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### Admission of New Mexico into Union

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IN THE SENATE OF THE UNITED STATES.

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MARCH 19, 1896.—Ordered to be printed.

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Mr. DAVIS, from the Committee on Territories, submitted the following

REPORT:

[To accompany S. 1544.]

Bills for the admission of New Mexico as a State have been favorably reported as follows:

Forty-third Congress, first session, May 5, 1874, House of Representatives Report No. 561, by Mr. McKee; Forty-fourth Congress, first session, February 15, 1876, Senate Report No. 69, by Mr. Hitchcock; Forty-fourth Congress, first session, May 19, 1876, House of Representatives Report No. 503, by Mr. Southard; Fiftieth Congress, first session, March 13, 1888, House of Representatives Report No. 1025, by Mr. Springer; Fiftieth Congress, second session, February 16, 1889, House of Representatives Report No. 4090, by Mr. Springer; Fifty-second Congress, first session, March 16, 1892, House of Representatives Report No. 736, by Mr. Joseph; Fifty-second Congress, first session, July 21, 1892, Senate Report No. 1023, by Mr. Carey; Fifty-third Congress, first session, October 31, 1893, House of Representatives Report No. 155, by Mr. Joseph; Fifty-third Congress, second session, August 3, 1894, Senate Report No. 728, by Mr. Blackburn.

Your committee recommend the passage of the bill now under consideration with the following amendments:

Section 2: In line 16, after the word "County," strike out the word "six" and insert the word "five," so that the clause will read, "Mora County, five delegates." In line 18, after the word "County," strike out the words "one delegate" and insert the words "two delegates," so that the clause will read, "Union County, two delegates." In line 24, after the the word "the," strike out the word "sixth" and insert the word "eighth," so that the clause will read, "to be held on the eighth Tuesday after the passage of this act."

Section 3: In line 34 insert after the sentence closing with the word "independence" the sentence following: "The said convention shall be the sole judge of the election returns and qualifications of its members."

Section 4: In line 6 insert after the word "ordinance" the words following: "at a date not earlier than the first Tuesday after the first Monday in November, eighteen hundred and ninety-six." In lines 25, 26, 27, 28, and 29 strike out all the words between the word "States," in line 25, to the word "to," in line 29.

Section 5: In line 4 strike out the words "the Fifty-fourth."

Section 6: In line 7, after the words "and as," strike out the word "contiguous" and insert the word "near," so that the clause will read, "and as near as," etc.

Section 12: In lines 24 and 25, after the word "acres," in line 24, strike out all the words to the word "for," in line 25.

Section 16: In line 2 strike out the word "districts" and insert in lieu thereof the word "district," so that the clause will read, "of the said district of New Mexico," etc.

Section 17: In line 13 insert after the words "United States" the words "or in the United States circuit court of appeals." In line 17 insert after the words "United States" the words "or by said circuit court of appeals." In line 19 strike out the words "the Supreme Court of the United States," and insert the words "either of said courts last named." In line 20, after the word "State," strike out the word "from." In line 32, after the words "United States," insert the words "or to the circuit court of appeals."

Section 19: In line 4, after the word "in," strike out the words "the Fifty-fourth."

New Mexico has an area of 122,580 square miles, covering an acreage of more than 78,000,000. These lands, under the influence of irrigation, become productive and yield large crops of cereals and semi-tropical fruits. In 1890 the number of farms was 4,458, with an acreage of 787,882, and a value of \$8,140,800. On January 1, 1894, the farm animals comprised 92,963 horses, value \$1,468,507; 3,747 mules, value \$117,530; 18,400 milch cows, value \$368,000; 1,224,546 oxen and other cattle, value \$11,556,533; 2,921,188 sheep, value \$3,689,169; 25,000 swine, value \$204,590; total number, 4,288,365, of a total value of \$17,404,329.

Its population in 1890 was 153,593, divided into classes of native 142,334 and foreign 11,259; of males 83,055 and females 70,538; of white 142,719 and colored 10,874—comprising 1,956 of African descent, 361 Chinese, 3 Japanese, and 8,554 civilized Indians.

Its principal industries are silver, gold, and coal mining, stock raising, and agriculture. Manufacturing, which is in its infancy, in 1890 comprised 127 establishments, with a combined capital of \$965,938 and a product of \$1,516,195.

In 1893 the assessed valuation of taxable property was \$41,602,198, with a bonded debt of \$920,000. In the same year there were 10 national banks, with combined capital of \$750,000, surplus and profits of \$228,298, and individual deposits of \$1,381,547; and 4 other banks, with capital of \$193,800; surplus, \$24,181, and deposits of \$491,270.

On January 1, 1894, there was a total of 57 newspaper and periodical publications, comprising 7 daily, 48 weekly, 1 semimonthly, and 1 monthly. In 1892 the public libraries numbered 5, with 11,154 bound volumes and 3,230 pamphlets.

The number of post-offices January 1, 1894, was 276.

The official report of December 31, 1892, gives the number of school districts at 532, schools 508, teachers 557, children of school age 43,999, of whom 23,151 were enrolled and 15,832 were in average daily attendance. Total receipts for school purposes, \$247,688. For advanced instruction there were maintained a university, an agricultural college, a school of mines, and a military institute. The law requires the English language to be taught in all public schools.

The census of 1890 gives the number of church organizations at 437, with a membership of 105,110 and a value of church property of \$486,857. Public charities comprise an orphan asylum, two hospitals, a sanitarium, and a deaf and dumb asylum.

To the question which is so frequently asked: What proportion of the population of New Mexico is of Mexican birth or derivation? your committee report that they have not been able to find any definite statistics upon that subject. From the best information that they can obtain, however, it is their opinion that one-half of the population of that Territory who are citizens of the United States are of Mexican birth or derivation. It is probably true that these people do not furnish one-half of the voting population of the Territory, for the reason that the immigration which has produced the other half of the population has been almost entirely from various portions of the United States. A very large proportion of these immigrants, as is usual in Territories, are men without families.

Your committee adopt the report submitted to the Senate by Senator Carey July 21, 1892, Senate Report 1023, the material portions of which are herein incorporated.

#### ORGANIZATION.

The Territory of New Mexico was organized under the provisions of an act of Congress of March 9, 1850, entitled "An act proposing to the State of Texas the establishment of her northern and western boundaries; the relinquishment by the said State of all territory claimed by her exterior to said boundaries, and of all claims upon the United States, and to establish a territorial government for New Mexico" (9 U. S. Statutes, 446).

The New Mexico territory was acquired from the Republic of Mexico under the treaty of the United States and the Republic of Mexico made at Guadalupe Hidalgo, on the 13th of May, 1848, and the Gadsden treaty of December 30, 1853.

#### AREA.

The area of New Mexico is 122,580 square miles—equal to that of Pennsylvania, Ohio, and Indiana combined. It contains 78,451,200 acres of land. Assuming that the boundaries of the States and Territories remain as now constituted, New Mexico will make the fourth State in the Union in point of size, the States of Texas, California, and Montana only exceeding it in area.

#### POPULATION.

The population of New Mexico in 1890, as shown by the census, was 153,953—an increase of 34,028 in ten years, or 28.46 per cent—certainly a healthful western growth. Considering the great difficulties encountered in enumerating a sparsely settled country, and the growth of population since the taking of the census, it is safe to assume that the population of New Mexico at this time is not less than 180,000. The governor of the Territory, Governor Prince, estimated the population in 1891 at 175,000 to 185,000.

#### VALUATIONS.

The assessed valuation of all the property in the Territory in 1890 was \$45,199,847. Of this amount about \$2,000,000 is excluded from taxation under the laws of the Territory. The assessed valuation does not equal more than one-third of the actual value. Property is assessed very low. The railroads operated in the Territory probably cost not less than the amount given as representing the assessed value of all property in the Territory. The assessed valuation increased, from 1880 to 1890, 300 per cent, or \$34,000,000.

## FINANCIAL CONDITION.

The indebtedness of New Mexico at the close of the last fiscal year, less the amount in the treasury to redeem bonds falling due, was \$860,000. About two-fifths of this indebtedness is represented by bonds due in 1904 and 1905, with interest at 7 per cent, and three-fifths by bonds falling due at various dates before 1905, bearing interest at 6 per cent. The most of the indebtedness was created in the erection of a capitol building, university, penitentiary, and other public institutions. The financial condition of New Mexico is shown by the governor's report to be remarkably good.

## EDUCATION.

New Mexico, without the aid of the General Government, has established an excellent system of public schools throughout the Territory. Among its important features are provisions for a board, consisting of the governor, superintendent of public instruction, and the presidents of the university, agricultural college, and St. Michael's College, to select and provide a uniformity of schoolbooks throughout the Territory. A careful supervision of teachers, the authority of school districts to levy special taxes to build schoolhouses and for the support of schools therein, are also provided for.

The enrollment and attendance upon the public schools compare favorably with those of many States in the Union, there being enrolled during the past year in the common schools of the Territory 24,667 scholars, with an average attendance of 17,218. The total number of teachers employed was 582, in 132 distinct school buildings. There was raised for the support of schools by direct taxation, including poll tax, \$120,563. In addition to the income derived from the foregoing provisions, the Territory has a high liquor-license system, ranging from \$100 to \$400 per annum, that goes to the school districts in which the license moneys are collected.

In the larger towns commodious and elegant schoolhouses have been constructed from the proceeds derived from this fund. The recent census of 1890 shows that illiteracy has been greatly reduced since 1880, that the attendance in the schools has increased over 280 per cent, and that the interest now taken in educational matters is greatly to the credit of the Territory.

Besides the public schools, the private schools and colleges of New Mexico are worthy of high commendation. There were in attendance at these schools last year, according to the governor's report, 5,314 pupils.

The committee do not believe that the educational objection, heretofore urged, can be longer insisted upon as a reason why New Mexico should not be admitted as a State.

## PUBLIC INSTITUTIONS.

The Territorial institutions of New Mexico reflect credit upon her people. The governor's report shows the following now in operation: University, at Albuquerque; agricultural college, at Mesilla Park; school of mines, at Socorro; an institution for the deaf and dumb, at Santa Fe; and an orphans' home and industrial school at the same place. The Territory also maintains a penitentiary and insane asylum.

Of the several institutions the governor, in his annual report for 1891 to the Secretary of the Interior, says:

The very liberal donations from the National Government, both to the agricultural college and the experiment station connected with it, give to this institution great advantages. The university building is just completed, and it is intended that it shall be opened during the coming winter, probably as a normal school, as the lack of such an institution is painfully felt. The laboratory building for the school of mines, which will be amply sufficient for all present requirements of the school, is in course of erection and will be a very creditable structure. It will not be ready for use until the fall of 1892.

The school for the deaf and dumb at Santa Fe has been successfully conducted during the year. It is about to remove to a larger and better building, and 15 inmates are expected for the next year.

#### AGRICULTURE AND HORTICULTURE.

Notwithstanding the existing troubles with reference to titles to land, growing out of Spanish and Mexican grants, there were in 1890 a total of 2,275 entries made at the land offices of New Mexico. This would probably represent an increased agricultural population of over 10,000. The governor shows that the Territory is making great advance in agriculture and in the adoption of improved systems for the cultivation of the soil. On this subject a recent correspondent writes:

The acreage has increased fully 20 per cent, and new ditches now being constructed will cause a still larger gain next year. A new flouring mill is just erected; self binders are seen where heretofore the hand cradle was used; steam thrashers have taken the place of sheep and goats, as well as of horsepower machines. The people have dropped old styles of farming and are using all modern facilities.

The governor, after stating that the acreage of every staple product has very greatly increased and is not confined to any one locality, but is general in all sections, says:

In hay production the increase is specially marked. Alfalfa is a success in all parts of the Territory, three crops being harvested in the north and four in the south. New fields appear at intervals all along the Rio Grande Valley. At Roswell and other points on the Pecos there is an immense crop, frequently reaching 7 tons to the acre. In San Juan County, in the extreme northwest, the product of the year is not less than 16,000 tons, many of the farmers having from 100 to 200 tons, and one estimating his great stacks to contain at least 550 tons. Timothy and other grasses are being introduced extensively in various sections, and especially in Mora and San Miguel counties. In the latter it is calculated that there are now fully 5,000 acres of timothy, where three years ago there was scarcely any cultivated.

Turning to horticulture, the advance is even more noticeable. Those familiar with the Territory long ago agreed that New Mexico was ultimately to be the great fruit-raising State. Nowhere do all the fruits of the temperate zone arrive at such perfection as here. They have the size and beauty of those of California, with the high flavor unknown on the Pacific Slope. This industry is a comparatively new one here, most of the orchards being young and only partially in bearing. The product is consequently increasing largely each year. San Juan County, which ten years ago was only occupied by cattle, now contains 500 acres of orchard, about half of which was planted this year, and is sending to market this fall over 500,000 pounds of peaches, 259,000 of apples, and 100,000 of other fruits. Santa Fe County is producing 600,000 pounds of apples and 300,000 of other fruits.

A count just made in Socorro County shows that it contains 100,000 fruit trees and 480,000 grape vines. One single orchard, raised entirely without irrigation, contains over 7,000 trees, many of which were planted this year. This fall, for the first time, grapes have been shipped from Las Cruces in carload lots, and the melon crop of the Messilla Valley is a new element of much importance. In Taos County fully 8,000 trees have been added to the orchards during the year. In Donna Ana, Judge Woods has planted 4,200, H. Casad 2,400, Dr. Bailey 1,500, and other fruit growers will bring the aggregate up to 12,000. A number of new orchards have been started and older ones enlarged in Colfax, Santa Fe, and Grant counties, along the Pecos Valley, and, in fact, all over the Territory. A careful estimate made by the most competent authority shows that the number of fruit trees planted this year does not fall below 200,000, about 50,000 being supplied by one single New Mexican nursery. The finest varieties of foreign grapes are now raised, not only in the Messilla Valley, but along

the Rio Grande in Bernalillo and Valencia counties and in the vicinity of Farmington. The greatly increased product of fruit makes a canning factory a necessity, and one can be profitably established at almost any central point.

The number of small irrigated farms in New Mexico is reported greater than that in any other section in the West, each farm averaging about 30 acres.

#### LIVE STOCK.

The live-stock industry, which includes the raising of cattle, horses, and sheep, is carried on very extensively in New Mexico, and is one of the principal sources of its wealth and prosperity.

The latest official returns of the Department of Agriculture give the following statistics: Number of milch cows, oxen, and other cattle, 1,307,957, valued at \$14,555,159; horses and mules, 96,750, valued at \$2,867,318, and in round numbers 3,000,000 sheep, valued at \$5,000,000. New Mexico is only exceeded in the number of its sheep by Ohio, Michigan, California, Texas, and Oregon.

#### IRRIGATION.

The subject of irrigation in New Mexico is now attracting wide attention, and extensive systems of reservoirs and canals are being inaugurated for the reclamation of vast areas heretofore regarded as uninhabitable and unproductive on account of the arid condition of the land. Governor Prince gives the following account of the present condition of irrigation in New Mexico:

No subject is of greater importance to New Mexico than this. The future of the Territory depends very largely on the increase of its area of cultivated land through comprehensive systems of irrigation. But the subject has been so fully considered in preceding reports that I will only refer briefly to what is actually being accomplished. In the southwest the magnificent system on the Pecos River, in the vicinity of Eddy, is in full operation. The system somewhat higher up in the same valley, in the vicinity of Roswell, is partly completed and partly in course of construction. Too much can not be said of the wonderful water supply of this valley.

In the northeast are two systems on the Maxwell grant, which have been previously described. A carefully prepared report relative to the irrigation of this section, by Mr. L. S. Preston, the engineer of the Maxwell Land Grant Company, is inserted below, and will be found to contain much matter of general interest on the subject.

In the northwest, in San Juan County, the water supply, when utilized, is more than ample, the flow in the San Juan and Animas rivers especially being very large and constant. Mr. J. G. Kello, who is a very competent authority, writes as follows:

"In San Juan County there are approximately 200 miles of main ditches, covering about 24,000 acres of land. About 175 miles of these are owned and operated by the farmers themselves, and are partnership ditches and not incorporated, nor is the water sold. About 25 miles of ditch is incorporated. This length of ditches is all under operation, and there are from 30 to 50 miles of uncompleted ditches, partly finished, but not in operation. We estimate here that it takes at least 1 cubic foot of water, running day and night, to irrigate 160 acres; but this depends largely on the kind of crop, the amount of rainfall, and the kind of soil, so that it is difficult to make a general standard. I think that the average cost here per acre for water throughout the county is about 75 cents."

In the southwest the progress of the work in the Mimbres Valley is very encouraging. The Mimbres and Deming Canal and the waterworks at Deming are now far advanced; the canal is completed from the Mimbres 8 miles toward Deming, and the deep cut under the Mimbres River, from which this canal will be supplied with a permanent flow of water, is also nearly half finished. The large shaft for the waterworks at Deming is completed and the heavy machinery is now on the ground. The work on the 30,000,000-gallon reservoir has been commenced and that enterprise will, no doubt, be successfully accomplished within the next sixty or ninety days.

These may be said to be in the four corners of the Territory. But the great central regions are not to be left without the needed water supply. More than fifty companies have been organized for irrigation purposes, and several are already in operation. The valley of the Rio Grande presents the most extensive field for operations of this kind, as the present narrow strip of cultivated land can be widened very materially by a proper disposition of the water which flows so abundantly from the north

and is now allowed to be wasted. The Rio Grande Irrigation and Colonization Company have been engaged for some time in making careful surveys preparatory to the construction of a comprehensive system of irrigation extending from Peña Blanca southward through the center of the Territory.

Work was to have been commenced some time ago, but the preliminary surveys developed certain matters which required more careful investigation as to the route to be followed, and this has caused delay. It is expected, however, that before the end of the year the work of constructing the great ditches proposed for this purpose will be in active progress. In short, a very few years will find all the water, now suffered uselessly to run away, utilized in the highest degree, and enlarging the area of agricultural and horticultural land to an extent almost fabulous.

Meanwhile individual enterprise is increasing the local supplies by the erection of multitudes of windmills, and this present year marks an era in our industrial history as that in which the first successful artesian wells were produced in widely separated portions of the Territory, near Springer in the northeast and at Roswell in the southeast. These prove the existence of great bodies of water ready to cause an artesian flow underlying a great portion of New Mexico, and will encourage the boring of the necessary wells to bring it to the surface.

The Santa Fe Irrigation Company intends to store the water which flows from the mountains east of the capital, and to afford irrigation to the large valley lying south and west of the city. This is a tract of considerable extent and great fertility, especially adapted to fruit culture, and presents a magnificent field for such an enterprise.

#### MINERALS.

The mineral resources of New Mexico have long been known. Probably no State in the Union contains a larger area of coal, and of better quality, than is known to exist in New Mexico. The precious metals have been discovered in nearly all parts of the Territory, and in many places are successfully worked. The total value of the precious metals produced in 1890 is estimated at \$3,000,000. Doubtless New Mexico is destined to rank as one of the principal mineral-producing States in this country.

#### TIMBER.

New Mexico is supplied with large tracts of timber in her mountains, and, if properly protected from fire, which not unfrequently devastates immense forests in the arid regions of the United States, will afford a plentiful supply of cheap lumber for domestic use and millions of feet for annual export from the State.

#### RAILROADS.

There have been 1,445 miles of railroad constructed in New Mexico, represented by ten different corporations, including the Atchison and Santa Fe, Atlantic and Pacific, Southern Pacific, and Denver and Rio Grande. Numerous new roads have been projected.

#### THE PEOPLE DESIRE STATEHOOD.

If the history of the various conventions of the people of New Mexico for admission into the Union should be written it would be most interesting. The great territory acquired from Mexico caused political controversies that well nigh involved the breaking up of the union of States. The discovery of gold in California, which had formed a part of the Mexican grant, and the almost immediate demand of those enterprising and adventurous Americans who had hastened to the Pacific Coast for admission into the Union, precipitated the decision of questions which many of the ablest statesmen of the time had hoped would be postponed for many years to come.

The debate in the Senate and House, extending over many months, resulted in the admission of California as a State, the settlement of the



boundaries of Texas, and the organization of the Territories of New Mexico and Utah. California, with a very much smaller population than that of New Mexico at the time of the cession, has since become a great and populous State. The condition of New Mexico at that time was not unlike that of California. Mr. Clay, in an elaborate report on various resolutions referred to a select committee, of which he was chairman, concerning the territory acquired from Mexico, said of California and New Mexico:

Prior to their transfer to the United States both formed a part of Mexico, where they stood in equal relations to the Government of that Republic. They were both ceded to the United States by the same treaty; and in the same article of that treaty the United States of America engaged to protect and govern them both. Common in their origin, common in alienation from one foreign government to another; common in their wants of good government and conterminous in some of their boundaries, and alike in many particulars in physical condition, they have nearly everything in common, in the relation in which they stand to the rest of the Union. If California by circumstances and extraordinary augmentation of population has advanced so rapidly as to mature her for State government, that furnishes no reason why the less fortunate Territories of New Mexico and Utah should be abandoned and left unguarded by the United States, or should be disconnected with California, which, although she has organized for herself a State government, must be legally and constitutionally regarded as a Territory until she is actually admitted as a State in the Union.

For reasons that it is not necessary to discuss in this report, New Mexico remains a Territory, though it contains a larger population than has been deemed essential for the admission of a new State. The people of New Mexico, who were remote from the national Capitol at Washington and little acquainted with the legislation affecting her interests there, in 1850 organized a constitutional convention, which adopted a constitution and submitted it to the people. It was ratified by a large vote; indeed, almost unanimously. There were two Senators and a Representative elected to Congress, who came on to Washington and asked that the State be admitted into the Union.

This constitution, taking into consideration the time in which it was adopted, must be considered in many respects a model constitution. It contains all the provisions that have before or since been regarded as prerequisites for the admission of a new State into the Union. About the only criticism in the light of to-day that could be urged against the constitution is that it provided that persons of African descent were forbidden from voting or holding office. This was not remarkable at that time, similar restrictions having been placed in the constitutions of California and other States. The constitution provided for the maintenance of a public-school system by direct taxation, and it forever prohibited slavery to be practiced within its borders. The memorial accompanying the constitution contained these words:

Slavery in New Mexico is naturally impracticable and can never, in reality, exist here. Wherever it has existed it has proved a curse and a blight to the State upon which it has been inflicted—a moral, social, and political evil. The only manner in which this question now affects us is political; and on grounds of this character, with its general evil tendencies, we have unanimously agreed to reject it forever.

Whether this provision was inserted because of the forebodings of the coming political storm, or because of the experiences of these people when a part of Mexico, it is not worth while now to discuss.

The proposed State adopted an article in favor of the common schools in the following words:

A general diffusion of knowledge being essential to the preservation of the rights and liberties of the people, it shall be the duty of the legislature of this State to make suitable provision for the support and maintenance of public schools.

The legislature shall, at as early a day as practicable, establish free schools throughout the State, and shall furnish means for their support by taxation; and it shall be the duty of the legislature to set apart not less than one-twelfth of the annual revenue of the State derived from taxation as a perpetual fund, which fund shall be appropriated to the support of free public schools; and no law shall be made diverting said fund to any other use.

The supervision of public instruction shall be vested in a State superintendent, and such other officers as the legislature may direct, the powers and duties of which officers shall be prescribed by law.

The constitution referred to was made by a convention composed almost entirely of Mexican people. This constitution and the memorial accompanying it is attached to this report and made a part thereof.

Every assurance was given to the people of New Mexico that they should be admitted as a State into the Union. Brigadier-General Kearny took possession of Santa Fe, the capital of the Department of New Mexico, on the 18th day of August, 1846. On the 22d of the same month he issued a proclamation announcing that he took possession of the Department of New Mexico with its original boundaries as a part of the United States, and under the name of the "Territory of New Mexico."

The proclamation, among other things, states:

It is the wish and intention of the United States to provide for New Mexico a free government, with the least possible delay, similar to those in the United States; and the people of New Mexico will then be called upon to exercise the rights of freemen in electing their own representatives to the Territorial legislature. But until this can be done the laws hitherto in existence will be continued until changed or modified by competent authority; and those persons holding office will continue in the same for the present, provided they will consider themselves good citizens and are willing to take the oath of allegiance to the United States.

He further declared that the United States absolved all persons residing within the boundaries of New Mexico from further allegiance to the Republic of Mexico and claimed them as citizens of the United States. The people were undoubtedly led to believe that they would be created into a State.

President Taylor said with reference to the Mexican people who had become citizens of the United States:

I did not hesitate to express to the people of these Territories, acquired from Mexico, my desire that each Territory, if prepared to comply with the requirements of the Constitution of the United States, form a plan of a State constitution and submit the same to Congress with a prayer for admission into the union of States.

During the famous session of Congress in the winter of 1860-61, one of the conditions of compromise agreed to by the House of Representatives, in its attempt to conciliate the slave States, was that New Mexico should be admitted immediately as a slave State. In 1871 the legislature of New Mexico provided for a constitutional convention. But it did not succeed in making a constitution satisfactory to the people. The legislature in 1874 memorialized Congress for an enabling act, and the bill passed both Houses of Congress by more than a two-thirds vote. Some slight amendments in the Senate defeated the bill. In the following Congress a bill to enable the people to form a constitution passed the Senate by more than a two-thirds vote. It was not, however, given consideration in the House.

In the Fiftieth Congress a bill known as the "omnibus bill" was considered by both Houses of Congress, for the admission of New Mexico, two Dakotas, Montana, and Washington. In the conference between the two Houses New Mexico was stricken out and left a Territory, while the other Territories were admitted as States. The fates appear to have been against New Mexico. Since she came under the jurisdiction of the United States, no less than fifteen States have been admitted

into the Union, four of which are composed wholly, or in part, of territory formerly under Mexican jurisdiction. If the experience of people who have lived in the Territories and the history of new States count for anything, it is safe to say that had New Mexico been admitted as a State, under the constitution of 1850, to-day she would be one of the great and influential States of the Union. New blood and life would have been given to the oldest people of this Republic. Her representatives in the national halls of Congress would have been able to secure legislation that would have directed attention to a country rich in natural resources. The proximity of New Mexico to surrounding Commonwealths would have induced capital to open her mines and construct great irrigation works for the reclamation of her arid lands.

#### LAW OF ADMISSION.

It seems unnecessary that the committee should quote the principles underlying the admission of new States as an argument in favor of their early admission. The rule laid down by the Supreme Court of the United States is applicable when it said:

There is certainly no power given by the Constitution of the Federal Government to establish and maintain colonies bordering on the United States or at a distance, to be ruled and governed at its own pleasure, nor to enlarge its Territorial limits in any way except by the admission of new States. \* \*

The power to extend the United States by the admission of new States is plainly given; and in the construction of this power by all the Departments of the Government it has been held to authorize the acquisition of territory not fit for admission at the time, but to be admitted as soon as its population and situation entitled it to admission. It is acquired to become a State and not be held as a colony and governed by Congress with absolute authority.

Mr. Madison, in speaking on the subject, said:

The inhabitants of the Territory were in a degraded situation, that they were deprived of the rights essential to freemen, the right of being represented in Congress. Laws were made without their consent, or by their consent in part only. An exterior authority appointed their executive, which was not analagous to other parts of the United States, and not justified by anything but an obvious and imperio necessity.

Mr. Buchanan said:

Congress will never turn a deaf ear to a people anxious to enjoy the privileges of self-government. Their desire to become one of the States of the Union will be granted the moment that it can be done with safety.

Mr. Douglas, in the discussion of the Kansas question, said that he had helped to admit States with small population, notably Oregon and Florida; and he did not doubt its wisdom.

Senator Howe laid down the rule that had always governed him when he said:

I have but one test by which to judge for myself when this thing we call a State ought to be admitted or not. When I find a community friendly to the United States, and able to pay the expenses of their own government, defray the charges of their own control, if they say they are willing to do it, I am not the man to forbid them. If my own judgment is not quite in accord with theirs, if I find a pretty spirited and plucky people saying that they are equal to the work of self-government, when I am not quite satisfied of the fact myself, I rather yield my own opinions to theirs. I would rather encourage a little ambition of this kind than discourage it.

That a new country needs representation in both Houses of Congress more than the older States does not need argument. Mr. Douglas, in speaking of Oregon Territory, said:

I have seen Oregon and Washington Territories suffer in their interests because of the want of representation here, and it was not in my power to prevent it. California has had vigilant Senators here looking after her interests and drawing

everything that the Government could control into California, when, if there had been representation of the whole coast, we would have heard oftener of the Columbia River and Puget Sound when you came to the distribution of the patronage of this Government or the distribution of money for public works and to develop the country.

The committee might quote from many others, including Mr. Benton, who took the ground that when there were 10,000 able-bodied men in a new Territory willing to take upon themselves the burden of Statehood that such Territories should be admitted; but it would add nothing to what has already been said in reference to the matter.

The people of New Mexico, with no entangling alliances and after waiting for nearly a half century, again ask to be admitted into the Union. The passage of the bill is urged by both of the political parties in the Territory. Under all the circumstances, there appears to be no reason why Congress should any longer delay the admission of New Mexico as a State. No one claims that the population of New Mexico is not sufficient for admission nor that she has insufficient wealth to support a State government. Her statutes give evidence that the people of New Mexico have enacted wise and enlightened laws for the government of her affairs.

If, after all these years of waiting, New Mexico is not prepared for Statehood, how long will it be before her people shall have acquired the necessary qualifications? Originally transferring their allegiance from a sister Republic to that of the United States, the people of New Mexico have never raised their hands or voices against the nation of their adoption. So far as those of Spanish descent are concerned who reside there, probably nine-tenths have been born in New Mexico since it became a part of the United States. Except in isolated districts, they have become thoroughly Americanized and have adopted the customs of our people; and more than this, they fully appreciate the privileges which they enjoy over the neighboring States of Mexico. Besides the strictly American and Mexican populations there are many descendants of other nationalities that have become citizens of the United States who are anxious for the admission of New Mexico as a State. They speak the English language, and are wholly in accord with the institutions of our Government.

The committee therefore have no hesitation in saying that they believe the interests of the people of New Mexico would be best served by her immediate admission into the Union.

