

ADMISSION OF NEW MEXICO.

Portions of the Discussion on the Enabling Act, in the U. S. Senate, March 10, 1875.

MR. MORRILL, of Vermont. I know very well that under the treaty with Mexico this Territory was in due time to be incorporated into the Union as a State; but, as I read the article of the treaty in this case, it was to be done at the proper time and as Congress might judge fit and expedient. Now I take it that this Territory has no claims to be introduced into the Union unless they are similar to those which would operate in the case of the Territory of Washington or Dakota or any other Territory that we have. Unless the public interests will be promoted by it, it seems to me plain that that Territory ought not to be admitted as a State.

MR. HITCHCOCK. Of course the proposition, as the honorable Senator from Vermont says, is an important one. It is a proposition to endow the people of a Territory with sovereignty, to found an empire, to organize a government destined as we trust to continue and strengthen and grow powerful during the long years of a prosperous future; and more, it is a proposition to give to that government a proportionate power in controlling the destinies of the thirty-seven other independent sovereignties now members of the American Union. Such a proposition should, of course, receive careful consideration at the hands of the American Congress.

There are, as the honorable Senator has said, two points of inquiry naturally suggesting themselves to the mind in considering the propriety and wisdom of this measure—one in regard to the number and character of the population which we propose by this bill to endow with American citizenship, and the other in regard to the extent, character, and resources of the country which they inhabit, and which it is proposed by this bill to make an independent State.

In regard to the number of population, I believe it is clear that New Mexico has to-day a sufficient population to entitle her, under the law, to admission as a State—a sufficient population to entitle her to a Representative on the floor of the other branch of Congress.

Then, in regard to territory, New Mexico stretches from about the thirty-first parallel to the thirty-seventh parallel of north latitude, and from the one hundred and third meridian to the one hundred and ninth meridian of longitude west of Greenwich. It contains an area of more than one hundred and twenty thousand square miles—an empire in itself, one hundred times larger than some of the States of this Union, as large as all New England and New York, and twice as large as old England. Of course a large portion of the soil is not rich in agricultural products. The larger portion of the soil consists of a dry, high, and in many places arid plain; but these plains are rich in grazing facilities; capable of supporting vast herds and flocks of sheep, and the valleys of the streams and rivers are rich in agricultural products, while the mountains and the cañons are rich in mineral wealth.

The committee, therefore, believe that, independent of any treaty obligations, to which the honorable Senator has alluded, and which were twenty-five years ago slightly important to induce some of the most prominent statesmen of this country to favor the admission of New Mexico then, New Mexico, from the number of her people and the extent and character of her territory, is justly entitled to become now a member of this American nation.

It is insisted by these people, and I think the record bears them out, that General S. W. Kearny, of the United States army, who took formal military possession of New Mexico in August, 1846, was himself of opinion that the territory would at an early day be organized under a territorial form of government, to be soon thereafter admitted as a State into the Union. It is entirely clear that this was the policy of President Taylor.

The rule in the admission of new States into the Union has not been that such States should have a population equal to the ratio established for one Representative. Other things have been taken into the account, as the resources of the proposed State, the character of its population, and its capacity for self-government. Nevada and Ne-

braska were admitted with populations less than the ratio fixed for one Representative, and Colorado, now preparing to become a State of the Union, has a less population than New Mexico.

MR. SARGENT. I do not know why, after we have made a treaty with Mexico that New Mexico should be received, of course within our own discretion as to the time, that we should draw a distinction between the hardy Americans who go out into these Territories and the people of the race with whom we made the original compact that they should come in. With the Mexicans we agreed that this portion of their territory should come in as a State—I admit in our own time. They had in view these very Mexicans that are referred to, this native Mexican population. They are the people they proposed to protect, not our own citizens who might thereafter go to New Mexico, but the original population, thereby showing their protecting care of these people; and the obligation arises from the fact that there is a Mexican population who are thus protected. And if it is true that there is in New Mexico as large a population as that in Colorado, which we agreed last year to admit, I should like to know what argument can be advanced against this bill which would influence the Senate that voted so largely last year to admit Colorado?

The population of New Mexico at present is greater than that of either of the following five States at the time the laws were passed admitting them to the Union—Oregon, Kansas, Nevada, Nebraska and Colorado. If there is a species of favoritism in this thing, if we can pick out one Territory and say, "You shall not come in with a certain population," and to another, "You may come in with equal or less," it ought to be explained. I do not think that that is the intention of Congress in dealing with the Territories. If here is a population in New Mexico as large as or larger than the average required of Territories becoming States, then by every principle of justice we ought to admit them.

Now, it is cruel to a Territory with from 90,000 to 150,000 inhabitants to keep them in this state of tutelage that we call a Territorial Government. I doubt if the ingenuity of mankind ever has devised a worse system of government than what we call our territorial system, unless it is some form of tyranny. It is a careless and wasteful system. The wishes of the people are not consulted at all. The officers to rule over them are sent from thousands of miles distant. They have no knowledge of these men before they go there; and frequently the knowledge that they acquire of them afterward is such as to make them regret that they ever saw them. We have questions with reference to judges who are sent there. I myself was very much troubled and pained by certain remonstrances which were recently sent to me as to a judge put in this very Territory with a request that he might be removed. There was conflicting testimony. On one side there seemed to be a very large number of people, including the bar, who protested against this man's continuance in office for reasons given. On the other hand a respectable gentleman said, and some senators I think, "This man is a good man; we know him personally." But such a question ought to be, and under our system in the States is, resolved by the people themselves. Let them choose their officers, and do not keep in power over them a man of doubtful character, sent from a long distance, where they have no control over him.

Furthermore, a Territory makes very little improvements while it remains in the territorial condition. We have half of a promise to provide for them; we do pay the expenses of the territorial Legislature [except in Utah.—Ed. News] and occasionally we make a grudging appropriation for a public building. The consequence is that the people there do not tax themselves, do not set themselves earnestly to work in order to erect their public buildings. Occasionally we make a road there, partly on pretense of being a military road and partly on account of the wants of the Territory, but the people themselves do not pass laws and tax themselves, as they will as soon as they become a State, in order to make these internal improvements. It is like a farm which is held by a tenancy at will or by sufferance. The tenant

does not improve it because he does not know when he will get a better right. The people who are there, not being exactly citizens, but mere denizens, in the long years before it may become a State, may become tired and move away. It is a question of the future whether benefits will be reaped from anything they may do now and whether they will ever come to them, and, therefore, they do not feel very great interest in building up a community. Furthermore, a public-school system is not much built up in Territories. We did not give the sixteenth and thirty-sixth sections to the Territories, but to them when they are admitted as States, and they constitute a fund for the benefit of the States whereby they educate their people. In my State, by a careful husbanding of this fund, we are able in every school district of the State to keep open a public school. Of course we aid it by local taxation in the large districts where there are multiplied schools; but in all the districts we keep open a school nine or ten months in the year, allowing the ordinary vacation, by means of this bounty of Congress. If we had been kept out of the Union for a dozen years longer, when population was pouring in upon us, these sixteenth and thirty-sixth sections would have been largely absorbed and perhaps other available lands would have had to be taken in lieu of them on account of homestead and pre-emption settlements intervening. So we do not give the Territories the opportunity to build up public schools by allowing them to have a good fund, and we may prevent their having the means of having such a fund hereafter.

I believe in local self-government. So far as that goes, I always firmly believed in squatter-sovereignty; that is to say, that the people of a Territory should have a right to make their own laws, to elect their own officers, and to be American citizens in fact; certainly when they have arrived at the respectable size of from ninety to one hundred and fifty thousand inhabitants.

MR. MAXEY. We all know that as long as a people are in a state of pupillage, so long as a territorial government exists, they do not progress as they do when admitted as one of the sovereign States of the American sisterhood. It is with me a question of right. Politics has nothing to do with my vote on this question. It is simply a question of pure, naked right. When the military command and our forces took possession of New Mexico, in 1846, inducements were held out to these people to believe that they would be admitted as a State in the Union. By reason of that belief, during all the war with Mexico, there was but little of it within the limits of New Mexico. General Kearney controlled that country with but little difficulty. In 1849, in the administration of General Taylor, among his earliest messages was a message asking that the newly acquired territory should be admitted as early as was consistent with the common good as a State in the American Union; and this is one of the last left. From its territory has been carved out and cut off the northern tier of countries and placed in Colorado, having less population than the Territory of New Mexico. All I ask is, if Colorado can come in as a State in this Union, should not New Mexico?

Besides, I see no reason why, if a Territory has conducted itself right and well for twenty-five years, the people of these United States should pay the expenses of keeping up a territorial government there. I think they should be permitted to form their own constitution and have the glorious privilege of local self-government. We all know that we regard that as a blessing priceless in its nature. If they are entitled to come in, let them come in; and that they are entitled to come in there is in my own mind no question.

MR. HARVEY. Mr. President, I have been a little astonished at the position taken by my friends the Senator from Vermont and the Senator from Maine in the discussion of this bill. The Senator from Vermont says before voting on this bill he would like to know the number of the Anglo-Saxon population of this Territory and whether there is sufficient wealth there to support a government. Is it true that the theory of our Government is that only the Anglo-Saxon race is entitled to self-government, and that only rich people have that capacity? The Declaration of Independence, the original charter of our liberties, took a ground so

much broader, that the assertion of it was characterized as a "glittering generality;" but the logic of events has justified the broad scope taken in that instrument. The true theory of our Government is that people of all races are entitled to self-government. The history of the world shows that. The oldest republic is that of Switzerland. Its people are not composed exclusively of any one race. Properly speaking, none of them are of the Anglo-Saxon race, but they are of Teutonic ancestry and Latin ancestry.

The Senator from Maine spoke of different portions of this country being divided by certain lines. It seems to me as indefensible as the position taken by the Senator from Vermont to assert that the people on one side of a certain line are capable of self-government, but that those on the other side should be incapable.

To the remark of the Senator that these Territories have no reason to complain, because they are under the patronage of a powerful Government, they might very truly retort that the kind of patronage which they receive is to have the constituents of Senators and members of the House from different States sent into the Territory to fill the various local offices that happen to be located there. That is about the extent of what might be called the political patronage that they receive. So far as the General Government aids them in carrying on their territorial government, so far as it aids them in a financial way, the argument of economy by the General Government would be to cease that payment whenever the people feel able to bear it themselves. On that ground and in the light of economy we may be justified in giving the people a chance to establish a State government for themselves whenever they feel able to do so.

Let us ignore the idea that a republican State under our Constitution must depend upon a population of a certain race, or the possession of a certain amount of wealth. The constitution of a State has been better described by Sir William Jones, in language which I am not able to quote, but which every Senator of general reading will recollect, the rule established is that it is men who constitute a state, high-minded men; not men of any particular race, not men of any particular wealth. As to the character of the land, it is not necessary that the territory occupied by a free people should all of it be of the richest. It is not so in this country. It is not the case in Switzerland, which I cited as the oldest republic in the world. There the agricultural lands are limited, there the valleys are very narrow indeed; and yet free government has been maintained in a respectable manner for a great number of years, and without any great wealth on the part of its people. I think such arguments go for but little in opposition to this bill. I believe the bill should be passed and the Territory admitted as a State.

MR. SARGENT. Look at Salt Lake and the whole country round about it. It was reported twenty-five or thirty years ago as an irreclaimable desert where man could not live and must take his provisions and water with him. That was the impression. All the exploring expeditions so reported it, and as absolutely irreclaimable. A community went there and made it their homes, with some peculiarities which I do not admire, but nevertheless having a thrift and industry which should commend them to the approbation of every one, and built up not merely a community which is stable and thriving, but brought from the soil evidences of its wealth in agricultural production, raising the cereals in vast quantities, and vegetables and fruit, and everything that is desirable. I dare say they raise more cereals in Utah than they do in the State of Maine; I have no doubt they do much more fruit, and of immensely better quality; and this right upon the route of that railroad which the Senator passed over by Salt Lake.

MR. MORRILL, of Maine. No; I did not go there.

MR. SARGENT. Then the Senator has not had the opportunities of observation that I supposed he had. He told us of his opportunities of observation, and the sage conclusions he drew therefrom, and now it seems he has not been so far as Salt Lake. It is curious to know how far west of the Missouri he went. Perhaps he stopped on the

eastern bank, and gazed over on that land, not promising to him, across the water, and formed the judgment which he made. If it would not be improper to form such rapid deductions, I should be tempted to believe it was that; for he is now confessing away all his speech by his pleasant interruptions to me as I proceed. My friend perhaps went to Duluth, where, it is said by the chairman of the committee on the judiciary of the other House, the horizon comes around to an equal distance from all parts of it, thereby showing that it is the center of the world. Perhaps he thought he had attained that center, and it was not worth while to go beyond that. But I want to show him that the experience of Utah shows that a powerful and wealthy State can be built up on even these very arid plains.

What is there that maintains Utah? Its agriculture, its cattle, its mines. That very fact goes to show that my friend is entirely mistaken in his estimate of the capacities of that Territory. He says: Look at Massachusetts which for two hundred and fifty years has been cultivating whatever soil it has, and has been improving in other directions faster by means of its manufactures and commerce. Very well, let him give one-third of the time, one-twentieth of the time to these communities to grow up. Should Maine have been excluded on account of the Aroostook country and of the region of swamps where there is nothing to be seen for mile on mile traveled by the lonely traveler except stumps of trees and devastations of woodland? Was that an argument against Maine? Certainly not. Maine has grown strong and powerful by its commerce, by its manufactures, and other business, and some agricultural capacity. To be sure it is rather tedious there during the long winter months, the eight months of winter shaded perhaps a little by spring at each end. The trial is very severe and it would be extremely irksome to the people in the West who are accustomed to the smiles of heaven nearly every month in the year. But if you have advantages for agriculture, they are superior in that very desert country the Senator speaks about, where there are mountains in their vicinity from which streams can be brought for the purpose of irrigation superior to anything in Maine, unless it may be some garden-spot.

In conclusion, Mr. President, I desire to say that it is impossible to set up any just standard for the admission of States hereafter, drawn from the present status of those which have been admitted heretofore. The State of Ohio, admitted in 1802, had but 41,915 population. Look at its teeming millions now. At that very time Maine was not separated from Massachusetts, but it had a population four times greater than that of Ohio. In 1819-'20, when it was separated and admitted into the Union, it had six times the population of Illinois, admitted about the same time as a State into the Union. Why was not Illinois to have been kept out until it had attained the population of Maine? That argument would have been good then; but the statesmen of that day did not urge it.

I have a list here of a dozen States which have been admitted, which are among the most powerful and wealthy States now within our Union, which were all admitted with one-half the population which New Mexico has at the present time. It is impossible for a new State to have the population and the wealth of an old one. The question is, Does it furnish a fair guarantee for the future? That was the only fair question that could have been asked of Ohio when it came forward with 41,000 people, the only fair one of Illinois when it came forward with 75,000 people.

MR. MITCHELL. I should like to ask the Senator from California whether, as a fact, there have not been fifteen States admitted into the Union as States with less population than New Mexico had six years ago?

MR. SARGENT. That is true; and all this vast country in the west, out of which the great States to which I have referred have been carved, were acquired by purchase a century after the settlement of the States which are now set up as the criterion, as the mark which must be reached for new States to be admitted. I say such a doctrine is absurd. We can very well say farewell, then, to any further States,