850s, a pivotal time of state formation. Second, this case also highlights how political affiliations emerged and were consolidated during this time. Third, the problems faced by Maria's residents echo the difficulties faced by an innumerable number small communities in the 1850s and 1860s, two decades full of dramatic institutional changes in Colombia.

1.4 A strategic mountain pass over the Andes: the geographic implications of Maria

To understand the geopolitical implications of controlling the stretch of land that surrounds Maria and the *páramo del Ruiz* it is essential to take into account Colombia's geography. The Andes split into three distinct, roughly parallel mountain ranges in southern Colombia: the Cordillera Occidental, the western range, the Cordillera Central, the center range, and the Cordillera Oriental, the eastern range. The three cordilleras extend northeastward almost to the Caribbean Sea. The western and central cordilleras extend from south to north up to the Caribbean lowlands. The eastern cordillera extends

from southeast to northeast and continues onto Venezuela. These three ranges, though providing temperate climates for the population, are formidable barriers that make east-west transit arduous. This topography is perhaps the most influential factor in the formation and sustenance of highly autonomous and differentiated regions in Colombia.

Between the western and central Andean ranges flows the Cauca River. This river is navigable only in short stretches in the interior of Colombia. These two cordilleras converge after a fertile plateau that stretches around the cities of Buga, Cali, and Palmira. From that point the Cauca River opens into a profound canyon that proceeds all the way to the Caribbean *sabanas*. In the nineteenth century, this fertile plateau, known as the *Valle del Cauca*, was part of the province and state of Cauca. West of Maria and Manizales, the Cauca River is not navigable.

The central range is separated from the eastern range by the Magdalena River. In contrast to the Cauca, the Magdalena River is quite navigable from the Caribbean Sea up to the interior of Colombia. Though interrupted midway by rapids, this river was the vital link between the interior of Colombia and world markets from the time the Spanish arrived in the region until the 1950s.²¹ Therefore, direct access to the Magdalena River was crucial for establishing linkages to the eastern states (Cundinamarca, Boyacá and Santander) and to the Caribbean Sea. Maria, Manizales and most of Antioquia's population are located on the western slopes of this range.

In addition, the central cordillera is the most elevated of the three mountain ridges, with an average altitude of 3,000 meters. The *Nevalo* (snow peaked) *del Ruiz*, next to Maria and Manizales, is the second highest peak in the central range. Control over

²¹ The upper most navigable reach of the river was the Honda, province of Mariquita, established at the bottom of the rapids.

the few mountain passages, such as the one that traverse the Ruiz, made them even more valuable.²² The Chinchiná headwaters are in the same mountain, flowing westward until empties into the Cauca River. However, the Cauca River is not navigable in that area and provided no link to the Caribbean Sea. Thus, contact to the rest of the country and to foreign markets from southern Antioquia and northern Cauca depends on access to the Magdalena. The topography surrounding these two settlements, which controls the flow of the area's waterways, is one of the reasons why the conflict between Antioquia and Cauca was so intense. In addition to defining property rights on land for settlers, settling the borders between the provinces of Cordova and Cauca entailed control over that mountain pass. This was a highly strategic passage for transportation, commerce and war; a direct entry (but a steep one) from the Magdalena River to southern Antioquia and northern Cauca.

In the central cordillera there are no large plateaus, excepting a few small valleys. Thus, most of the settlements there have a very difficult topography with frequent ridgelines and steep slopes. Maria and Manizales lies in the central range and are exemplary of the towns established by the antioqueño population. During the nineteenth century, antioqueños migrated south and southwest deforested these particular Andean slopes, and settled the region. The antioqueño colonization toward southern Antioquia went beyond the borders of that province. It reached the neighboring Andean slopes in northern Cauca and western Tolima. This particular area became, by the late nineteenth century, the center of the expansion of the coffee industry. Maria may have been one of

²² Páramos are high mountain ecosystem located in the northwestern corner of South American and southern Central America.

the first antioqueño settlements in northern Cauca and its official foundation is the event that triggered this conflict.

1.5 A New Start: the Aldea de María and the Definition of a Symbolic Border

María, officially the *Aldea de María*, was established by the Provincial Legislature of Cauca on October 19, 1852.²³ The foundation of a new town in the slopes of Colombia's central cordillera was not uncommon during the 1850s. The colonization of south and southwestern Antioquia during the nineteenth century was the answer to the scarcity of cultivable land in the most populated areas of the province. This geographical area on the slopes of the central cordillera became the *Eje Cafetero*, Colombia's Coffee-Grower Axis. The implications for Colombia's economic growth of Antioqueño colonization turned it into one of the most studied and debated processes in the country's history. In addition to its implications for the development of Colombia's coffee industry, this historical process has also been studied because of its debated democratizing and equalizing undertones.²⁴

Thus, the recognition of María by the Legislature of Cauca in 1852 was by no means unique. Manizales, the neighboring town, and the other major contending actor in this dispute, was established in 1848. However, by contrast to the establishment of

²³ In some of the document available at the Archivo Legislativo del Congreso, ALC, the town is also designated as Chinchiná. I don't use that term here to avoid confusions with another settlement founded in the area in 1857 with that name.

²⁴ Further readings: Keith H. Christie, "Antioqueño Colonization in Western Colombia: A Reappraisal," *Hispanic American Historical Review* 58, no. 2 (1978). Everett Einar Hagen, *El cambio social en Colombia* ([Bogotá]: Ediciones Tercer Mundo, 1963). James Jerome Parsons, "La colonización antioqueña en el occidente de Colombia," s.n. Frank Safford, "Significación de los antioqueños en el desarrollo económico colombiano," in *Aspectos del siglo XIX en Colombia* ([Medellín]: Ediciones Hombre Nuevo, 1977).

Manizales and other settlements in the area, the creation of Maria in 1852 initiated a boundary dispute between the provinces of Antioquia and Cauca. Originating from conflicting national and provincial legislation passed after 1852, the dispute resulted from a poor understanding of geographical features of the central Andean cordillera and specifically of the abundant rivers and small-to-medium-sized natural streams that crisscross the area, all of them tributaries of the Cauca River. The central government determined the Chinchiná River as the border between the provinces of Antioquia, to the north of that river, and Cauca, to the opposing direction.

The key aspect of the dispute is that, on the ground, there were at least two streams settlers identified with the name Chinchiná, or at least claimed that. For Antioquia and for Gonzalez & Salazar, the Chinchiná River was the stream located south of Maria (see map 2). For Cauca, the Chinchiná River was the stream flowing in between Manizales and Maria (see map 1). Even though Congress settled this issue on May 11, 1855, stipulating the Chinchiná is the stream that flows north of Maria, the conservative administration of Mariano Ospina reopened the debate after 1857. In 1860, they accepted the validity of the 1852 map (map 2). By doing that, the Ospina Administration overrode by decree the 1855 congressional act, reopening the conflict between Maria and Gonzalez & Salazar.

On February 28, 1854, liberal President Jose Maria Obando issued a presidential decree clarifying the borders between the two provinces of Cordova and Cauca. In the document, the President specified that the Chinchiná is the stream that flows in between the two towns. To the west, the borders extends until the Chinchiná empties into the Cauca River. To the east, the border follows the same stream, north of a place known as

Lagunetas and until the Chinchiná rises in the *páramo del Ruiz*.²⁵ Later that year, a military coup abruptly ended the Obando's presidency.

On January 10, 1855, Obando's successor, Vice-President Obaldía reversed the February 28, 1854 resolution. The new executive decree transferred Maria to the province of Cordova (Antioquia). To avoid further conflicts, the new document specified that the border between Antioquia and Cauca is the river that rises in the *páramo del Ruiz*, flows south of *Lagunetas* and south of Maria and empties in the Cauca River.²⁶ This is the stream that in map 1 is named as *Rio Claro* and in map 2 is named *Chinchiná*. The government defended this revision by arguing the previous decree altered public order and created administrative misunderstandings. This decision was short lived. Four months later, Congress legislated on the issue and recognized again Cauca's jurisdiction over Maria. In the meantime, the province of Cordova granted Manizales a privilege to build a toll road to improve southern Antioquia's access to the Magdalena River.²⁷

On May 11, 1855, Congress overturned the January 10th decision. The Chinchiná River still marked the border between the two provinces but Congress decided the stream with that name was that flowing north of Maria, thus, the town was in the jurisdiction of Cauca. Though it seemed the act clearly settled the boundary dispute, the conflict continued. In particular because Congress determined the border from the rising of Chinchiná River in the slopes of the Ruiz until it enters the Cauca River.²⁸ However, a varying interpretation of the law caused the government of Antioquia to continue claiming sovereignty over the strip of land along the border. Shortly after Congress

²⁵ Colombia, *Codificación Nacional*, vol. XVI 1854-1855 (Bogotá: Imprenta Nacional, 1930). 14.

²⁶ *Ibid.*, 95.

²⁷ Colombia, *Leyes i decretos espedidos por el Congreso Constitucional de la Nueva Granada en 1855* (Bogotá: Imprenta del Neo-Granadino, 1855). 50.

²⁸ Colombia, *CN XVI*, XVI 1854-1855: 186.

enacted this new law, Cordova (and later the state of Antioquia) argued the Chinchiná River rises north of the Ruiz and not in the *páramo* of that name.

Several concepts submitted by Agustín Codazzi—chief of the *Comisión Coreográfica*, the state-sponsored geographic expedition for making maps of the territory and exploring the provinces across New Granada—supported Antioquia's claims.²⁹ In addition, previous pronouncements determined the Claro River, the southern stream of the two that on the ground received the name Chinchiná, as the border between the two entities.³⁰

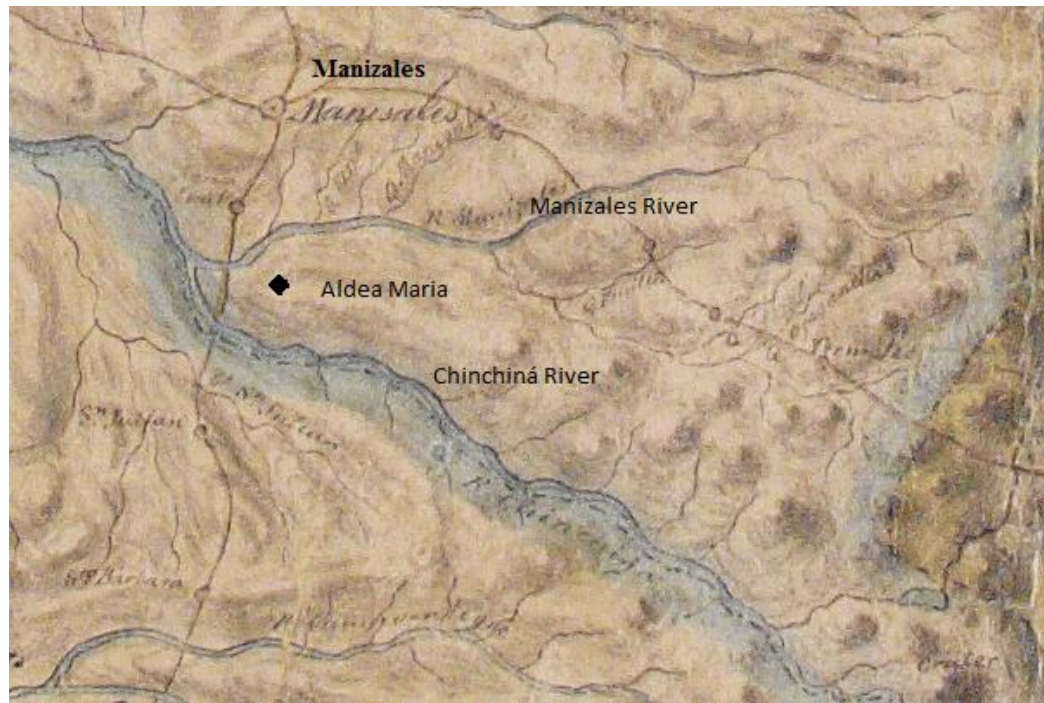
The next phase in this conflict started in 1857 when conservative Mariano Ospina was sworn-in as President. Congress reopened the debate concerning the border dispute in 1858. On February 7, 1858, the inhabitants of Maria submitted a request to the Senate and the House of Representatives after they knew Congress was ready to reopen the debate. They opposed the umpteenth project to transfer Maria from the state of Cauca to Antioquia. The undersigned affirmed under the protection of the authorities of the province and state of Cauca Maria acquired its current and their property rights are guaranteed. They distrust the authorities of Antioquia and are certain that as soon as Congress transfers the village jurisdiction to the latter, their properties would be confiscated. They emphasize that they emigrated Antioquia fleeing from misery and that in Cauca they found a new patria that have provided them with means of subsistence for their families and even made them property owner. They even threat Congress by

²⁹ For Hermes Tovar, the conflict originated in a map produced by the Comisión Coreográfica in 1853. In that map, the Chinchiná River appears as Manizales. Tovar Pinzón, *Que nos tengan en cuenta. Colonos, empresarios y aldeas: Colombia 1800-1900*: 96.

³⁰ Rafael María Giraldo, "Gobernacion de la Provincia de Antioquia, No. 19," in *ALC 1858 Senado XII* (Medellin: AGN, 1856), 88r-v.

affirming that they will discover what they are willing to do before they surrender the outcome of six years of hard work.³¹

Map 2 – Province of Cordova (produced in 1852 by the *Comisión Corográfica*).³²



It seems their threat worked out. In 1858, even though Congress reopened the debate neither abrogated nor reformed previous legislation upon this boundary conflict. But the Ospina Administration did it, by means of an administrative resolution. On February 15, 1860, the Secretary of Hacienda of the Confederation enacted a resolution setting the Cabinet's position in the dispute. The conservative Administration of Mariano

³¹ Senado Colombia, "Ciudadanos Senadores i Representantes," in *ALC 1858 Senado XII* (AGN, 1858), 85r.

³² Agustín Codazzi, Manuel Ponce de Leon, and Manuel Maria Paz, "Mapa corográfico de la provincia de Córdoba," (1852).

Ospina respected the 1852 ruling of the Chorographic Commission, in spite of the evidence presented against it and the Congress's act of 1855.

By doing this, the Ospina Administration recognized the rights of Gonzalez & Salazar in the territory granted by Cauca to Maria. In consequence, the national government accused settlers for been illegally occupying land owned by Gonzalez & Salazar. The government, however, decided not to oust them from the lands they were occupying. The Secretary acknowledged settlers established there in good faith for the government of the province of Cauca ensured them those were vacant lands. In addition to that, the Secretary recognized the inhabitants of Maria transformed those Andean slopes into highly productive terrains. Expelling them, he concluded, would be unfair not only because they would be dispossessed from the wealth they created but also because Gonzalez & Salazar would receive a vast wealth they did not contributed to create.³³

Nevertheless, the Secretary of Hacienda did not automatically granted settlers the 7,680 hectares they received in 1855. In fact, the national government had already granted those terrains to the inhabitants of Maria. The plots of land were distributed before 1858 and colonizers had been farming those lands since they settled there around 1850. The community even complained there were no 7,680 hectares of arable land between the Rivers Chinchiná and Claro. And they were determined to remain in the western slope of the Cordillera Central. On the verge of another stage of this conflict, in 1858, they pledged Gonzalez & Salazar would take possession of their lands over the dead body of the last of the inhabitants of Maria.³⁴

³³ "Resolución ejecutiva de 15 de febrero de 1860," (Bogotá: A.G.N. Sección República. Fondo: Ministerio de Industrias. Serie: Baldíos. Tomo 1., 1860), 57-58.

³⁴ Arana, "Refutación al informe del Jeneral Codazzi sobre límites de los Estados Unidos de Antioquia i Cauca por la aldea de María," 7.

In spite of all these precedents, the Ospina Administration granted, for a second time, 7,680 hectares to the inhabitants of Maria but not necessarily the ones they were already occupying and explicitly excluded the hacienda La Florida (see below). The February 15 resolution was not only vague but included terrains that were previously granted to settlers of Santa Rosa de Cabal.³⁵ The community would receive part of the 7,680 hectares to the right of the River that in the official map is known as Chinchiná (also known as Claro). If that fell short of 7,680 hectares, they will receive the residual land on the northern bank of the Chinchiná-Claro River. In the latter case, they would only receive vacant land—this section excluded land they were occupying but claimed by Gonzalez & Salazar as theirs. If Maria itself were located in La Florida, dwellers would have to pay for the terrains they were occupying. Gonzalez & Salazar would receive the same amount of land settlers would get to the right of the Chinchiná River, “also known as Claro,” as compensation.³⁶

Ramón Arana, representative of the interests of Maria in Bogota, reminded the Administration the central government recognized their rights on the Executive Decree of November 20, 1855. He also reminded the Ospina Administration that even Marcelino Palacios, partner of Moreno & Walker, shareholder of Gonzalez & Salazar, *personero* of Manizales, and the one demanding the ownership of La Florida, identifies the river that flows in between Manizales and Maria as Chinchiná. The same does the municipality of Manizales.³⁷ To no avail, the national government did not amend their resolution. The civil war that began later in 1860 played in Maria’s favor as the resolution was never enacted.

³⁵ Ramón María Arana, "Aldea de María: ciudadano Presidente de la Confederación," (Bogotá: Imprenta de Echeverría Hermanos, 1860).

³⁶ "Resolución ejecutiva de 15 de febrero de 1860," 58v, 59r.

³⁷ Arana, "Aldea de María: ciudadano Presidente de la Confederación."

On April 29, 1863, the all-liberal Convention of Rionegro aggravated the conflict between the community and Gonzalez & Salazar after declaring as vacant land the whole territory in between the Rivers Chinchiná and Otún. In addition, the Convention granted to the government of Cauca the authority to distribute the land among settlers, five hectares of vacant lands per member of each family, in the townships of Maria, Santa Rosa de Cabal, Palestina and San Francisco, all localities in Cauca.³⁸ One year later, in 1864, the central government officially granted (*por título de concesión*) 7,680 hectares to the settlers of Maria.³⁹ These two decisions overturned the decision taken by the conservative administration of Mariano Ospina. Therefore, Gonzalez & Salazar continued claiming the land as theirs.

On July 1864, Pablo Marulanda, representing Gonzalez & Salazar, sent a petition to the *procurador* of Maria asking him to stop the Municipal Corporation from allocating the land granted by the Convention in 1863. He argues those terrains are not vacant land. Jorge Villegas, procurador of Maria, politely replied Marulanda he had no authority to halt the application of any legislation enacted either by the Convention of Rionegro or the State's Legislature. Villegas also informed Marulanda the government of Cauca would defend the state's rights.⁴⁰ This dispute, the quintessential example of limited state authority during nineteenth-century Colombia, dragged on until 1871 when Secretary of Hacienda Salvador Camacho Roldan reached an agreement with the representative of the company. As a result of that arrangement, settlers finally received title deeds of the land they have been working on since the early 1850s.

³⁸ Colombia, *Codificación Nacional*, vol. XX 1862-1863 (Bogota: Imprenta Nacional, 1930). 257.

³⁹ Colombia, Facundo Mutis Durán, and Julio Liévano, *Recopilación de las leyes y disposiciones vigentes sobre tierras baldías* (Bogota: Impr. de Medardo Rivas, 1884). 98.

⁴⁰ Jorge Villegas, "El Procurador del Distrito Judicial de María," in (Maria: A.G.N. Sección: República. Fondo: Ministerio de Industrias. Serie: Baldíos. Tomo: 1., 1864), 63v, 64r.

In the meantime, the geographical advantages that turned the conflict between two tiny towns in the middle of nowhere up in Colombia's central cordillera into a bitter and long term engagement, became highly strategic military pathways. The roads that connect Manizales and Maria to the Magdalena Valley and to Cauca became strategic military paths for liberals attempting to conquer Antioquia and for antioqueño conservatives in their military interventions in liberal Cauca. Manizales became the southern bastion of conservative Antioquia. As such, in the civil wars of 1860-1862 and 1876-1877, the liberal armies attacked conservative Antioquia through Manizales, using Maria as their campground. The border between Maria and Manizales, thus Cauca and Antioquia, became a symbolic border of the political divide of Colombia.

The latter became manifest in 1859 and 1860 in the conflict between conservative President Mariano Ospina and the liberal President of Cauca General Tomas C. de Mosquera. As part of the ongoing conflict, Mosquera denounced President Ospina in Congress. One of the main allegations against President Ospina was that he used his authority to change the names of two rivers, the Claro to Chinchiná and the Chinchiná to Manizales, without any substantiation but a map produced by Colonel Codazzi, which Mosquera claimed was erroneous. General Mosquera accused President Ospina not only of infringing the law of 1855 that cleared up the dispute over the Chinchiná River but also of promoting a conflict between Antioquia and Cauca. In the circumstances of 1860, the conflict over Maria could turn into open warfare between the two states. Mosquera expects this will not deteriorate even more the relations between Antioquia and Cauca.

In the meantime, Mosquera affirms he is trying to calm down the passions of the 3,000 inhabitants of Aldea Maria.⁴¹

It was also a symbolic place for peace. In 1867 the then presidents of the states of Antioquia and Cauca—the former a conservative and the latter an independent liberal—met in Maria to settle their differences in view of their uneasy relations with the liberal radical faction in power in Bogota. They signed a Treaty of Friendship and Cooperation, as if Antioquia and Cauca were two sovereign nations. In 1877, the Caucano liberal armies led by General Trujillo signed there the *Acuerdo de Manizales*, officially ending the war of 1876-1877 and temporarily the conservative domination of Antioquia.

In spite of all the conflicts engendered by its foundation in 1852 and the obstacles faced by settlers in this region, Maria's population obstinately grew. In 1876, Maria had an estimated population of 4,654 inhabitants (2,394 men and 2,260 female). At the time, it was the second most populated district in the municipality of Cartago, only after its namesake capital city (7,696 inhabitants).⁴² Manizales had 10,562 inhabitants.⁴³ More than twenty-five years after the boundary conflict was settled, in 1885, Manuel Uribe, author of a geographical work on Antioquia, bemoaned that by that decision the latter state lost a fertile stretch of land. It did not matter that in both sides of the border, people was antioqueño.⁴⁴

In 1905, in a somewhat ironic turn of events, Maria, at the time with an estimated population of 4,654 inhabitants, became part of the newly created department of

⁴¹ Tomás Cipriano Mosquera, "El Gobernador del Estado Soberano del Cauca al Sr. Secretario de la Honorable Cámara de Representantes," (Cali: Imprenta de Hurtado, 1860), 13-14.

⁴² Oficina de Estadística Nacional Estados Unidos de Colombia, *Anuario estadístico de los Estados Unidos de Colombia. Parte primera - territorio* (Bogotá: Imprenta de Medardo Rivas, 1876). 53.

⁴³ *Ibid.*, 23.

⁴⁴ Manuel Uribe Ángel, *Geografía general y compendio historico del estado de Antioquia en Colombia* (Paris: Impr. de V. Goupy y Jourdan, 1885). 15.

Caldas—Manizales, the department's capital, had 14,603.⁴⁵ Villamaría, the current name of the municipality, has been part of Caldas since that year. For most of the twentieth century, Villamaría remained a liberal municipality in a department where conservatives are the majority party.⁴⁶ Even though more in depth research is needed to track Maria's electoral preferences, there is evidence to conclude settlers and their descendants remained loyal to the liberal party...

1.6 La Florida: Another Stage of the Conflict

In 1857, the villagers were in the middle of another lawsuit, this time with Marcelino Palacios, a partner of Moreno & Walker, a company that claimed ownership upon the terrain known as *La Florida*. Palacios affirmed he bought the land from Gonzalez & Salazar before 1850, that is, before migrants for Antioquia settled south of the Chinchiná River. His lawyer, Ramon Arango, claimed Palacios had been in possession of that terrain since 1849, three years before the Legislature of the Province of Cauca recognized Maria. Villagers challenged that claim. Local authorities affirmed that, in spite of the title deed issued by a public notary in Manizales (which his lawyer claimed was void) Palacios had never been in possession of the terrain.⁴⁷

In the first instance, a judge from Cartago, province of Cauca, ruled against Maria. On September 1857, Avelino Escobar, Maria's representative, challenged that decision. In addition to appealing in Court, Escobar prepared a pamphlet for the general public.

⁴⁵ Colombia, "Estadística anual [1905] de la República de Colombia," ed. Dirección General de Estadística Ministerio de Hacienda y Crédito Público (Bogotá: Imprenta eléctrica, 1907).

⁴⁶ Patricia Pinzón de Lewin, "Pueblos, regiones y partidos: "la regionalización electoral;" atlas electoral colombiano," (Bogotá: CIDER; Ediciones Uniandes; CEREC, 1989), 49, 74.

⁴⁷ Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca."

Escobar claimed Palacios could not purchase the terrain because La Florida is located south of the Chinchiná River. Therefore, it was never in the area claimed by Gonzalez & Salazar. In this case, and in all the other claims involving Maria, the definition of the Chinchiná River was crucial for defining property rights in the area.

In addition to that, settlers claimed they had been in possession of Florida since 1854. From 1854 to 1856 villagers used the land without getting into any incident with Palacios. For Avelino Escobar, Maria's representative, this shows Palacios was never in possession of La Florida. Furthermore, Escobar argued Palacios disregarded all opportunities he had to claim ownership of the land until a judge from Manizales granted a title deed to the *aldea*. Ramon Arango P., Palacios attorney, claimed his client had been the sole proprietor of La Florida since 1849, three years before Maria was officially recognized as an *aldea*.⁴⁸

Maria was recognized by Cauca on October 20, 1852, less than four years after the first migrants settled in the area south of the Chinchiná. On November 16, 1854, the Parents' Assembly of Maria, a decision-making body recognized by the Constitution of Cauca, granted Florida as an *ejido*, common land, for the use of the settlers. The assembly had the authority to grant the land under the provision of Article 12 of Cauca's provincial constitution. Article 3 of the assembly's agreement stated any person without a legal deed but in possession of Florida should claim it in a period of a month or vacate the land. The agreement was published on November 18, 1854 and even though Palacios recognized he knew about the resolution taken by the Parents' Assembly, neither

⁴⁸ Ibid., 5.

claimed the 10 *fanegadas* offered to him as neighbor of Maria nor asked a civil court to nullify that decision.⁴⁹

Only twenty-one months after publishing the Assembly of Parents' decision, in August 1856, Palacios sued Maria. It is unknown why Marcelino Palacios took so long to initiate the case. But we know the event that started the whole process. In order to secure the community's right to use the land, Maria's *personero* requested the title deed. On August 21, 1856, a Manizales parish judge officially granted La Florida to the village. Palacios knew directly from the judge that he was going to grant the deed. The court informed Palacios a legal proceeding had been started concerning the ownership of La Florida. His lawyer, however, argued the citation was void from the outset as it was not in accordance with legal rules.⁵⁰ And that the Assembly of Parents of Maria had to authority to grant the land.

By contrast, Escobar concluded that even if the Assembly of Parents lacked the authority to grant the terrain known as Florida as common land, the provincial government had the authority to do it. According to Law 7, Part 5, Treaty 1 of the *Recopilación Granadina*, the government could grant them up to 12,000 *fanegadas*, roughly equivalent to 7,680 hectares of land of vacant lands to migrants into new settlements, as it was the case of Maria. This law, enacted on May 6, 1834, also authorized to grant up to 60 *fanegadas* (roughly equivalent to 38 hectares) to each householder, taking into account their wealth and the size of the family.⁵¹ Villagers sustained their claims over La Florida until the early 1870s to no avail. In the end, the

⁴⁹ Ibid., 6-8.

⁵⁰ Ibid., 7-8.

⁵¹ Colombia et al., *Recopilación de leyes de la Nueva Granada. Formada i publicada en cumplimiento de la lei de 4 de mayo de 1843 i por comision del Poder Ejecutivo por Lino fr Pombo, miembro del Senado* (Bogotá: Impr. de Zoilo Salazar, por Valentin Martinez, 1845).

community of Maria lost access to the land of the hacienda. In 1860, the Ospina Administration declared La Florida was private property. But it was not until 1871 when Marcelino Palacios's ownership was finally recognized.

Map 3 – Northern Cauca⁵²

⁵² "Northern Cauca," (A.G.N. Sección: Colecciones. Fondo: Enrique Ortega Ricaurte. Serie: Comisión Corográfica. Caja: 21.).

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