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SPEECH

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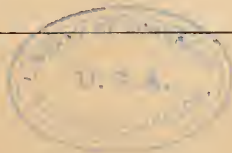
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HON. VOLNEY E. HOWARD, OF TEXAS,

25-10
ON

THE MEXICAN BOUNDARY QUESTION—THE PACIFIC RAIL-
ROAD—THE COLLINS STEAMERS.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, JULY 6, 1852.



WASHINGTON:

PRINTED AT THE CONGRESSIONAL GLOBE OFFICE,
1852.

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SPEECH.

The House having under consideration the bill to supply deficiencies in the appropriations for the fiscal year ending 30th June, 1852—

Mr. HOWARD said:

Mr. CHAIRMAN: I propose to speak to the subject in hand, and offer some observations on two of the Senate amendments to the deficiency bill. The first is the amendment of the Senate to the appropriation for continuing the survey of the boundary between the United States and Mexico. It enacts—

“That nothing herein contained shall be so construed as to sanction a departure from the point on the Rio Grande, north of the town called Paso, designated in the said treaty.”

And is made necessary by the illegal and unauthorized course of Commissioner Bartlett, in establishing the initial point of the boundary on the Rio Grande, thirty-four miles north of the point fixed by the treaty.

The fifth article of the treaty with Mexico provides that—

“The boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying directly into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso) to its western termination; thence, northward, along the western line of New Mexico, until it intersects the first branch of the River Gila; (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same;) thence down the middle of the said branch and of the said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific Ocean.”

And to preclude the possibility of all mistake as to the true southern and western boundary of New Mexico, the treaty declared:

“The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled ‘*Map of the United Mexican States, as organized and defined by various acts of the Congress of said Republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell.*’ Of which map a copy is added to this treaty, bearing the signatures and seals of the undersigned plenipotentiaries.”

In order to mark and designate the boundary upon the ground, a commissioner and surveyor

were appointed by each Government, with powers described as follows:

“In order to designate the boundary line with due precision, upon authoritative maps, and to establish upon the ground landmarks which shall show the limits of both Republics, as described in the present article, the two Governments shall each appoint a commissioner and a surveyor, who, before the expiration of one year from the date of the exchange of ratifications of this treaty, shall meet at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte. They shall keep journals and make out plans of their operations; and the result agreed upon by them shall be deemed a part of this treaty, and shall have the same force as if it were inserted therein. The two Governments will amicably agree regarding what may be necessary to these persons, and also as to their respective escorts, should such be necessary.”

It will thus be seen, that the true initial point on the Rio Grande is that at which the southern boundary of New Mexico, as laid down on the map of Disturnell, strikes that river. If this point can be found, it is not in the power of the joint commission to agree upon one different from that established by the treaty. That instrument declares, that “the southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled,” &c. The treaty also declares, that the southern boundary of New Mexico runs north of the town called Paso. When we look upon the map, we find that this line is traced immediately north of the town of Paso, and by taking the scale of the map and measuring it, is found to be precisely eight miles north of that town. If there were nothing else, therefore, to fix the beginning point of the boundary upon the Rio Grande, this would be absolutely certain, for that is certain which is capable of being reduced to certainty. It is as certain in its character, as though the church of the town of Paso had been named for the initial point of the boundary. Unaided by anything else, it can admit of no controversy, the town limits being established and known, as they are in all Spanish and Mexican towns, by measuring a certain distance from the center.

But the question does not depend on the town limits and simple measurement, certain as they must be in their character. At about the distance of eight miles above Paso, and near the point on the Rio Grande, given upon Disturnell’s map as the southern corner of the boundary of New

Mexico, is laid down a place called La Salinera, (the Saline.) It is a place noted for supplying salt to the country, and corresponds on the ground with the map. It was at once recognized and identified by Colonel Graham and the other members of the scientific corps, as identical with the initial point. This of itself could establish, beyond the shadow of a doubt, the beginning point of the boundary on the west bank of the Rio Grande. The result is too obvious to admit of argument. Besides, it agrees with other points and places given on the map, and found to correspond on the ground.

It is a principle of law which will not be contested, that fixed monuments, natural or artificial, are to prevail over course and distance, and as a corollary over latitude and longitude. The true point of beginning on the Rio Grande thus being shown by the map and natural objects to be eight miles above the town of Paso, it was, by the treaty, in the first instance to run "westwardly along the whole southern boundary of New Mexico to its western termination," which, taking the scale of the map, is three degrees.

When Mr. Bartlett arrived at El Paso, in advance of his coördinate officer, the surveyor, he assumed, of his own authority, to open negotiations with the Mexican Commissioner, and to fix the initial point at latitude $32^{\circ} 22'$, which is about thirty-four miles north of the point established by the treaty. The result is a clear loss to the United States of a country thirty-four miles wide and three degrees of longitude deep, equal to 5,950 square miles on that line. In giving up this amount of latitude, Mr. Bartlett has gained practically no longitude, because the southern boundary is three degrees, according to the treaty map, whether you take the true line or the one agreed on by Commissioner Bartlett. Colonel Graham reports that when he arrived at El Paso, instead of finding the surveying party on the true treaty line, he found them thirty-four miles north of it, on a line commencing at $32^{\circ} 22'$.

In relation to this action of the joint commission, I take it to be too clear for controversy, that the commission had no right to change the boundary fixed by the treaty. They had no jurisdiction to make a new boundary, and therefore their action by which they have done so is void for want of power. They might as well make a new treaty, as a new boundary. Their functions were limited to marking, and designating upon the ground, the boundary established by the treaty. The treaty assumes to have defined the initial points with sufficient certainty to be readily identified and found, as in truth it has. And if it had not done so, the boundary clause would have been void for want of certainty. I am aware that it has been contended that this action was legal, because the agreements of the Commissioners were to be deemed part of the treaty. But this provision goes only "to establish, upon the ground, landmarks which shall show the limits of both Republics as described in the present [in the fifth] article" of the treaty. They had no power to make a new boundary. Their functions were the ascertainment of that already established. They were bound to go by the treaty, and not in opposition to it. They had no power to fix the boundary on the Pacific at Monterey, instead of "one marine league due south of the southernmost point of the

port of San Diego," as required by the treaty. If the commission may fix the initial point on the Rio Grande thirty-four miles north of that named in the treaty, they have power to place it one thousand miles north. Whenever the commission disregards the points established by the treaty, their act is void for want of authority; it is an excess of jurisdiction, and cannot bind either the United States or Mexico.

There is another fatal objection to the action of Mr. Commissioner Bartlett. By the express provision of the treaty, each Government was to have on the work a commissioner and a surveyor. They were treaty officers, and one had as much authority as the other. To render any line legal and binding under the treaty, it was necessary that both the commissioner and the surveyor should concur in it; for it is a principle of law, too well established to be controverted, that when the execution of a power is given to two or more, jointly, all must concur to render it valid. When the surveyor, Mr. Gray, arrived at El Paso, he refused to concur in the line which had been agreed on by Commissioner Bartlett and the Mexicans, and filed his protest against it, showing, conclusively, that it was not the point established by the treaty. Bartlett's action would have been void for want of the concurrence of the surveyor, even if he had commenced at the true point. It was not only illegal, but unjust, that the Mexicans should have both officers allowed by the treaty, while this Government had only one to guard its interests.

It has been asserted that Lieutenant Whipple acted as surveyor *pro tempore*, until the arrival of Mr. Gray; but there is no evidence that he assumed to act in that capacity, or ratify the line with his signature. On the contrary, Mr. Bartlett states, in his communication of the 28th of December, 1850, that Whipple acted as chief astronomer, *ad interim*. Mr. Bartlett had no authority to appoint a surveyor, as that function was confided by law to the President and Senate, and the office filled by the appointment of Mr. Gray. There could not at the same time be two surveyors under the treaty.

At this stage of the proceeding, it becomes necessary to notice the singular course of Mr. Secretary Stuart. Before Colonel Graham, who was detailed as chief astronomer, left Washington, it was known that Commissioner Bartlett had established this line, so far as he had the power to do so. It was understood to be in opposition to the views of the Department of the Interior. It was known to be repugnant to the opinions of every officer of the Engineer Corps, who had paid any attention to the subject, and especially to those of Colonel Graham and Major Emory, so much so, that I am informed by the highest authority, that Colonel Graham declared to Secretary Stuart, that he would not put his instruments up on Bartlett's line. Now, what was the plain duty of the Secretary of the Interior under these circumstances? Clearly, to instruct the Commissioner to adhere to the treaty boundary, and that he could not agree upon and mark a line on the ground without the concurrence of the surveyor. That would have brought the line back to the treaty point in the vicinity of El Paso, and secured the rights of his Government.

When Colonel Graham arrived at El Paso, finding the line progressing in the wrong place,

thirty-four miles too far north, he ordered in his subordinate officer, Lieutenant Whipple, for consultation and with a view to correct the error. Subsequently, after a good deal of correspondence, Colonel Graham, Mr. Bartlett, and the Mexican Commissioner, came to an agreement by which the work progressed on those sections not in dispute. But as soon as Lieutenant Whipple was ordered on to El Paso, Commissioner Bartlett, without waiting to confer with Colonel Graham, joined the Mexican Commissioner in a representation that Colonel Graham had stopped the work on the line thus progressing from the wrong point, which resulted in the recall of Colonel Graham. In the mean time Mr. Gray, who accompanied Colonel Graham to El Paso, protested the line, and refused to sign the proceedings establishing the initial point, as contrary to the treaty. On being advised of this proceeding, the Secretary of the Interior first issued an order directing Mr. Gray to agree to the line of Bartlett, and before action could be had dismissed him from office, no doubt under the impression that he would not consent to be the instrument of such an unjust and unpatriotic act towards his Government. Thus the leading motive which led to the dismissal of Colonel Graham was his refusal to concur in this line, and the only true reason of the dismissal of Mr. Gray was his protest.

Not only does the Secretary pursue this course, but in his annual report he enters into an argument to sustain what had been done by Commissioner Bartlett, in which he adopts the views of Bartlett, and the Mexican Commissioner. Their only excuse for what has been done is, that the map of Disturnell is inaccurate as to latitude and longitude; that the initial point is not correctly laid down on the treaty map with regard to their true position on the earth's surface. Sir, Mr. Trist, as well as the other authors of the treaty, were quite aware of that fact. Humboldt pointed it out many years ago, with reference to all Spanish maps. Hence, the treaty does not mention latitude and longitude, but takes natural objects for the initial points of the boundary. On the Rio Grande, that object is the town of Paso, and the other places in that vicinity appearing on the map, especially La Salinera, which is near the immediate point where the map represents the southern line of New Mexico to strike the Rio Grande. The object of the negotiators of the treaty was to avoid all difficulty about latitude and longitude, by calling for natural objects, represented on the map, and found on the ground. Their object has been defeated by the illegal conduct of Commissioner Bartlett and Secretary Stuart, who have thrown away the treaty monuments to hunt for latitude and longitude, an element not mentioned in the treaty. Without the slightest reason or justice, they have allowed the Mexican Commissioner to inveigle them into giving up thirty-four miles of latitude, without gaining an inch in longitude, because the latter is three degrees by Disturnell's map on either line, and that is what they have adopted.

In his annual report, Mr. Stuart says:

"Difficulties also existed in regard to the latitude of the point where the Rio Grande strikes the southern line of New Mexico. By the map it appears to be at latitude 31° 45', whereas the true position is latitude 32° 22'."

Sir, this is a gross and extraordinary misstate-

ment of the whole subject. The point agreed on by Bartlett and the Mexican Commissioner is 32° 22'; but the latitude of the true point established by the treaty is 31° 52', where the southern boundary of New Mexico strikes the Rio Grande, as ascertained by our officers on the ground, and as appears by the protest of Mr. Gray, on file in the office of the Department of the Interior. The church of El Paso is 31° 45', as ascertained by observation.

This effort of Mr. Stuart to misrepresent the true boundary of the treaty, and to surrender a portion of our territory, is difficult to understand and impossible to defend.

Mr. Bartlett, in his correspondence with the Department, gives his impression that the line which he has agreed to will strike the San Pedro. There was much more probability of reaching it by adhering to the true treaty line—as it will be seen by the map that it approaches nearer the Rio Grande on that line—than on the one established by the commission. He also says that, in case he does not strike a branch of the Gila on the northern boundary of New Mexico, the line will run directly to the Gila. Such is not the boundary contemplated by the treaty. The fifth article declares, that after running along the whole southern boundary of New Mexico, it shall run "thence northward, along the western line of New Mexico until it intersects the first branch of the river Gila; or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same; thence down the middle of said branch, and of the said river, until it empties into the Colorado."

It will thus be seen that the treaty assumes, what the fact is, that there is a branch on or near the north line, which empties into the Gila, and that when at the nearest point to the branch, the boundary line is to run directly to it. The treaty calls cannot, therefore, be answered by running a due north line to the Gila. It is supposed by some that the Mimbres is a branch of the Gila. It is well known that the San Pedro is a branch of that river. Thus, should Mr. Bartlett run due north from the western termination of the line, as he intimates he will, if he does not strike a branch of the Gila, he will not fulfill the calls of the treaty, by which it is declared, that in case a branch of that river is not encountered in running northwardly, then when at a point nearest to such branch, the line is to be run directly to it, and thence down the same to the Gila. If Mr. Bartlett persists in this construction of the treaty, and thereby misses the San Pedro, as will probably be the result, then he will on both lines surrender to Mexico 9,530 square miles.

It was extraordinary that Mr. Gray and Colonel Graham should have been recalled under these circumstances. Both were able officers. Colonel Graham had rendered distinguished service on the Northeastern Boundary, and was selected for his peculiar fitness for the position. It is true he has been succeeded by a very able and accomplished officer—Major Emory. But it is obvious that the motive of the recall of Colonel Graham and Mr. Gray was to enable Commissioner Bartlett to carry out this unfortunate and illegal agreement for the surrender to Mexico of a large and valuable territory belonging to the United States.

It cannot admit of doubt, that in assuming to direct Mr. Gray to sign the agreement of Bartlett and the Mexican Commissioner fixing the initial point, the Secretary of the Interior arrogated to himself a power which, under the treaty, was confided to the United States surveyor, and which the Secretary had no right to control. If he had the right to exercise any such power, it is to be regretted that he did not exert it in favor of the United States. It is unfortunate, that when he saw the error of Mr. Bartlett, he did not sustain the surveyor of the United States and Colonel Graham, instead of the Mexican Commissioner, General Conde.

I do not discuss this subject for the purpose of making any point on the present Administration, against which I entertain no hostility. I have no doubt that if the attention of that able and honest-minded officer, President Fillmore, had been brought to the subject, he would have corrected the error of Commissioner Bartlett.

The territory which would be surrendered, if the action of our Commissioner were ratified, is necessary to the country as furnishing a convenient track for a military road, as well as a railway to the Pacific. The further north we are compelled to go the more mountainous the country becomes, and the more difficult and expensive will be the construction of any road to the Pacific. A military road to the junction of the Gila and Colorado is necessary to enable us to carry out our treaty with Mexico in relation to the Indian tribes, and the defense of our own frontier. Both of which we have too much neglected. There has also, for the last twelve months, been a system of *fillibustering* on the Rio Grande which has nearly broken up business and threatens to depopulate the country. It originated in a system of lawless aggressions from this side of the river, which has resulted in retaliations from the Mexican side, until the whole frontier is a scene of murder and bloodshed. Our own citizens are daily assassinated with impunity. If this state of things is not promptly arrested it will soon lead to another war with Mexico. All these outrages could have been arrested by stationing four or five hundred good mounted troops on the Rio Grande, who would not only have restrained these crimes, but have prevented Indian hostilities and incursions as well. If the Government had not this amount of regular cavalry at its disposal, it ought to have called for volunteers. It has ample power under the law for that purpose.

PACIFIC RAILROAD.

More than all, is this country proposed to be surrendered necessary to the United States, as furnishing a convenient iron for a railroad to the Pacific. All accounts tend to prove that Mr. Bartlett has surrendered the best route for the road. He has given up to the Mexican Government public land sufficient to construct the road to the junction of the Colorado and Gila.

No one who has investigated the subject can doubt the national necessity of a railroad to the Pacific. Look at the reports of your officers, both of the Army and Navy, upon the subject of our national defenses, and they all tell you that they cannot be made complete without a railroad and the telegraph to the Pacific ocean. In the event of a war with any naval power, the first demon-

stration would be upon California and our Pacific possessions; and in the present condition of things they would fall before you could afford them aid or relief. We would have no right to march an army through Mexico, by way of the Isthmus, even if the navigation of the Gulf should remain open, and the fate of the country would be decided before you could sail round the Cape or march an army overland through your own territory; but with a railroad, you could transport an army there in from four to six days. The enemy could not effect a landing before the country might be put in a complete state of defense, by means of troops transported on a railroad, with wings of steam. If the road is not constructed, the Government will be compelled to line the Pacific coast with a system of forts, which will cost more to build and man than the expense of a road, which will change the commerce of the world, and furnish ample defenses.

Consider, sir, the mighty effect of such a work upon national and international commerce. It would change into a new channel the commerce of Europe with Asia. The United States are situated in the center of the world's commerce and production. With a railroad to the Pacific, we must become the largest store-house of the commerce of all nations, and the mart for the exchange of products. Through our dominions would pass the commerce between Europe and the Indies, as well as all Asia. To a great extent the Asiatic trade would fall into our hands. With the power over it which such a work would give, our own manufactures would enter China and other Asiatic countries under the most favorable auspices. Already this commerce has commenced between China and California, and bids fair to be a trade of great profit. No nation has ever possessed the commerce of the Indies without growing wealthy by its immense gains. It has created a race of merchant princes for several European nations. This commerce is at our door, and we have only to stretch out our hands and engross it.

I am in favor of devoting some portion of the public lands west of the Mississippi, in the vicinity of the road, to its construction. This may be effected either by granting it to States, or individuals, upon condition of building certain sections of the work. It is true that the Government has no public lands in Texas; but that State has already granted the right of way through her limits for a Pacific railway, and made a liberal donation of lands in aid of that object. I have no doubt that her Legislature will grant still more, if necessary, to carry out this great national improvement. She has a rich territory, more than five times as large as the State of New York, which will contribute a large commerce to the support of this great work. Possessing over a hundred millions of acres of public domain, it is her interest to be liberal to this vast national project. The effect of a railroad to the Pacific in increasing the value of the public domain must be obvious to all. This Government owns west of the Mississippi more than a thousand millions of acres of public domain. Near six hundred millions of acres of this public land is in New Mexico, Utah, California, and Oregon. I have already presented my views in favor of the power in the Federal Government to grant sections of the public lands to aid in the construction of railroads, when the

result is to enhance to an equal or greater amount in value the land along the road reserved to the Government, and shall not repeat them.

In New Mexico alone the Government has nearly 135,000,000 of acres of public lands, which will be almost valueless for half a century, unless a railroad is constructed through that Territory. The Government would be a great gainer to give half this land for the construction of a railway from the Rio Grande to the junction of the Colorado and Gila. In an agricultural point of view, New Mexico is comparatively a poor country; but as a grazing country, it has great capabilities. It is well adapted for raising sheep, cattle, and horses. It is a region where wool can be grown with decided success, and the winter is such that beef could be packed there with safety for the Pacific and other markets. It is also the land of the vine and the grape. Its great power, however, lies in its mineral resources. It abounds in valuable metals. Gold has lately been discovered in quantities sufficient to invite the miner both upon the Gila and the Colorado. It is rich in silver, copper, iron, and coal. With a railroad the mining interest of New Mexico would soon become a source of vast wealth. Without such a work these mines will, in a great degree, be lost to the country for ages. The same may be said of a large portion of California. The mineral products of that country cannot be fully developed without a road, which will afford rapid and cheap means of communication. How many thousands are there who would visit the mineral regions to labor temporarily if they could reach them in a few days at a moderate expense. Hereafter the business of mining is to be one of the most important interests in this country. The precious metals are already one of the largest items in our exports, and destined to have a still greater effect upon our foreign and domestic commerce. It is estimated that the California mines have yielded at least \$200,000,000 up to this time. But the great branch of industry which would be promoted and benefited most extensively, taking the Atlantic and Pacific both into account, by such a road, would be that of agriculture. Not only by means of opening new lands, by furnishing transportation for the products of what would otherwise be remote regions, but in effecting exchanges of the products of the great valley of the Mississippi with the people of the Pacific side. It could not fail to open an extensive market for the agriculture and manufactures of the population of the Atlantic section of the continent.

But independently of all these considerations, it is for the interest of the United States, as a proprietor, to grant sufficient public domain to construct a road to the Pacific. How else is this Government ever to settle in a reasonable time the thousand million of acres which it owns on the other side of the mountains? No action which the Government could take would enhance the sale of the public lands to such an extent, because the road would carry population to settle and improve countries that would otherwise remain a waste wilderness for an indefinite period of time. To make these grants is not to waste, but to increase and enhance fourfold the land fund and the value of the land west of the Mississippi; for real estate, like all other property, has no test of value but its use. If it cannot be occupied for want of

a market, it is without appreciation; and this is precisely the condition of four fifths of the country beyond the Rocky Mountains, exclusive of the gold diggings. Off from the shore and navigable waters of the Pacific, there are no means of transportation for products to induce settlements.

It is not my purpose to enter at any length into a comparison of the two routes—the northern and the southern. My own opinion is, that if both were constructed, the southern route would do the largest portion of the business, so far as it might be connected with the Pacific and Asiatic commerce. The southern road being through a better climate, could be used at all seasons of the year, without any interruption from snows.

Mr. Whitney estimates the northern route at over two thousand miles; no one has ever supposed the southern route to be more than seventeen hundred miles from the Mississippi river; and in point of fact it will not exceed fifteen hundred, with all the detours, starting from any point south of the mouth of the Ohio. With a railroad from the Mississippi river to the Pacific, it would be easy to reach China from London in thirty days. I am not opposed to any individual enterprise in the Tehuantepec route; but it cannot supply the great national want.

The running distance from Tehuantepec, on the Pacific side, to San Diego or San Francisco, is as great as from the Mississippi river to either of those places by the running distance by railroad, while the time made on the railroad will be at least twenty miles per hour, and that on the steamers about twelve.

From Tehuantepec by steamer to San Francisco is nearly 2,000 miles; to San Diego about 1,600. From the Mississippi to San Diego by a straight line about 1,380 miles; to San Francisco about 1,500 miles; and the detours of the road on either route will not make the distance greater than the present running course by steamers from Tehuantepec to either of those places. And when the difference of speed and the obstructions from the weather are considered, it will be seen that the journey from the Mississippi by railroad can be made in about half the time that it can from Tehuantepec. Even when you have reached the Pacific side, the time saved in going from New York to California by the railroad direct over that of Tehuantepec would be sufficient to secure the construction of the railroad. A ship canal through the Isthmus would not change the result, nor do away with the necessity of a railroad.

It has been urged that a railroad to the Pacific, if constructed, would not yield enough to pay interest on the investment, defray current expenses, and keep the work in good repair. It can be shown beyond controversy, that on the basis of the present trade and travel between the Atlantic and Pacific the road would not only be a good stock, but a profitable investment.

The present emigration to California is not likely to diminish for a number of years. It will continue so long as gold is found in its present abundance in that region; and there does not appear to be any limit to it. The mines, from all appearances, are as productive now as they ever have been since the discovery of the gold in California. The returns show that the commerce of the Pacific is steadily increasing. The tonnage to California for the fiscal year ending the 30th of

June, 1851, foreign and from other portions of the United States, was upwards of 255,000 tons. Of this, the tonnage from the United States was upwards of 115,000 tons. It is known that vessels out always go with full freights. Let us go more fully into details as to the means of sustaining a railroad to California.

Length of the road from the Mississippi river to the Pacific, taking the largest estimate, one thousand seven hundred miles, cost of construction \$40,000 per mile.....\$68,000,000

It is ascertained that in order to pay and defray expenses, a road should divide 12 per cent.; which on the cost of the road..... \$8,160,000

The next question is, from what sources is this amount to be derived? It is known that an ordinary trip around the Cape takes one hundred and fifty days. As much as \$40 per ton freight on that voyage has been paid to the fast clippers. The steamers, according to their advertisements, charge seventy cents per cubic foot to Chagres, and \$100 per ton from Panama to San Francisco. At \$10 per ton from the Mississippi river, heavy freight would pay cost, charges, and repairs on the road. At this rate of freight the road would do nearly all the business, owing to the greater expedition and saving in insurance and interest on capital. By the Isthmus the steamers now make the trip in twenty-six days. It could by railway be made from New York to San Francisco in six. The profits from travel would be so great as to warrant a very low rate of freights. It is estimated by Lieutenant Barnard, in his survey of the Isthmus, from official documents, that the average travel to California for the years 1849, 1850, and 1851, was 141,320, which, at \$50 per passenger, less than one fourth the present average rate, would give the sum of.....\$7,066,000
Then freights, 150,000 tons, at \$10... 1,500,000

Which would produce an annual profit of.....\$8,566,000
More than sufficient, without allowing for any increase of the present Pacific commerce.

It will be perceived that the foregoing estimate of resources for the support of a railroad is based almost exclusively upon the present domestic trade and travel between the Atlantic and the Pacific. To this must be added the commerce of China, and other portions of Asia.

The foreign trade with China, in 1845, was....\$43,390,784

| | |
|--|--------------|
| In British ships..... | \$16,073,682 |
| In American ships, including specie..... | 2,909,669 |
| All other countries..... | 1,417,433 |
| Opium, smuggled..... | 33,000,000 |
| Total..... | \$43,390,784 |

| | |
|---|--------------|
| Exports from China to British Empire..... | \$26,697,321 |
| “ “ “ the United States..... | 8,261,702 |
| “ “ “ all other countries..... | 1,972,875 |
| Total..... | \$36,931,898 |

Balance of trade in favor of England..... \$6,458,886

| | |
|--|-------------|
| Balance of trade in favor of China, and against the United States, paid in bills on London.... | \$5,325,033 |
| China consumes in raw cotton..... | \$7,000,000 |

Lieutenant Maury estimated in 1849, that in transporting oil on the railroad instead of sending it home by sea, there would be a saving to the

whaling business of \$2,000,000 a year, in avoiding loss of time, interest, and insurance, as well as the loss incident to the present character of ships, and that this freight would pay to the railroad \$970,800, at \$20 per ton. This trade would probably pay \$500,000 a year on freight at \$10 per ton.

There is still to be taken into account the way transportation and travel, which all must perceive will be immense, if we estimate only for the rich planting district between the Mississippi and the Rio Grande. That portion of the road, alone, will pay a good dividend as soon as it shall be constructed. There is also the country from the Rio Grande to the junction of the Gila and the Colorado, whose mineral wealth has already been alluded to. It is believed to be valuable for its gold. It is well known to be rich in copper and silver; and the working of these silver mines is a matter of great interest to the country, as demonstrated by the recent scarcity of silver for the ordinary purposes of circulation. Not only does New Mexico possess valuable silver mines, but they abound also in the three northern States of Mexico. If we had a railroad to the Pacific we could, by our commerce, command the produce of these mines, together with the Mexican trade generally. And let me assure you, sir, that this is a most important trade, which we have too long neglected. Mexico has a population of more than eight millions of people, and may be said to be a nation without manufactures. Merchandise has been taken overland from Texas, not only into the interior of Mexico, but to the capital itself. With a road to the Pacific, the United States could control this commerce; certainly in all except the southern States of Mexico. Now, suppose this population took of merchandise and goods, of all sorts, only five dollars per year for each person—which is a small estimate—it would amount to \$40,000,000. This, of itself, would create a very large way-freight and travel. It is well known that the wants of these people increase with the habit of consumption. It must be apparent, and it is the opinion of commercial men, that our trade with Mexico can be made quite as important as our commerce with Asia; because, with proper exertions on the part of our Government, it may be nearly monopolized by the United States, and open a vast market for American manufactures. To effect this, a railroad is not only necessary to transport merchandise, but to enable us to furnish the heavy machinery, indispensable to the profitable working of the rich silver mines of Northern Mexico.

It is admitted that the efficiency of any road to the Pacific, as a medium of commerce, must depend greatly upon the rate of tolls charged for freight. It is ascertained that at one cent per ton per mile, a road will pay dividends, and it will pay expenses and repairs at half a cent per mile. At these rates heavy freight can be transported. There is no doubt that the road would take the freight from the Mississippi to the Pacific at \$10 per ton. This would be cheaper than it could be taken round the Cape or across the Isthmus by steamers and railroad. Calculating the distance at seventeen hundred miles, it would leave a profit of \$1 50 per ton. At these rates, cotton, corn, flour, beef, and pork could be transported on the road for the Chinese market, from the valley of the Mississippi, and leave a fine profit. But they can

be raised in great abundance east of the Rio Grande, within one thousand miles of the Pacific, and can therefore be transported there for \$5 per ton. Such a rate of freight would enable us to supply the Chinese Empire with a large proportion of its food in exchange for Asiatic products, thus creating an extensive market for the agricultural products of the United States. This rate of freight will enable dealers to transport corn, flour, and provisions from any portion of the valley of the Mississippi to the Asiatic market. It has been estimated that these articles can be transported from the Pacific to China for \$14 per ton, which would make the freight on corn about fifty cents per bushel, and flour \$2 25 per barrel, from the Mississippi to China. At these rates, such articles would bear transportation and yield a fair profit.

The route from the Mississippi through Texas has this great advantage over the northern route: it passes through a country which in its whole length can produce something valuable for export, and can therefore create a large way trade; whereas the northern route will lay over more than a thousand miles of desert, which can add nothing to commerce. This single fact of itself should be conclusive in favor of the southern route, as well as the fact of its more immediate and direct connection with the great mineral trade of California and Northern Mexico. On the southern route there is no section of the road that would not pay from the time of its completion.

MAIL STEAMERS.

The English have already projected a line of steamers from Liverpool to New York, Chagres, California, and Australia, to connect with their other line to India. This country has no way to maintain her natural influence over the commerce of the world unless she sustains her own lines of steamers from Liverpool to New York and China, in connection with an overland railroad to the Pacific. With such a road we can so far outstrip them in speed as to command both the travel and freight on this great line of commerce and emigration. The British Government perceives this, and is taking steps to anticipate us, not only with steamships, but is discussing the propriety of a railway through Canada to the Pacific. There is an able discussion of this subject in the English Nautical Magazine of 1851, a semi-official journal; and by the recent European mails we learn that Government has already taken action on the subject, by authorizing the steam mail line referred to. They see that, as connected with Asiatic trade and European emigration to America, this is but one great line of commerce and travel. This is the key to all British operations in Central America, and their efforts to get exclusive control of a ship canal across the Isthmus. And if this country does not bestir itself, our fine natural advantages will be superseded and thrown in the background by British enterprise and capital.

This brings me to speak of the increased mail pay to the Collins line of mail steamers contained in the bill under discussion, for I consider the continuance of these steamers in that trade as a great national interest which it would be disgraceful to abandon. It has been asserted that the appropriation is unconstitutional, but I have heard no argument advanced which would tend to prove that

we may not provide for carrying the mails, or the establishment or increase of a steam navy. When such an argument is put forth, I shall give it an attentive consideration, as it will operate a repeal of the express grants of the Constitution over the mails and the creation of a navy. Indeed, constitutional law is getting to be a very anomalous science in this body. With one class of gentlemen it is clearly unconstitutional to remove a snag out of the channel of the Mississippi, but constitutional enough to erect a light-house over every snag from the Falls of St. Anthony to the Balize, to show the mariner where the danger lurks. With another, it is unconstitutional for Congress to make appropriations to internal improvements, but quite constitutional to pass the land distribution bill which received the sanction of this House the other day, by which 60,000,000 of acres of the public lands are divided among all the States, except Texas, for the purpose of internal improvements—a fund more than sufficient to construct a railroad to the Pacific, and which will be squandered as was the distribution fund of 1837. Those gentlemen who would think it monstrous to vote for the erection of poor-houses in the States find no difficulty in voting as a gratuity a farm to every man in the country, rich or poor, who is not at present the owner of land, whereby the whole land revenue, amounting to millions a year, is altogether destroyed for an indefinite period. And even the Roman virtues of the sturdiest declaimer about economy and the Public Treasury melt like snow in a July sun before the potent influence of a bounty land bill, although it will dissipate in land and money nearly one hundred millions of the public resources, about two thirds of which go into the coffers of land-jobbers and Wall street brokers, instead of the pockets of the soldier. I observe, sir, that most subjects are constitutional which bear directly upon the local suffrage, but a great national measure must run the gauntlet of all sorts of captious and fine-spun constitutional argument.

Sir, we need no better illustration of the fact than the steam-mail service and the steam-mail navy. It is said that the Collins line is a monopoly. A monopoly is defined to be "the exclusive right of the buying, selling, making, or using of anything." It is said by a great English jurist that, "every monopoly has three inseparable incidents—the raising of the price, the deterioration of the commodity, and the impoverishment of artificers and others." It would be difficult to bring the Collins line within any of these definitions. It has not the exclusive right of carrying even the mails. It has not the exclusive right of any species of freight, which is as open to free competition now as formerly. It has, however, the merit of having broken up the monopoly of the Cunard line, both as to the mails and the lighter species of freight. And when we see these mighty steamers outstripping the English, and everything else upon the ocean, no one can say that the "commodity" has been greatly deteriorated. Such, certainly, is not the opinion of the Cunarders. And I trust it will not ruin that class of American artificers who have constructed the engines of those mighty leviathans of ocean speed, and who are an honor not only to our country, but the age in which they live. Sir, the construction and navigation of these steamers

has injured no class of American artificers, and no American shipping interest. Where is the rival American line to be injured? Its whole effect has been to destroy English monopoly and supremacy in steam ocean navigation.

Gentlemen need not raise the clap-trap cry of protective policy. I shall vote to protect this great national interest whenever it can be done without creating a charge on the Treasury, or imposing any tax upon the industry or production of the community. In the present case I feel confident that the postage will, in the end, meet the full amount of the appropriation; and it has been demonstrated that by a reduction of freights on exports and imports, as well as on foreign letters, the Collins line has been a great benefit to all classes of the community. It is not that protection which levies a duty upon any article of consumption, or excludes it from importation, for the benefit of some home producer.

I am unable to perceive the force of the reasoning which is urged against this measure in a financial point of view. It appears that, for the two years during which the contract for mail service with the Collins line has been in force, after deducting the amount of postage received from the amount paid Collins for the transportation of the mail, the charge on the Treasury is only about \$123,000 a year. The increase of the amount of postage of the second over the first year was \$183,734. The amount of postage received in 1851 was.....\$343,641
Assume a like increase for 1852 of..... 183,734

Makes for 1852 the sum of.....\$527,375
Assume a like increase for 1853 of..... 183,734

Makes the amount in 1853.....\$711,109 for twenty trips. If twenty trips produce this amount, the increase to twenty-six trips, as proposed, will produce for 1853 the sum of \$924,441. It will thus pay a revenue to the Government; for the whole amount proposed to be appropriated for the twenty-six trips a year, is \$858,000. This estimate is reasonable. It goes on the ground of an increase for two years equal to that of 1851. If the steamers were kept on the line I believe the increase would occur without the additional trips; certainly with them, for it will be perceived the estimate goes upon the ground of a like increase, and not upon that of a proportioned increase, which would be much greater in amount. Appearances go to assure us that we are to have a large augmentation, not only of business, but of immigration, which must increase correspondence, and consequently the mail pay.

The United Service Journal, for 1851, estimates the emigration from Europe to America at 1,000 per day. Recent estimates place it at 500,000 a year. The same journal states that passage money alone is a profitable trade for ship-owners, independent of carrying freight. This latter fact shows how important it is that American vessels should be prepared to participate in this trade. But let us reflect on the immense correspondence which this emigration must produce. The emigration and travel, taken together, cannot be less than 500,000 a year. Suppose those persons write and receive one letter each per year, at the present rate of postage, (16 cents,) it will produce...\$160,000
We may safely estimate that there are

in this country 5,000,000 European emigrants, who will write and receive each two letters a year, which, at the same rate, will be..... 3,200,000

Making an aggregate letter postage of...\$3,360,000

Under our postal treaty, half will belong to the United States, if our steamers make equal trips and carry an equal amount of letters, \$1,680,000 per annum.

If our steamers, under the present system, have not produced a proportional part of this sum, it is because they have not performed half the service which would entitle the Government to claim half the mail pay. And there is still another and stronger reason: A large portion of the letters are carried by private conveyance, at less charge or no charge, which ought to be remedied by legislation, as recommended by the Postmaster General. The abuse could easily be arrested; and even if the rate of postage was reduced, the increased correspondence would prevent a reduction of the revenue.

By the terms of the amendment, the Government has a right to terminate the service after 1854, and it is quite certain that, by that time, the postages will be equal to the mail pay. But, if it should still be a charge of \$123,000 per year upon the Treasury, it would be economy to keep the line up; for if you let it go down, then the British steamers will carry the mail at their own price;—no doubt double the postage you now pay the American steamers. Nor does it seem to me that this is an extravagant compensation. The English Government now pay their own, (the Cunard line,) \$856,820, which is very near the sum embraced in the proposition to the American line. There is no doubt the British Government would rejoice to see the American steamers go out of the trade, for in the six years previous to the establishment of the American line, the Cunard paid that Government, in postage, the sum of \$5,236,800 as a clear profit, according to the statement of the able report of Senator Rusk. Sound economy, therefore, to the American Government, requires that the American mail steamers to England shall be continued and sustained.

That national policy dictates to us to support our system of mail steamers, which can be converted into efficient war steamers, cannot admit of a reasonable doubt. The opinion is now universal, that steam has produced a complete revolution in naval warfare. This condition of things forces upon us the necessity of an increase of our steam naval marine, unless we intend to surrender our position upon the ocean as a naval Power. There is no alternative.

According to the United Service Journal of 1850, the English have 70 line-of-battle ships, 63 frigates, 117 corvettes, brigs, and smaller vessels. They had at that time 150 steam war vessels, and 1,184 merchant steamers, and 40,000 seamen in the Navy. It is said the English now have 320 war steamers, including mail steamers, carrying 1,520 guns. The French have 224 sailing vessels, 100 war steamers, and 291 merchant steamers, and 21,000 seamen in the Navy. It is said that a large portion of those English and French war steamers could be armed and made available for war purposes. The United States have 16 regular war steamers, and 24 mail steamers, 40 in all, carrying 73 guns.

This state of things cannot be permitted to remain, unless we intend to abandon our commerce, now the first in the world in point of marine tonnage, to the mercy, not only of our own enemies, but to that of European belligerents, in case of another general war. We must increase our steam navy; we have too much at stake, not only of foreign commerce, but coastwise trade, along this extended country, to neglect longer this great national necessity. Our force need not be near as large as that of England or France; but we cannot, with safety, permit the continuance of the present disproportion.

Two methods, then, are presented to us, by which we may supply this national want. First, by building war-steamers by the Government, to be placed at once in the Navy, and used exclusively for naval purposes. This would involve a heavy expense to the Treasury, without any direct aid to the commerce and business of the country. The other method is that of contracting to carry the mails, in steamers so constructed as to be well adapted for war and naval purposes, and easily converted into war steamers, when required for that purpose, and liable to be taken, at any time, by the Government, on the payment of their appraised value, as all the present contracts provide. This is undoubtedly the cheapest system, and has the great merit of aiding commerce, facilitating emigration, and contributing to build up and increase the general business of the country. We have now, on the different lines, twenty-four mail war steamers, (if I may so express myself,) which we might, at any time, if we chose, place in the Navy, by paying their appraised value. These vessels have cost nearly \$10,000,000. The Government has paid to them, for the transportation of the mails, over and above the postages received from the lines, the sum of \$1,534,158. Had these steamers been donated to the Government, ready mounted with guns for sea, it would, by estimation, have cost nearly double that sum to have preserved them in the navy-yards for the same length of time. It would have cost the Government \$10,000,000 to \$15,000,000 to have kept them in commission and actual service.

It should also be recollected that the postage is constantly increasing on these steamboat lines, and that the chance is that in the end they will be very little charge to the Treasury.

The Collins line of steamers have had a very important effect in another respect, which is worth more to the country than all we have paid, or shall pay, if the compensation is increased as proposed. Since they came into the trade, freights between New York and Liverpool have been reduced from £7 10s. to £4 per ton—nearly one half in the rate of compensation. The effect of this reduction upon the great staples of the country, and especially upon the production of cotton, rice, and tobacco, is immense. It involves not only the profits of these pursuits, but in some sections, the capacity to continue their growth and production for export. There is scarcely anything more advantageous to American agricultural industry than cheap freights. This country is a great exporter of raw materials, and an extensive importer of manufactured goods. Low freights, therefore, are of vast national importance to our producing class throughout the whole Union. Especially are low freights import-

ant to the South, and the producers of Southern staples. The rate of freight generally settles the question of loss or profit to the cotton grower.

The support of the Collins line, therefore, is not a mere local question. It is of direct interest to every man who grows a bale of cotton, or consumes a pound of foreign goods or produce. The subject of cheap freights is also one of vital importance to the great Southwest and Northwest. It is to determine whether corn, flour, and other provisions can be exported to Europe to any great extent for a series of years, when the crops are not short on the other side of the Atlantic. It involves the question of cheap bread to the toiling and starving millions of the Old World, in exchange for clothing for the men of the New. It is a question of no ordinary moment to both, and especially to the producers and exporters of provisions in the Western States. Let their Representatives look to it. As soon as the Collins line is withdrawn, the Cunarders will restore freights to the price they bore previous to the competition created by the American steamers.

Not only is the South especially interested in this subject, as a question of freight, but in the continuance of the system, as it affects her own commerce and navigation. There is no doubt that the great Eastern cities, if the British Government did not interpose to support English competition, might establish and maintain a line of steamers to Liverpool. But the Southern cities have not, at present, sufficient commerce to enable them to sustain any line of steamers to a foreign port without the mail pay of the Government. Two or three Southern lines have been projected of great importance to the country, if they can be sustained. I allude especially to the one from New Orleans to Vera Cruz, and from some Southern port to the mouth of the Amazon.

I also regard a steam connection between California and China as a great national desideratum, indispensable to give to this country the mastery over Asiatic trade and commerce. If we neglect this great interest, the British Government will at once monopolize it. And it is because that Government is aiding English steam navigation and capital on an extensive scale, that the American Government ought to counteract its efforts on this continent, and in the Asiatic trade, by sustaining American enterprise, when it can do so without any considerable charge on the Treasury. Let us sustain our own steamships, wherever the mails will refund the outlay.

It has been urged that these mail steamers are not adapted to war purposes. But the whole weight of the testimony of the officers of the Navy goes to show that they can be converted into war steamers without any great delay or expense, and be made to answer a valuable purpose. It is true they say that these vessels would not be equal to steamers originally constructed for that purpose. But these professional opinions are to be taken with certain grains of allowance. It is natural that officers in the Navy should desire the Government to build and own their own steam navy, disconnected with commerce and the mails. They, however, all agree that these steamers would answer a valuable purpose in case of war, if they were properly equipped with necessary batteries. Such is the opinion of Commodore Perry, Commodore Skinner, and others. They agree

that these steamers are strong enough to carry heavy guns, and the necessary armament. A shot that would disable a Collins steamer would have the like effect upon any regular war steamer in the Navy. Neither are shot proof. The truth is, that if war steamers of the first class cannot be furnished in this way, they cannot be built in the Navy. The plans and specifications have been furnished by the Naval Bureau. The ships have been constructed under the supervision of officers of the Navy; and the law requires that they should not be accepted unless fit to be readily converted into war steamers. If, therefore, they are not fit for that purpose, it is because the officers of the Navy are wanting either in capacity or fidelity to the Government. Moreover, it is well known that a war steamer cannot be wholly constructed in our navy-yards. They have not been furnished with the shops necessary to make the machinery. If we are to build steamers in our own yards to any extent, we ought first to prepare the shops required for that purpose. The building a steamer in the Navy is the work of years, altogether too slow to furnish vessels for an emergency.

It has been alleged that the necessary strength required for a first-rate war steamer could not be given to a mail steamer without impairing her speed. But this is no answer. The slight gain in speed is not important anywhere except on the New York and Liverpool line, and that is already supplied, or will be, by the Collins boats. The English officers agree that the mail steamers are equal to any for war purposes, if strengthened fore and aft. Whatever may be the difference of opinion as to the success of the first experiment, there is no doubt that the mail steamers can be made equal to any for war purposes, as well as a war steamer can be made to carry mails. There is no impossibility in the thing, and confessedly no great difficulty. There is no necessity of sacrificing strength to speed. There is one great advantage in requiring these vessels to be made strong enough for vessels-of-war. It is the greater durability, and security for life and property. The ocean steamers constructed under these contracts have been free from those disastrous accidents so destructive to life and property in ordinary steam navigation.

There are other reasons for adopting this system of mail steamers, convertible into vessels-of-war. The service of ocean steam navigation is yet in its infancy. Improvements are constantly being made in the model and construction of this class of vessels. If, therefore, the Government were to expend several millions at this time in the construction of steamers, the probability is that they would prove useless before we should have occasion for them in any actual war. Such is the progress in this branch of service, that, in all probability, it would be necessary to throw aside steamers that would be built at this time, and adopt others, in order to keep pace with the progress of improvement in steam navigation. Such superannuated ships would result in a great loss to the Government. But the same extent of loss could not occur, if these experiments are made by private builders, because they could adapt their old models to some useful service in the merchant marine, which would avoid any great sacrifice.

But a still more cogent reason why our peace

establishment for war steamers should, for the present, be in the merchant service, is, that, in all probability, should the Government go to the expense of placing a number of these ships in the regular Navy, they would rot, or be destroyed by worms, before we should have a war, or any urgent necessity to place them in commission. It is estimated that a war steamer will not do good service, as a war vessel, longer than ten years. Although liable to that calamity, it is not probable that we shall have a war with any naval Power in the next ten years.

Why, then, should we sink a large amount of Government capital in naval steamers, when we can be prepared for an emergency by the system of mail steamers, which are all the time building up, and extending our foreign and domestic commerce? Why not make this system of defenses contribute to the general wealth and prosperity of the country?

Until very recently, the side-wheel has been the decided favorite in the propulsion of steam vessels. Some recent experiments go to prove that the screw-propeller is about to divide steam navigation with it. There is every probability now that steam and sails are about to be so combined by the screw-propeller, that it will not be necessary to use steam when the winds are fair for sails. Several recent English and American experiments go very far to establish this fact. A vessel of this character can be navigated at much less expense than the side-wheel steamers. The estimate of the English and American engineers is: that the screw steamship will not consume quite half as much coal, when steam is resorted to, as the side-wheel steamer. It is asserted that the screw ship, in order to make good time, need not use steam for more than one fifth of the time; whereas the side-wheel vessel must use it all the voyage in order to make any speed. It has been shown in the English service, that the screw vessel can carry a full broadside, which can never be mounted on a side-wheel steamer. It is, therefore, no doubt, a superior war vessel on that account, as well as for its much greater economy. The English are using them as mail steamers; and it ought to be the object of the Government to test them in the regular Navy as well as in the mail service, which may easily be done by inviting bids to carry the mails in this class of vessels.

I confess, for one, that I do not desire to see the regular peace establishment of the Army and Navy increased to any greater extent, unless it shall be absolutely necessary. In the first establishment, we ought to rely on the militia as far as possible; and in the other, upon the merchant marine, wherever it can be made to answer the purpose of national defense. If it can be effected, let a large portion of the naval peace establishment belong to the States in the merchant marine. I do not desire to see the standing Army of this Government increased. In my estimation, there is no wisdom in increasing the Federal power of this Government. If we needed any proof that the danger of standing armies, and regular establishments, is as great now as it ever was, the recent example of France furnishes an instructive lesson. Mr. Macaulay, in his History of England, has made a profound observation on the comparative power of the people to resist government in the Middle Ages, and at the present time. He

shows, that while there was little personal property, it was easy for the baron to gather his retainers about him, and resist government for a time without leaving behind any lasting evidence of the ravages of war. But in this age, with its advance in civilization and wealth, its vast accumulation of personal property, resistance to an organized government is a fearful enterprise; and

concludes by saying that a civil war in England at this time, of even short duration, would be felt for an age, from the Thames to the Hoangho and the Missouri. Sir, property and capital are proverbially timid, and it is the tendency of the age to submit to oppression rather than encounter the fearful hazard of civil war, and the consequences of even successful revolutions.









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