

MEMORIAL

OF THE

PANAMA RAIL-ROAD COMPANY

TO THE

CONGRESS OF THE UNITED STATES,

10th December, 1849.

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1850.

MEMORIAL.

*To the Honourable the Senate and House of Representatives of
the United States of America, in Congress assembled :*

The Memorial of THE PANAMA RAIL-ROAD COMPANY respectfully represents :

That the government of the United States, impressed with the importance of securing adequate means of communication between the Atlantic and Pacific portions of the continent, has recently adopted an enlightened system of legislation for encouraging the building of ocean steamers. To this end, the Navy and the Post-Office departments, under the authority of special laws for the purpose, have entered into suitable contracts, for transporting the public mails in those vessels,—some of them running on the Atlantic Ocean, from New-York to Chagres, and others on the Pacific, from Panama to San Francisco. Fostered by these wise and liberal measures, this important branch of our commercial navy is rapidly increasing, and a corresponding development has been experienced in the trade and intercourse between these widely separated portions of our common country.

The great chain of oceanic communication established by these lines, extending from New-York to San Francisco, and thence to Oregon, is more than six thousand miles in length, and it is interrupted only by the narrow neck of land, about forty miles wide, which separates the two seas at the Isthmus of Panama. Viewed in its future commercial and political aspect, this point is exceeded by none on the American continent in value or importance. For the last three hundred years it has attracted the attention of the civilized world, and yet, under the peculiarities of Spanish dominion,

it has remained during all that period, nearly in the unimproved condition in which it was found by its early discoverers.

Although embracing but a narrow strip of territory, easily occupied and improved, and lying in the direct path of communication between Europe and Asia, it is not known or believed that any road for wheel carriages was ever constructed across it; and at the present moment, no better communication exists, than the precarious navigation by canoes on the Chagres river, for a portion of the distance, and a difficult mule path for the residue, pursuing the beds of mountain streams, and rendered nearly impassable during nearly six months in the year, by the heavy and incessant rains to which that latitude is subject. Upon the Pacific coast, a population of about twenty thousand inhabitants—the remnant of a former and larger city—is collected on the Bay of Panama; but, from that point to the Atlantic, the intervening country, with the exception of a few small hamlets, is all but uninhabited.

It is through this hitherto lifeless and forbidding region, obstructed by dense and tangled masses of tropical vegetation, that the whole public and private correspondence of the Union, between its Atlantic and Pacific portions, recently sprung up, as if by magic, and already numbering from twenty to thirty thousand letters in a single steamer, is now transported. The necessity for its prompt, safe, and regular transmission is palpable, and yet it may be affirmed without exaggeration, that no mail service in the world of equal importance and extent, is subjected to more vexatious and injurious irregularities. The mails which are carried by the ocean steamers are uniformly delivered at the Isthmus with punctuality and despatch; but on arriving there, they come into competition with throngs of emigrants, pressing forward and engrossing all the means of transportation which the country affords. By means of these and other causes, the mails are unavoidably exposed to such delay and detention, that they have re-

peatedly failed to reach the coast on the days appointed for the sailing of the steamers. It would be needless to expatiate on the injury inflicted by these irregularities on the commercial community, nor on the wide-spread disappointment of those more numerous classes—of all ages and conditions, and in every portion of the country—interested in friends or relatives in our far distant Pacific possessions, and dependent on the public mail for their only means of intercourse.

Within the present century, and since the liberation of the central portions of the American continent from Spanish authority, numerous projects have been proposed, from time to time, for opening a practicable commercial communication between the two oceans, under the patronage not only of the Central American and the Mexican, but also of the French, the Dutch and the Belgian authorities.

As late as the year 1843, a careful instrumental survey for a canal across the Isthmus of Panama, suggested originally by the illustrious HUMBOLDT, and ably seconded by our accomplished minister, the late HENRY WHEATON, was prosecuted by a body of eminent French engineers, under the authority of M. GUIZOT, then Minister of the Foreign Affairs of France. The survey was followed by a perspicuous and able report; but it led to no further public action. Soon afterwards, a grant for a rail-road was obtained by a company, consisting mostly of French subjects, from the government of New-Grenada, within whose sovereignty the Isthmus is situated; but that company, failing to comply with the preliminary conditions of the grant, it was subsequently revoked and annulled by New-Grenada.

Other projects and propositions for canal and rail-way communications across more northerly, but broader portions of the continent, at Nicaragua and at Tehuantepec, have occasionally received more or less attention, and particularly the proposed canal through the Territory and Lake of Nicaragua—the actual construction of which was undertaken in the year 1846, by Prince LOUIS NAPOLEON, now

President of France. In the interesting and statesman-like pamphlet in relation to that canal, published by that eminent personage, the cost is estimated at four millions of pounds sterling—about twenty millions of dollars—and the length at two hundred and seventy-eight miles—but since its publication, no efficient steps have been taken to commence the work, or even to verify the estimates by a more careful survey.

Explorations were also made several years ago, under the authority of Mexico, for a canal route across the Isthmus of Tehuantepec, which is about 200 miles in breadth, and they have been since followed by some examination of that locality, in reference to a rail-road; but your memorialists have no authentic information as to its results.

It was under these circumstances, that Messrs. **WILLIAM HENRY ASPINWALL**, **JOHN LLOYD STEPHENS**, and **HENRY CHAUNCEY**, citizens of New-York, being engaged in the navigation and general commerce of the Pacific, and perceiving that no adequate action was to be expected from the nations and communities most interested, applied to the government of New-Grenada, and in the year 1848, obtained a grant of the right to construct and maintain, for forty-nine years, a rail-road across the Isthmus of Panama; but, in making the contract, that government thought it necessary to exact from the grantees a cash deposit of 600,000 francs, (about \$120,000,) as a security for their duly proceeding with the work.

It was indeed an onerous and singular requirement to be imposed upon individuals, who, in a foreign territory, and at great expense and hazard, were willing to enter upon an undertaking, from which the governments of the civilized world had so long shrunk back; but, relying on adequate co-operation on the part of the public, and suitable encouragement from their own government, they accepted the grant, even with this burthen, and duly deposited the 600,000 francs, in cash, to the credit of the government of New-Grenada. Whatever may be thought

of the pecuniary prudence of that step, it may at least be claimed, that it reflected no discredit on the national character, for vigorous enterprise and enlightened public spirit.

Immediately after perfecting this contract, Messrs. Aspinwall, Stephens and Chauncey proceeded, at their own expense, to organize and despatch to the Isthmus a large and experienced body of American engineers, under the direction of Colonel GEORGE W. HUGHES, a distinguished officer of the Topographical Engineers of the United States ; and, for his valuable services and well directed science on that occasion, seconded by the skill of his able assistants, the enterprise will remain under lasting obligations.

The survey was conducted with the vigour, accuracy and careful observation, which might be expected from such a corps, and a duplicate copy of the report, with the accompanying maps and profiles, is now deposited in the Topographical Bureau at Washington, for the more convenient inspection and scrutiny of the Government and Congress of the United States.

The cost of the survey, which employed upwards of eighty individuals, exceeded 80,000 dollars ; but its results are most valuable and important in defining precisely the character and extent of the physical difficulties the work will be obliged to encounter.

Among the most leading and decisive of its results, are the following :

1. That safe, capacious and salubrious harbours, both on the Atlantic and the Pacific, exist at each *terminus* of the rail-road, accessible at all seasons by vessels of the largest class.

2. That the total length of the rail-road,—from Limon or Navy Bay, a healthful locality on the Atlantic, (six miles distant from Chagres,) to the bay of Panama on the Pacific,—will be but *forty-six miles*, reducing to *two hours*, the time of transit between the two oceans.

3. That the division between the head of navigation

of the Chagres River at Gorgona, and the Pacific, is but *twenty miles* in length; and that provisional arrangements may be made for using portions of this division, as they may be successively finished; and also, for employing the Chagres River, with some improvements, until the completion of the whole line, from the Atlantic to the Pacific.

4. That between Gorgona and the Pacific, the chain of the Cordilleras intervenes, but so much broken and depressed, that by means of a moderate tunnel through the principal elevation, and some other minor excavations, the summit between the two oceans can be reduced to 275 feet, and grades obtained for the road not exceeding 50 feet to the mile.

5. It is further shown, that by adopting a more circuitous route around these intervening ridges, submitting, however, to a great increase in the curvatures of the line, and to grades as steep as 100 feet to the mile, a large reduction of the expense of construction might be effected, but that the efficiency of the road, as a mode of speedy transit, and especially for bulky commodities and heavy munitions of war, would be seriously diminished.

6. That it will conduce to the convenience of our commercial and naval marine on the Pacific, and correspondingly augment the business of the road, to improve, by extensive piers, docks and basins, the present means of landing passengers and cargoes at the port of Panama, in which the tide rises to the height of about twenty-two feet.

7. That the total cost of the road, built in the best manner, with the necessary machinery, piers and depots for commercial purposes, will amount to five millions of dollars.

It was never supposed by Messrs. Aspinwall, Stephens and Chauncey, that they would be able, by their own unaided resources, wholly to accomplish this great national undertaking. On the contrary, they perceived at an early date, that their personal efforts and expenditures must be confined mainly to the expediting its preliminary steps; and that after accomplishing the survey, it would be neces-

sary to call for such co-operation and aid from the government of the United States and the public at large, as they might properly and legitimately ask.

Accordingly, at the last session of Congress, they presented their memorial, a copy of which is hereto subjoined, forcibly setting forth the general advantages, military and commercial, social and political, to result to the United States, from the speedy accomplishment of the railroad across the Isthmus. The views there presented, of the progress of our territorial possessions on the Pacific, and the consequent duty devolved upon the government of removing the barriers which retard our access to this newly acquired portion of our empire, can hardly fail to arrest the attention of Congress—while the picture it exhibits, of the hardy and enterprising American emigrant, “climbing the rugged steeps of the Rocky Mountains,” or “buffeting the wintry storms of Cape Horn,” has been more than realized during the present season, by the thousands and tens of thousands of our countrymen who have sought their way by those dreary routes, to this far distant but rapidly expanding portion of the Union.

On the reception of that memorial in the Senate of the United States, it was referred to the appropriate committee, who, after full examination of its merits, reported a bill appropriating \$250,000 annually for ten years, as a just compensation for transporting the public mails, troops and munitions of war, to commence from the time of completing the road; but owing to the shortness of the session, the comparatively imperfect acquaintance at the time, with the details of the subject, and especially the want of the exact information furnished by the survey, which did not reach this country until after the adjournment of Congress, no final action took place on the bill.

In April last, the Legislature of the State of New-York, on the application of Messrs. Aspinwall, Stephens and Chauncy, incorporated them and their associates as a

body corporate, by the legal name of "The Panama Railroad Company," empowering them to construct the proposed rail-road, and for that purpose to receive subscriptions for five millions of dollars, at which sum their capital was fixed.

The intelligence of the large and brilliant discoveries of metallic riches in California, reached this portion of the United States soon after the passage of this act of incorporation; and it was confidently expected, that with the additional stimulus which must thereby be imparted to emigration, the advantages of the proposed rail-road would be so obvious, as to induce our capitalists to furnish, without hesitation, the amount necessary to secure the speedy completion of the work.

Under these apparently favourable auspices, the books were publicly opened in June last, with the amount of subscription limited to a single million of dollars, but so little were their fellow citizens then assured of the profit of the undertaking, or so much did they fear its hazards and difficulties, that of this million less than one half was subscribed by the public at large; and Messrs. Aspinwall, Stephens and Chauncey, and their immediate associates, were obliged themselves to take the residue, to enable the company to be legally organized.

Since that time, 20 per cent on the million subscribed, being \$200,000, has been duly paid in to the company, and it has gone into regular operation under its Board of thirteen Directors, consisting of THOMAS W. LUDLOW, *President*, JOHN L. STEPHENS, *Vice President*, and WILLIAM H. ASPINWALL, HENRY CHAUNCEY, CORNELIUS W. LAWRENCE, SAMUEL B. RUGGLES, SAMUEL S. HOWLAND, GOUVERNEUR KEMBLE, EDWIN BARTLETT, JAMES BROWN, JOSEPH B. VARNUM, and DAVID THOMPSON.

Mr. HORATIO ALLEN, originally one of the Directors, was appointed and yet remains the consulting engineer of the company, at the city of New-York.

Under the provisions of the act of incorporation, Messrs. Aspinwall, Stephens and Chauncey, have duly transferred to the Company, your memorialists, the grant from the government of New-Grenada, receiving in return full indemnity for the 600,000 francs deposited by them to the credit of that government; and also for the expenses of the survey, amounting to about \$50,000. In this manner your memorialists have disposed of about two hundred thousand dollars of their million subscribed, and have left remaining eight hundred thousand dollars, for the construction of the work, and subject to be called in as it shall be required for that purpose.

This sum will not do much towards completing the road as a great national highway and thoroughfare, but it will do something, at least, towards expediting its progress, and avoiding needless delays, while the subject may be under discussion; and it will serve to remedy, to some extent, the embarrassments now suffered in the passage across the more difficult parts of the Isthmus. Your memorialists, relying on the liberality of their government, and the future progress of enlightened public opinion, accordingly resolved upon proceeding, without delay, to expend this sum of eight hundred thousand dollars, in constructing those portions of the road between the Chagres river and the Pacific, likely to require the longest time for their completion—and in such improvements in the Chagres river as may enable passengers arriving on the Atlantic to pass immediately up to Gorgona, and thereby avoid any detention at the unhealthy locality near its mouth. For this purpose, contracts have been actually entered into for constructing the road between Gorgona and the Pacific, and the contractors, persons of approved experience in the construction of works in that climate, are now on their way to the Isthmus, with all necessary implements, prepared to commence the work at the close of the rainy season, during the present month of December. A further pledge of the good faith and energy with which it may be conducted, is furnished in the fact that Mr. JOHN

L. STEPHENS, the Vice-President of the Company, has also gone to the Isthmus, personally to direct the operations of the company on the spot.

It is hoped and expected by your memorialists, that from the expenditure of this sum of \$800,000, they may derive a remunerating return; but they feel bound to state, that the great public and national object of the undertaking, the providing an avenue of safe, cheap and rapid transit, at all seasons, for persons and property of all descriptions, and especially the cargoes of vessels, the munitions of war, and other bulky materials, must necessarily be postponed until further funds can be obtained.

It would be fortunate for the enterprise, if the mischiefs occasioned by the want of adequate present funds, could be limited to the delay which it causes; but, in another mode, it leads to consequences permanently injurious both to the work and to the public. The route of the road, as traced by their eminent engineers, reduces the grades of acclivity to fifty feet to the mile, and attains the shortest practicable line; but it requires a large outlay in the cost of excavation. Were the present funds of the Company adequate to the purpose, this route would be altogether the most desirable; but, with the scanty means now at their disposal, they are unable to adopt it, and are driven to the necessity of selecting a line more circuitous and less secure, and of submitting to a large increase of acclivity; thereby materially lessening the efficiency and usefulness of their work, as an avenue of trade and travel.

With adequate means, the whole road, built on the best line, and in the most solid manner, might readily be completed, and put in active operation, *within two years from the first of May next*; but, by the provisions of the grant from New-Grenada, your memorialists are allowed eight years for the purpose; and, however reluctantly they may admit the fact, they feel constrained to declare that, without some **seasonable aid or co-operation from the government of the**

United States, it will not be possible for them to secure subscriptions for the five millions required for completing their work, in such a manner and within such time as the public good requires.

It is under these circumstances, that your memorialists respectfully beg leave to submit their case to the wisdom and liberality of Congress, and to ask its attentive consideration of the question, Whether the public, national interests and necessities of the United States do not require the completion of this road in the best manner, and in the shortest practicable time? Can it be wise to postpone the enjoyment of the numerous and varied benefits, political, social and commercial, to be derived from its accomplishment? Those benefits are neither prospective nor contingent. The due administration of the mail service, plainly demands it. The economy in the transportation of military and naval stores to our stations in the Pacific, and in the movement of troops, and the crews of our public vessels, will be immense and immediate,—while the saving in time, health and money to our countrymen, of all ages and sexes, now passing by thousands across the Isthmus, must be felt and acknowledged at once.

It is not the wish or intention of your memorialists to ask for the aid or interposition of the government, except upon grounds and in a mode that shall be free from doubt or constitutional scruple in any quarter. They, therefore, refrain from expatiating on the beneficial influence of such a channel of communication, in promoting the general welfare of the United States—in facilitating trade and intercourse between the States and Territories,—and in strengthening the bonds of national union. Still less need they advert to the just and enduring renown, which the opening of such an avenue of universal commerce—the successful execution of a work, so long desired by both hemispheres,—would reflect upon the enlightened government, whose well timed and patriotic liberality should expedite and encourage an achievement so conspicuous in the history of modern civilization.

Aware of the differences of opinion that have agitated our public councils on points like these, they rest their application upon the more narrow ground of economy to the public treasury—the necessity of the work for the direct, immediate use of the government, in the plain discharge of its unquestioned duties—and its vital importance in providing for the public defence—enabling the national authorities, in any emergency endangering our valuable but distant possessions on the Pacific, promptly to strengthen and reinforce the naval and military arm of the country, instead of awaiting the long and boisterous voyage around Cape Horn, or the still more toilsome and wasting march of many weary months, across the Rocky Mountains.

In thus drawing the attention of Congress to the Panama Rail-Road, it is not intended to detract, in any manner, from the merits of any other projects which may be submitted to its consideration, for establishing or facilitating other modes of communication, by land or by water, with our territories on the Pacific.

Your memorialists ask no exclusive, unjust or invidious preference. They seek only to claim for their particular work the advantages—

I. Of superior cheapness and facility, both in its construction and subsequent use. The want of surveys of other routes, renders it impossible to prove the whole extent of this superiority; but its length is known to be less than one fourth of the shortest line on any other route, and its cost may be confidently claimed to be in the same proportion.

II. That it possesses the clearly ascertained certainty of convenient, salubrious and accessible ports on each ocean.

III. That it is in the most advanced condition, politically physically, and financially in the circumstances—

1. That the right of way through the territory it traverses has been definitely granted by the government of New-Grenada, to which it belongs, and

is now free from all contest, doubt or dispute, which government also stands ready, through its enlightened Minister in this country, to afford, if necessary, any further or future facilities.

2. That a reliable instrumental survey, by engineers of known skill and integrity, has been completed.
3. That a considerable portion of the line is now actually under contract, and that the residue is ready, the moment that adequate funds shall be secured.
4. That one million of dollars of the requisite capital has been actually subscribed, under the charge of a responsible company of American citizens, adequately organized.

IV. But, in addition to these peculiar advantages, there is another, still more distinguishing and pre-eminent. In view of the importance of the communication across this particular Isthmus, the government of the United States, departing widely from its foreign policy towards all other nations, in the year 1848, deliberately entered into a treaty with the government of New-Grenada, having all the features and responsibilities of an alliance, offensive and defensive—by which the United States, in order to secure the right of way for the persons and property of their citizens, at rates of toll no higher than those to be levied on the citizens of New-Grenada, expressly guarantee, “*positively and efficaciously, to New-Grenada,*” not only “*the perfect neutrality of the before mentioned Isthmus,*” but also, “*in the same manner, the rights of sovereignty and property which New-Grenada has and possesses over the said territory.*”

It is this novel and very important feature in our diplomatic relations, which imparts to the rail-road across the Isthmus of Panama, its most peculiar claim to the consideration of our Government. By force of that treaty, the whole military and naval power of the United States is liable to be called upon at any time, and at all times, to defend, not only the neutrality of the Isthmus, and the tranquil enjoy-

ment of the right of way over the territory, but also, the very sovereignty of New-Grenada itself, both in peace and in war, whether menaced by foreign invasion or domestic insurrection.

The mere statement of such a treaty and its evident consequences, conclusively shows the national importance our government must have attached to the right of way across this particular Isthmus. It would be strange indeed, if, after acquiring it at the expense of public obligations so grave and peculiar, they should now abandon it as unworthy of their care or attention, and thus leave the United States exposed to all the burthens and responsibilities of the treaty, without realizing any equivalent national advantage.

Your memorialists are aware that an impression prevails somewhat extensively, that the commercial and navigating interests of the world, and especially of this country, would be best promoted by a ship canal of such dimensions, either at Panama, Nicaragua or Tehuantepec, as to allow the passage from ocean to ocean of sea going vessels, and to be kept open and free for the commerce of all nations. That such a channel of inter-communication would be a great acquisition to the commerce of the globe, and to the American continent in particular, no one can deny; and if any capitalist or association of capitalists, or any nation or combination of nations, shall be found ready and willing to execute the work, the effort ought to receive all suitable encouragement. But the Panama Rail-Road will not retard, nor conflict with any such project, but, on the contrary, may serve as a very useful auxiliary in facilitating its execution. Much time must necessarily be expended in the preliminary examinations of a work, so costly and stupendous, not to mention the delays that possibly may be experienced in collecting the necessary capital; and long before the surveys of the canal could be completed, the rail-road could be finished and in active operation, ready to transport the

materials required for constructing the canal or provisioning the labourers.

If those surveys should result in showing such a canal to be reasonably feasible, with adequate ports at each extremity, and a sufficient supply of water on the summit, every enlightened American will cheerfully applaud the public spirit of those who may assume the task of its construction. But even then, your memorialists must continue to believe, and do respectfully contend, that their own short, easily managed, and comparatively cheap communication of only 46 miles long, requiring but two hours from ocean to ocean, must at all times afford, if not the exclusive, at least a very useful and reliable mode of transit for passengers, the public mails, troops, munitions of war, and every description of property requiring expeditious movement.

Whatever prospective advantages, therefore, may be sought from the completion of a canal, those of the railroad are instant and undeniable. From the moment of its completion, it will open a cheap and comfortable route for the great and constantly increasing multitudes passing between our Atlantic and Pacific possessions—at once imparting order and regularity to the mail system—certainty and despatch to our expanding commerce—and greatly increased efficiency to our means of national defence—while, in its future operation, it will steadily and largely contribute to the building up that grand division of our political and maritime power on the Pacific coast, which, looking directly out upon the continent and islands of Asia, is destined, at no distant day, to exert a potent, if not commanding authority over the trade and navigation of that great quarter of the globe: and in thus fostering and accelerating the growth of populous and powerful communities in that remote and hitherto unpeopled portion of the republic, it will actively and materially assist in developing the only resource, by which the immense works of over-land communication required for

connecting the Mississippi Valley with the Great Western Ocean, can ever be adequately supported.

If such be the advantages of the Panama Rail-Road, the expediency of expediting its completion by any mode which may most effectually accomplish the purpose without calling for the adoption of any novel or doubtful policy, or the exercise of any questionable constitutional powers, cannot but be obvious to the Congress of the United States. As to the character of the aid they require, your memorialists beg leave to remove at once all scruple or misapprehension. They neither ask nor desire any appropriation from the public treasury towards the cost of their work, nor do they solicit from the government any subscription to their stock, or participation in any way in the burthen or hazard of their undertaking. They feel entirely confident that the services they will be enabled to render to the United States, especially if their road shall be constructed on the best line, and in the most permanent manner, will become immediately and indispensably necessary; and were they now able to impress their own convictions upon the mind of the public at large, they would experience neither difficulty nor delay in securing the funds required for proceeding with the whole work without delay. But the subject is yet comparatively new. The enterprise requires a large expenditure, under a foreign jurisdiction, in a territory hitherto but little frequented, where the means of obtaining labour are not generally known; and it is therefore not surprising that its pecuniary results should be regarded by many as problematical.

To impart the confidence that is wanting, the distinct co-operation of the government is therefore required, not in any advance of money, but in a present definite and settled engagement that the road, when completed, shall be employed, as necessarily it must be, in the public service; and in now determining upon a fair and equitable rate of

compensation for that service, having no more than a just regard to the national importance of the work, and the burthen and risk encountered in its execution.

Your memorialists feel entirely confident that such an engagement would so far dispel the existing doubts as to the pecuniary results of their enterprise, as to enable them to obtain subscriptions for the residue of the five millions of dollars required for completing the work, and to put it, with all its appendages, in speedy and vigorous operation.

It is not the purpose or the object of your memorialists, to ask from the government any loan or advance, in anticipation of any services they are to render. They will seek no compensation, until it shall have been earned. On the contrary, they will, on their part, commence their services without payment, and will defer all claim for compensation, until a large portion of their work shall be completed. The fact is now but too notorious, that the mail service on the Isthmus, for want of common roads, and the means of transportation customary in more populous regions, is exposed to great disorders. Your memorialists, in collecting on the Isthmus the large force of labourers and animals needed for their work, will have the means at once of lessening, if not entirely remedying those disorders. And in this view, they now distinctly propose and offer, that if Congress, at its present session, shall pass a bill securing such a just and satisfactory rate of compensation for the necessary services they may hereafter render to the government, as shall enable them to obtain subscriptions for the residue of their capital of five millions of dollars,—they will, within sixty days after its passage, organize on the Isthmus, a force adequate to the prompt and regular transportation of the mails from ocean to ocean, and will perform that service gratuitously, until they shall have finished their rail-road from the Chagres River to the Pacific.

In thus submitting the merits and the necessities of

their work to the consideration of Congress, your memorialists cannot but claim that their position is somewhat unusual. They are struggling single handed with an undertaking, which has long occupied the attention of the governments and statesmen of the civilized world—an enterprise which powerful nations only ought to be called upon to accomplish, and to whom it might more fittingly be committed. They cannot but think, that such an effort might well entitle them to expect from their own government the most ample and liberal measures of protection and support, and manifestations in every mode, of its entire and cordial approbation.

They feel that they are striving to render a great and signal service to their country—to execute a work which may stand as a lasting monument of the enterprise of the present generation—called for during three centuries of the past, and destined to endure through future ages. In an undertaking thus arduous and important, they surely ask but little in the way of governmental aid or sympathy; for they solicit neither national expenditure, nor the use of the national credit, nor the exertion, in any mode, of the national power; but merely propose that the national authorities shall now determine upon a just and equitable price, to be paid hereafter, for necessary public services, when they shall have been fairly rendered. They cannot believe that a request so moderate will be deemed inopportune or unreasonable, nor that their appeal in behalf of the work can be wholly disregarded by an intelligent and patriotic American Congress, mindful of the national renown, and capable of comprehending and wisely fostering the wide-spread, varied and expanding interests of our favoured country.

By order of the Directors of the Panama Rail-Road Company, at the city of New-York, this 10th day of December, 1849.

THOMAS W. LUDLOW, *President.*

APPENDIX.

Memorial of Messrs. Aspinwall Stephens & Chauncey, presented at the last session of Congress.

To the Honourable the Senate and House of Representatives :

The Memorial of Wm. H. Aspinwall, John L. Stephens, Henry Chauncey, and their associates, respectfully represents :

That the acquisition of California and the settlement of our boundary line in Oregon have opened a new era in the history of this country. Of the value of these new territories they do not propose to speak, further than to say, that the mildness of the climate, the richness of the soil, the great promise of mineral wealth, and, above all, the long line of coast, with the magnificent harbors on the Pacific, seem to be sufficiently appreciated by all classes of our people. At this moment hundreds of young men, full of enterprize, from our Eastern States, are buffeting the storms of Cape Horn, while in the coming spring the hardy pioneers of the West will be moving by thousands over the desolate prairies, or climbing the rugged steeps of the Rocky Mountains, to build up for us new States on the Pacific. Already it is felt as a hardship by those who go out from amongst us, that, once settled in California and Oregon, they are, to a great extent, cut off from all the dearest relations of life, and that there are no means of returning, or of personal intercourse with friends at home, except by the stormiest passage ever known at sea, or the most toilsome journey ever made by land.

In view of this condition of things, and to hold out some encouragement to emigrants that they might not be virtually expatriated when upon our own soil, and with a further view of facilitating our communications with our military and naval stations on the Pacific, Congress, at its session before the last, established a line of monthly mail steamers from New-York to Chagres, on the Atlantic side of the Isthmus of Panama, and from Panama on the Pacific side, to California and Oregon. This will no doubt answer sufficiently the great purpose of facilitating correspondence by mail with those territories; but it cannot answer, to any extent, the immediate and pressing want of a thoroughfare for travel, which women and children can pass over, nor can it answer at all the constant and sometimes pressing occasions for the transportation of men, munitions of war, and naval stores for our military and naval stations on the Pacific; all of which, however

great the emergency, and at whatever sacrifice of time and money, must go by the long and hazardous voyage around Cape Horn, or by the wild paths across the Rocky Mountains, for half the year covered with snows, and entirely impracticable.

The Isthmus of Panama is about 50 miles in breadth, less than any other part of the continent of America, and from the falling off of the great range of Cordilleras, running from the Rocky Mountains to the Andes, it has always been considered as the region in which, if any, an easy communication would be effected, either by canal or road, between the two seas. The route over it is probably worse now than in the early days of Spanish dominion, when the gold of Peru passed over it to freight with almost fabulous wealth the argosies of Spain. No wheel carriage has ever attempted to cross it. The present mode of doing so is by canoe, up the Chagres river, set, for a great part of the distance, by poles against the current, and requiring 28 to 30 hours to Cruces. Thence to Panama there is a mule road, difficult at all times for women and children, particularly with the effects of a moving or emigrating party, and during the rainy season almost impassable.

The Pacific Mail Company, charged with the transportation of the mail from Panama to California, and to Oregon, comprising your memorialists, immediately upon assuming the obligations of their contract, saw the necessity for their own interest of improving the road across the Isthmus, and after consultation with several gentlemen in high position at Washington, took upon themselves the burden and expense of fitting out an expedition for the purpose of an examination and survey. One of their associates, to whom the execution of this work was entrusted, passed the last winter on the Isthmus, attended by two engineers of high standing, who, besides making general observations upon the face of the country, commenced a regular survey of high water mark on the Pacific, and carried it across the Cordilleras down to the first stream that enters into the Atlantic, when the further prosecution of the work was broken up by the setting in of the rainy season, and the party returned to New-York.

The scheme of this company, in incurring the expense of this expedition, contemplated, as your memorialists understand, some action on the part of the Government in the way of its aiding in the construction of at least a wagon or a plank road; but the result satisfied them that, from the broken character of the country and the deluges of the rainy season, this would be a work of far greater magnitude than they had expected, and in the mean time a new aspect has been given to this matter by the important action of the Government itself.

A treaty has been negotiated with the Government of New-Grenada, by which the United States have undertaken, in consideration of a free and uninterrupted right of way over the Isthmus of Panama, by any road or roads then existing or there-

after to be made, to guaranty to the public the neutrality of the Isthmus and the authority of New Grenada over it ; so that if the Isthmus should be invaded by any foreign power, the United States are bound to protect it with their army and navy. This treaty, so new in its character and so important in the obligations it assumes, was ratified by the Senate, as your memorialists understand, without a dissenting voice, and your memorialists regard it as a manifest indication on the part of our Government, of the great national importance of a free and uninterrupted passage at all times and forever across the Isthmus of Panama, as the closing act of that policy which established the mail route to California and Oregon by way of that Isthmus, and as devolving upon the Government the necessity of lending its countenance towards the improvement of the road across it, without which, they respectfully represent, the heavy obligations of the treaty will be attended with no equivalent advantage, and the right of way thus wisely secured can never be fully enjoyed.

Impressed with the importance of this matter, as involving the prosperity of California and Oregon, and the welfare of all who are in any way connected with our citizens in those territories, and regarding it as vitally affecting the best interests of our Government in a political and pecuniary point of view, and having under their control the maps, drawing, and other information procured by the Pacific mail company, your memorialists have secured to themselves an exclusive grant or privilege of ninety-nine years from the republic of New Grenada for constructing a rail-road across the Isthmus of Panama, and they come before your honourable body to ask the co-operation and aid necessary for carrying out this great American work. They beg leave to say that its speedy completion, by private enterprise alone, without the countenance of Government, cannot be expected. Privilege after privilege, similar to that which they now hold, has been granted to others, and all have failed. It does not promise any immediate or certain returns, and for complete and early success it requires some engagement for employment and compensation by this Government, as an inducement to capitalists to unite with your memorialists in furnishing the necessary means.

Your memorialists believe that events have been rolling on towards a consummation of this long-talked-of work, and that the appointed time has now arrived ; that the acquisition of California by the United States, and the establishment of an organized Government in our territory of Oregon, have fixed the period and the hands by which it is to be accomplished ; that it has become the destiny of this country, for its own interests, for the benefit of its own people, and for the good of the world, alone, promptly, and without delay, to achieve an enterprise which for more than three centuries has under some aspect been contemplated and proposed by the great powers of Europe. It is under a strong sense that they but speak the feelings of the great mass of our people that

they have ventured to embark in the great enterprise before them, and to aim at becoming instruments in carrying out a work which, from the time when Nunez Balboa from the heights of Darien first saw the great South Sea, has occupied the minds of all civilized people, which must reflect honor upon American enterprise, and which, by bringing into close relations the most distant parts of our republic, must add to and enlarge the sphere of human happiness.

Your memorialists hope that these and other considerations of the like nature may have all proper influence upon your honorable body; but they ask your co-operation on none of these grounds; they ask it only on the ground, first, of economy and pecuniary saving to the Government, in the transportation of men, munitions of war, and naval stores to our military and naval stations in California and Oregon; and, second, on the higher and more important political ground of being able, on an emergency, and when occasion requires, to send reinforcements in less than thirty days, instead of six months, as required to send them around Cape Horn or across the Rocky Mountains. They ask no advance of money towards the construction of the road, and no compensation until services are performed; but they respectfully pray your honorable bodies to empower and direct the Secretary of the Navy to enter into a contract with your memorialists for the transportation on said road, for a period of twenty years, of navy and army supplies; including troops, munitions of war, provisions, naval stores, the mails of the United States, and its public agents, at a sum not exceeding the amount now specified by law to be paid for the transportation of the mails alone from New-York to Liverpool; provided that your memorialists shall within one year commence, and within three years complete, the construction of a railroad across the Isthmus of Panama, connecting the waters of the Atlantic and Pacific oceans.

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