

NEW MEXICO.

WHEN the U. S. House of Representatives was considering the enabling bill for the admission of New Mexico, an interesting discussion took place. Mr. McKee (it is a pleasure to see that he does some good things) presented the bill, and stated that he believed it would meet with very little opposition on that floor, that New Mexico had all the elements out of which the States were made—it was large enough, it had population and prosperity enough, in fact, it had every element of statehood. Its area was three times as large as that of the State of Ohio, and it had more than 145,000 people. This includes Indians. The vote for the Delegate (Mr. Elkins) was over 17,000. There were forty representatives in the House who went there with fewer votes. In everything that went to make a State, New Mexico was fully up to the standard.

Similar things, and with as good reason and weight, might be urged in behalf of this Territory.

The following, from Mr. McKee's opening speech, will be interesting to our readers, as it has a bearing, collaterally and analogically at least, upon Utah and its claims to admission as a State into the Union—

"This is not a question of constitutional law; it is a mere question of policy. Is the admission of this Territory for the best interests of the United States; is it for the interest of New Mexico? Now, Mr. Speaker, in admitting a new State we strengthen our government; we give it greater credit abroad; we increase its prestige in war and its power in peace. It strengthens our Union to have thirty-eight States instead of thirty-seven. It benefits the Territory by giving it State legislation instead of this half-way territorial legislation. It will be remembered that the acts of a territorial Legislature are subject to the approval or disapproval of Congress. Congress may make or unmake territorial constitutions. Here is a community out in the center of the continent, not a new Territory, not an unheard-of place, not a mere ephemeral collection of people. Here in the Territory of New Mexico is the growth of one hundred and fifty years. The people there have demonstrated their ability to govern themselves in such a manner as may challenge comparison with the older States. That Territory is without any territorial debt. Where is the Territory that can show a like record? [Utah and Colorado can.] Its cities have no debt; its counties have no debt.

"I will refer to only one other question, for I do not propose to detain the House but a few minutes, intending to yield to the Delegate from New Mexico [Mr. Elkins]. Under the treaty with Mexico of Guadalupe Hidalgo we solemnly agreed New Mexico should be admitted as a State into the Union. Under that treaty these New Mexicans claim their rights, not only as a question of policy on our part, but under the solemn stipulations of that treaty. We agreed that they should come in as a State. They have now a sufficient population. They have every requisite. I see no reason, and the Committee on Territories see no reason why this Territory of New Mexico should not, under the treaty of Guadalupe Hidalgo, be admitted as a State into this Union. Every State we admit marks a milestone in the progress of our country along the national high-road to prosperity.

"There can be no reason for refusing admission to New Mexico unless it be it will result in the admission of two new Senators. But, sir, even if two new Senators shall be admitted, that is no reason why we should violate our general rule when, as in the case of New Mexico, the Territory has the requisite population and all the elements necessary to form a State."

After the reading of the bill, Mr. McKee said—"This is the same bill by which all the new States have been admitted. We have not dotted an 'i' nor crossed a 't.' It is the usual enabling act."

Mr. Elkins urged the passage of the bill on the following grounds and for the following reasons—

"First. Because she is entitled to such admission as a matter of right, having the requisite population prescribed by law and the capacity to support a State government.

"Second. She is entitled to admission into the Union by reason of the promises and assurances made by our government to her people previous to the ratification of the treaty of Guadalupe Hidalgo, by which she was ceded to the United States, as also by the terms and stipulations of the treaty itself."

Mr. Elkins went largely into the claims of New Mexico as to her population, resources, prosperity, etc.

Mr. Potter opposed the bill. He did not think that New Mexico had a right to admission by virtue of any treaty.

Mr. Kasson stated that under the former relations of New Mexico to the United States of Mexico, it not only had a delegate in the federal Congress of Mexico, but that delegate had a vote, which he thought was an important element for consideration. The people of New Mexico were represented, by voice and vote both, in the Congress of the United States of Mexico.

Mr. Potter quoted the following provision of article 9 of the treaty of peace with Mexico—

"Mexicans, who in the Territories aforesaid shall not preserve the character of citizens of the Mexican republic conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution; and in the mean time shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction."

Mr. Potter stated that New Mexico, at the time, laid before Congress the claim to be admitted as a State under the treaty, and had it rejected, it was said, because the supposed feelings and situation of the people of New Mexico in regard to slavery were not satisfactory, still it was by the discretion of Congress. Mr. Potter contended that New Mexico had enjoyed civil government for twenty-six years, "during all which time the persons within it have enjoyed all the rights of citizens of the United States." "For," said Mr. P., "what right has a citizen of the United States which a citizen of a Territory has not got? Who ever heard it claimed that a citizen of a Territory was not a citizen of the United States, or deprived of any rights as such."

The honorable gentleman had evidently forgotten that the government of the Territories was not by the "consent of the governed;" that the people of the Territories were taxed without representation; that they had no vote in the choice of the principal local rulers, no vote in the choice of any federal officer; that they had no vote in Congress; and that their own local laws, every one of them, could be declared null and void by Congress. How then can the people of the Territories be considered to have all the rights of citizens of the United States? A preposterous statement, Mr. Potter.

Mr. Potter did not believe the population of New Mexico was more than 94,000, though some gentlemen seemed to think it was 130,000. That Territory was of slow growth, its population largely Mexican, the local legislative business was done largely by means of an interpreter, a considerable portion of the population did not speak the English language, and the Territory was not likely to be in the future a place of rapid development, like Illinois for instance.

Mr. Fort said Illinois was admitted with less population than New Mexico.

Mr. Potter thought that a territorial form of government was a pretty good sort of government, if not the best sort. Some one had said of the British colonies in Canada, that there never was a government so well contrived for the benefit of the people as that, they had the freest kind of government, could levy duties and impose tariff and charges even on the products of the mother country, which was constantly protecting them and spending money among them.

Mr. Mills thought if Mr. Potter was in love with a territorial form

of government, he might be willing to exchange the State government of New York for it.

Mr. Potter said he would when the population of New York came down to 90,000. He had lived in Wisconsin when it was a Territory and he found a territorial government not an oppressive government at all, and it deprived nobody of any rights and privileges, unless it was that of sitting in the U. S. senate.

Mr. Fort thought Mr. Potter should have continued to live in a Territory.

Mr. Potter thought the advantages of admission were all in favor of the Territory and none in favor of the Union at large. There was no constitutional obligation to admit any Territory as a State at all.

Mr. Fort thought it a part of the original compact, the federal constitution, that the Territories be admitted, when ready, on an equal footing with the original States.

Mr. Cobb thought when a Territory had an adequate population, sufficient to entitle it to one representative in the House, it was the moral right of that Territory to become a member of the Union.

Mr. Potter asked what was an adequate population. Prior to 1873 there was no rule on that point. At his suggestion Congress in 1872 incorporated in the apportionment bill an amendment providing that it should require at least the same population for the admission of a Territory as was required to entitle a State to a Representative on the floor of that House. But beyond that, he would be glad to know upon what principle of moral obligation a hundred thousand people had the right to demand admission as a State.

Mr. Kasson thought the same right as the people of the States had.

Mr. Mills said the Supreme Court of the United States had decided that the Federal government had no right to acquire territory except for admission into the Union as States.

Mr. Potter granted that.

Mr. Mills said that it was the right of the people of a Territory, as soon as they qualified themselves, to be admitted into the Union as a State. It was their inherent constitutional right to be so admitted.

Mr. Potter. "Then according to this new constitutional doctrine of the gentleman from Texas, these people in New Mexico have been kept out of the Union for twenty-six years, when they ought to have been exercising the rights of a State."

Mr. Elkins. "That is just what is the matter."

Mr. Potter said Congress had decided otherwise, and he thought rightly. Our fathers were glad to get anybody in the federation on almost any terms, in the time of the thirteen Colonies, and if New Mexico, with her 91,000 inhabitants, had then presented herself, they might have taken her in.

Mr. Maginnis asked if the Colonies were not then trying to throw off that very form of colonial government which Mr. Potter seemed to think so desirable, but from which New Mexico was so anxious to escape.

Mr. Potter wanted to know if Mr. Maginnis asserted that the colonial government of that day bore any sort of relation to or parity with the government of the present Territories.

Mr. Maginnis said in his judgment the colonial government of Great Britain was in some respects preferable, far milder, and much better than the colonial government of the United States, and so the people of the Territories themselves believed.

Mr. Potter asked him if he could point out any occasion, and if so how many, when the statutes of his territorial legislature (Montana) were disapproved by the Congress of the United States since it became a Territory.

Mr. Maginnis somewhat demolished Mr. Potter by the following answer—

"When my Territory was first organized Federal officers were sent out there, then, as they are now, unknown to and uninvited by our people, just as England sent objectionable governors to her colonies, and as Spain now sends rulers to Cuba. They organized a session of the territorial legislature, which, under their influence, voted to the governor and secretary and each of the judges \$3,000 per year extra compensation in addition to that

paid by the Government. Afterward the people took control and held two successive sessions of the legislature and repealed the laws allowing this extra compensation. Upon which, the tools of these officers, a few political adventurers in sympathy with the dominant republican party, came down here to Washington, and through their influence with Mr. Ashley, then chairman of the Committee on Territories, repealed not only one or two laws, but caused Congress to wipe out the statutes of two successive sessions of our legislature and left us without important laws for years. Meanwhile the Federal officers continued to draw the extra compensation fixed by the first legislature, the statutes of which remained in force, until they entailed a debt of over \$100,000 upon my Territory which remains unpaid today—all done by a few lobbyists against the protests of the people, and carried in the interests of a few unworthy men, sent out to govern us, in whose selection we had no voice and whose rule was odious and tyrannical."

Mr. Potter. "When was that?"

Mr. Kasson. "About five years ago."

Mr. Potter. "That was the Congress in which my friend from Indiana who favors this bill was a member. I take no responsibility for that legislation. But it is an exceptional case. Generally the territorial legislatures are allowed to do as they please. Besides, the legislation of which the gentleman complains was, he says, an abuse by Congress. But abuses by Congress are not necessarily escaped by becoming States."

Mr. Potter, continuing, said in the early history of the Union new States were taken in upon equal terms because the annexed Territories were contiguous, of great fertility, and natural wealth, and immense prospective growth of population. The same conditions did not exist now. Even some States wanted Congress to reconstruct them. The precedents for the admission of new States had wholly ceased. New States caused a minority of the people to have a preponderating representation in the United States Senate.

Mr. Hereford. "I understand that the ground of the gentleman's complaint is that the State of New York has on the floor of the Senate only the same number of Senators as Nevada. That is in accordance with the theory of our Government and with our Constitution. Do I understand the gentleman from New York to desire to change the Constitution in that respect? If he does, I would say that that would tend to centralization more than any of all the outrageous acts he complains of."

Mr. Potter said in his judgment it was not according to the theory of the Constitution to extend that equality to every new Territory.

Mr. Hereford. "It was on that that the great fight took place at the formation of the Constitution. It was maintained that each State should have two Senators on the floor of the Senate to represent the sovereignty of that State. That sovereignty I desire to protect, and I say that to-day the sovereignty of the States represented each by two Senators prevents centralization."

Mr. Potter did not wish to deprive existing States of equal representation in the Senate, but the condition of things which existed in the last century existed no longer. He was a State rights man and the theory of equality of States was right. He would put a provision of the constitution for the future government of the States that a proportion of the States could go out whenever they pleased. He believed good government could in the long run only be maintained by its being in accordance with the interests of those who were under it. He was convinced that whenever the real interests of a great section prompted it to go out of the Union, it should be allowed to go. It was idle to talk about the legislation of Congress being the legislation of sovereign States. It was in a great degree the government of a minority and not of a majority. Special legislation and the admission of new States with small populations increased that evil. The theory of the government, the fundamental theory, was that of a popular government, a government to preserve the rights and represent the wishes of the people. The inevitable result of giving to the people of Territories with a small population repre-

sentation in the U. S. Senate was that they would be controlled by influences exercised by men of wealth.

CRIMES, CASUALTIES, ETC.

RESUME of accounts, received by telegraph, of fires, deaths by accident and violence, disasters at sea, etc., for the month of May.

FIRES.

May 1. Stables of Evergreen Trotting Park, and three horses valued at \$16,000, burned.

2. Forty thousand dollars damage by fire at Newton, Mass.

3. Sixty thousand dollars' fire at Halifax, N. S.

4. Property valued at \$30,000 burned at Orange, N. J.

Fifty-four thousand dollars damage by fire at Rome City, Indiana.

5. Wagner & Riche's tan-yard burned at Louisville, loss \$20,000.

Clothing store burned at Memphis, loss \$20,000.

Report received of one hundred and forty-nine houses burned at Massaya, Nicaragua, Central America.

Portion of the deck and cargo of the steamer *Ohio*, burned while on the passage from Philadelphia to Queenstown.

5. Newpocket Hall block burned at Hyde Park, Mass.; loss \$45,000.

6. At Springfield, Ills., property burned belonging to the Toledo, Wabash, and Western railroad; loss \$100,000.

8. News received of a terrible fire in the town of Lavag, Phillipine Islands, in which nearly two thousand houses, a very large number of cattle, fruit trees, thousands of weaving frames and fifteen human beings were destroyed.

Chair and furniture warehouse burned at Baltimore; loss from \$65,000 to \$75,000.

9. Extensive damage done by forest fires in Michigan.

Village of Ridgeway, Iowa, burned; loss \$100,000.

Twenty-eight houses, twelve barns and a quantity of lumber burned at Oshkosh.

Safe factory, boiler works, wholesale grocery house, ice house and several dwellings burned at Toronto, Canada; loss \$250,000.

10. Residence destroyed at College Hill, O.; loss \$20,000.

Fires in the Catskill mountains; extensive fires in the woods around Kingston, N. Y., destroyed fifteen thousand cords of wood and much timber.

Job printing and stationery establishment, and glass and queensware store burned at St. Louis; loss \$95,000.

11. Forest fires in Erie and Wyoming counties, N. Y., destroyed farmhouses, barns, stables, &c.; heavy loss.

A fire at Paris, France, killed several persons, and rendered 200 others homeless.

12. Planing mill and furniture factory at Cincinnati burned; loss \$60,000.

Half the business part of Butter-nut, Otsego Co., N. Y., burned.

Fire did \$60,000 damage at Courtland, Ala.

13. Two stores and six saloons burned at Clyde, O.; loss \$20,000.

16. Two hundred thousand dollars worth of timber destroyed by fire in the woods on Long Island.

18. News received from Japan of the burning of over six hundred houses; some of the people burned out died of starvation.

News received of half a million dollars' damage by fire at Kingston, Jamaica.

19. Forty houses burned at Aylmer, Canada.

Shoe and tailor shop, with contents, burned at the Kingston penitentiary.

Hundred houses occupied by poor Jewish families burned in one of the suburbs of Constantinople.

20. Tobey & Booth's packing establishment, Grove St., Chicago, burned; loss \$125,000.

22. Fire at Forest city, Ark.; damage \$20,000.

25. A fire at Independence, Ia., \$400,000 damage.

Vulcan Ironworks, Buffalo, N. Y., burned; loss \$65,000.

Bagging mills at Lima, O., burned; loss \$20,000.

U. S. bonded warehouse, containing two hundred bales of cotton, burned at Norfolk, Va.

Crocery store burned at Baltimore; loss \$50,000.

27. Railway machine shops burned at Mt. Vernon, Ills.; loss \$100,000.

28. Southern Bagging Company's