

NEW MEXICO.

MAY 19, 1876.—Recommitted to the Committee on the Territories and ordered to be printed.

Mr. MEADE, of the Committee on Territories, submits the following report of the minority of said committee:

MINORITY REPORT:

[To accompany bill S. 229.]

The undersigned, a minority of the Committee on Territories, having, with their associates, the majority of said committee, had under careful consideration Senate bill No. 229, "to enable the people of New Mexico to form a constitution and State government, and for the admission of said State into the Union on an equal footing with the original States," respectfully dissent from the judgment of said majority as expressed in the report made by the same; and the undersigned, for themselves, submit the following as their report respecting the matters contained in said bill:

At an early stage in the consideration of this bill, the committee was met with charges, through the public press and from responsible individuals, concerning the political condition of the Territory of New Mexico of so grave a character as to suggest a thorough investigation, with a view to reform of abuses existing there, but the undersigned felt compelled to yield their judgment in this respect, lest an investigation might be regarded as an attempt to delay action on this bill; beside, it was evident that any investigation, to be thorough, would be attended with great expense and loss of attendance upon the sessions of this House by the members of the committee, as well as in fact deferring report. The undersigned now submit whether such investigation shall be had.

The Territory of New Mexico, as originally constituted, was ceded to the United States by the treaty of Guadalupe Hidalgo, and organized as such Territory by an act of Congress approved September 9, 1850. It then contained 215,807 square miles, but appears in 1860 with an increase of 45,535 square miles, representing the territory acquired from Mexico by the Gadsden treaty. This aggregate area in 1860 of 261,345, in 1870 is found reduced to the present area of 121,201 square miles, or about 77,000,000 acres, the remaining portion having formed the Territory of Arizona, 113,916 square miles; a portion of the State of Nevada, 12,225 square miles; and a portion of the Territory of Colorado, 14,000 square miles; but as at present constituted New Mexico is more extensive than New England and New York, and one hundred and sixteen times larger than Rhode Island. There is claimed for it an excellence of soil and climate, which, however, is substantially or in great degree refuted by official and other reports on that region; while a general belief exists that much mineral wealth may be found in the otherwise forbidding country. Of internal improvements it pos-

sesses literally none; and though various railways point in its direction, none have yet entered this Territory, and when they will do so is a matter depending upon extraneous circumstances.

POPULATION.

In 1850 the population of New Mexico was 61,545; in 1860, being after the Gadsden-treaty accession of area, it was 93,516; in 1870 it was 91,874, a decrease in last decade of 1,642, which decrease it is probably correctly claimed was caused by the organization from its borders of the Territory of Arizona above alluded to, although conversely it is to be observed the large increase from 1850 to 1860 is to be accounted for by the accession of territory during that decade. But a careful examination of these statistics, respecting the population of the several districts, cannot account at most for the loss of more than five or six thousand, leaving the increase of inhabitants, in the present area of the Territory, during the decade from 1860 to 1870, as not exceeding, on the most liberal estimate, more than 4,000.

It is now claimed (though without pretense of enumeration having been had) that this Territory possesses a population of nearly 135,000 *bona-fide* inhabitants, aside from certain Indians engaged in agricultural pursuits, which would make the total population near 150,000. This estimate has been carefully considered, and is found without foundation in fact, and depending solely upon the statement contained in the memorial of the legislature of the Territory to this Congress.

Your committee have felt a reluctance in characterizing the statements of this memorial in the terms which they feel it justifies, knowing full well the political and not altogether unpatriotic motives which stimulate such legislatures to oftentimes magnify the necessary qualifications of Territories, in order that they may present the requisite case and standing for admittance into the Union.

The last census, being for 1870, which placed the population as above stated, included Indians, 1,309, although the census of 1860 showed an Indian population of 10,507, the difference, excepting those of county, now Territory, of Arizona, being unaccounted for.

In this connection, and as also showing a remarkable falling off in population of certain counties during last two decades, the following table from last Census Compendium is added

| Counties. | Aggregate. | | | White. | | | Colored. | | | Indian. | |
|--------------------------|------------|--------|--------|--------|--------|--------|----------|-------|-------|---------|--------|
| | 1870. | 1860. | 1850. | 1870. | 1860. | 1850. | 1870. | 1860. | 1850. | 1870. | 1860. |
| The Territory | 91,874 | 93,516 | 61,547 | 90,393 | 82,924 | 61,525 | 172 | 85 | 22 | 1,309 | 10,507 |
| Arizona (a) . . . . . | ..... | 6,482 | ..... | ..... | 2,421 | ..... | ..... | 21 | ..... | ..... | 4,040 |
| Bernalillo | 7,591 | 8,769 | 7,751 | 7,473 | 8,574 | 7,749 | 7 | 9 | 2 | 111 | 186 |
| Colfax (b) | 1,992 | ..... | ..... | 1,960 | ..... | ..... | 10 | ..... | ..... | 22 | ..... |
| Dofia-Afia (c) | 5,864 | 6,239 | ..... | 5,862 | 6,239 | ..... | 1 | ..... | ..... | 1 | ..... |
| Grant (c) | 1,143 | ..... | ..... | 1,134 | ..... | ..... | 9 | ..... | ..... | ..... | ..... |
| Lincoln (d) | 1,803 | ..... | ..... | 1,789 | ..... | ..... | 14 | ..... | ..... | ..... | ..... |
| Mora (b) | 8,056 | 5,566 | ..... | 7,986 | 5,524 | ..... | 18 | 14 | ..... | 52 | 28 |
| Rio Arriba | 9,294 | 9,849 | 10,668 | 8,976 | 9,329 | 10,667 | 2 | ..... | 1 | 316 | 520 |
| San Miguel | 16,058 | 13,714 | 7,074 | 15,924 | 13,670 | 7,070 | 17 | 1 | 4 | 117 | 43 |
| Santa Ana | 2,599 | 3,572 | 4,645 | 2,534 | 1,505 | 4,644 | 24 | ..... | 1 | 41 | 2,067 |
| Santa Fé | 9,699 | 8,114 | 7,713 | 9,585 | 7,995 | 7,699 | 38 | 27 | 14 | 76 | 92 |
| Socorro (d) | 6,603 | 5,177 | ..... | 6,537 | 5,706 | ..... | 19 | 6 | ..... | 47 | 75 |
| Taos | 12,079 | 14,103 | 9,507 | 11,792 | 13,479 | 9,507 | 3 | 7 | ..... | 284 | 617 |
| Valencia | 9,093 | 11,321 | 14,189 | 8,841 | 8,482 | 14,189 | 10 | ..... | ..... | 242 | 2,839 |

(a) Originally embraced the country now constituting the Territory of Arizona. (b) In 1869, Colfax from Mora. (c) In 1868, Grant from Dofia-Afia. (d) In 1869, Lincoln from Socorro.

Again, there are reasons to believe from evidence produced before the undersigned that the enumeration of 1870, in cases, exceeded the actual population. In a communication received from a gentleman believed to be entirely reliable and unbiased in his judgment respecting this Territory, and who resided there for a considerable period, it is stated respecting the census of 1870 :

I was informed that the population had been exaggerated on purpose to swell the number of inhabitants with a view to the admission of New Mexico as a State. In the northern part of the Territory, near Taos, there is an abandoned town that is registered as having a population of 800.

The statement made that the enumeration of this Territory in 1870 was underestimated by the marshals having the business in charge, cannot be better repelled than by the fact that, for the purpose of obtaining a full and complete enumeration in these partially settled Territories, the marshals there were awarded a double compensation for their services.

Indeed, it must be regarded that the enumeration over rather than under estimated the population of New Mexico in 1870, and that no considerable increase has transpired since that time; and we have the testimony of many who are familiar with that region, and have resided there, that there has been little or no increase up to this time in the population of that Territory since its acquisition by the United States, from immigration or sources other than the natural increase of the native population. Table XI of the Compendium of Census of 1870 shows, of the entire population, 83,175 to have been born in the Territory, while only 1,611 were born in other parts of the United States.

As another method of arriving at the present population of the Territory is the following statement from the Land-Office, an important aid in denoting the increase in population there during the years since the official enumeration contained in the census of 1870 :

Statement exhibiting the area of public lands surveyed in New Mexico during the fiscal years 1871 to 1875, inclusive, with the cost of surveying the same; the area disposed of during the same period by ordinary cash sales, homestead entries, and locations with agricultural-college scrip, the amount received by the United States on account of the lands thus disposed of, with the expenses incidental to the sale, &c.

A.

| Fiscal year. | Area surveyed. | Cost of survey. | Area embraced by cash sales, homesteads, &c. | Amount received from sale, &c. | Cost of sale and location. | Aggregate cost of survey, sale, &c. |
|--------------|----------------|-----------------|--|--------------------------------|----------------------------|-------------------------------------|
| | <i>Acres.</i> | | <i>Acres.</i> | | | |
| 1871..... | 161,413.94 | \$9,448 54 | 26,822.16 | \$7,292 69 | \$1,309 06 | \$10,757 60 |
| 1872..... | 2,990.50 | 9,980 57 | 18,252.13 | 19,673 36 | 1,805 10 | 11,785 67 |
| 1873..... | 391,341.22 | 19,919 34 | 4,441.92 | 2,445 53 | 1,342 08 | 21,261 42 |
| 1874..... | 225,775.42 | 30,000 00 | 3,885.73 | 2,417 20 | 1,634 96 | 31,634 96 |
| 1875..... | 722,906.92 | 29,834 27 | 1,246.89 | 367 00 | 1,607 44 | 31,441 71 |
| | 1,904,423.00 | 99,182 72 | 54,648.83 | 32,195 78 | 7,698 64 | 106,881 36 |

The foregoing table, A, exhibits the area surveyed during the five years specified, with the cost of survey; the aggregate area disposed of during the same period; the amount received by the United States for the lands thus disposed of; the cost of sale and location of the same, with the aggregate cost of survey, &c.

B.

| Fiscal year. | Lands sold, with purchase-money received. | | Homestead entries, with commissions and fees. | | Agricultural-college scrip, locations, and fees thereon. | | Aggregate area disposed of. | Aggregate amount of purchase-money, &c., thereon. |
|--------------|---|------------|---|------------|--|---------|-----------------------------|---|
| | Acres. | Amount. | Acres. | Amount. | Acres. | Amount. | | |
| 1871..... | 3,996.56 | \$4,997.91 | 22,825.60 | \$2,294.78 | ..... | ..... | 26,892.16 | \$7,292.69 |
| 1872..... | 15,594.55 | 19,493.20 | 1,377.58 | 148.16 | 1,280.00 | \$32.00 | 18,252.13 | 19,673.36 |
| 1873..... | 2,042.86 | 2,253.57 | 1,439.06 | 167.96 | 960.00 | 24.00 | 4,441.92 | 2,445.53 |
| 1874..... | 1,647.89 | 2,111.36 | 2,237.84 | 305.84 | ..... | ..... | 3,885.73 | 2,417.20 |
| 1875..... | 206.89 | 285.00 | 560.00 | 70.00 | 480.00 | 12.00 | 1,246.89 | 367.00 |
| | 23,486.75 | 29,141.04 | 28,440.08 | 2,986.74 | 2,720.00 | 68.00 | 54,648.83 | 32,195.78 |

Table B shows separately, by years, the area disposed of by ordinary cash sales, with the amount of purchase-money received therefor; the area embraced by homestead entries, with the amount received as fees and commissions thereon; also, the number of acres located with agricultural-college scrip, with registers' and receivers' fees thereon, the aggregate area disposed of, and aggregate amount received thereon.

The foregoing would, perhaps, be incomplete without a partial reference at least to the lands disposed of in the other Territories, which is illustrated by the statement prepared from the report of the Commissioner of the Land-Office for 1875, herewith added:

Aggregate area disposed of for cash and revolutionary bounty-land scrip; also, for homestead settlement and timber-culture, including \$5 and \$10 payments, and registers' and receivers' commissions thereon, in fiscal year 1875.

| Territories. | Acres. | Amount. |
|-----------------|------------|------------|
| Arizona..... | 8,904.83 | \$7,159.88 |
| Colorado..... | 123,805.44 | 101,108.44 |
| Dakota..... | 192,800.44 | 66,220.85 |
| Idaho..... | 24,853.41 | 10,289.90 |
| Montana..... | 14,725.99 | 18,395.66 |
| New Mexico..... | 766.89 | 355.00 |
| Utah..... | 46,372.69 | 29,886.54 |
| Washington..... | 77,889.14 | 85,489.11 |
| Wyoming..... | 7,714.40 | 15,976.81 |

The official canvass in said Territory for Delegate thereof, from 1863 to 1875, both inclusive, is added hereto, and exhibits on the whole no appreciable or considerable increase during that period.

New Mexico.

| Counties, (13.) | Congress, 1875. | | Congress, 1873. | | Congress, 1871. | |
|-----------------|-----------------|---------|-----------------|---------|-----------------|---------|
| | Valdez. | Elkins. | Gallegos. | Elkins. | Gallegos. | Chaves. |
| | Dem. | Rep. | Dem. | Rep. | Dem. | Rep. |
| Bernalillo..... | 297 | 720 | 646 | 931 | 709 | 743 |
| Colfax..... | 300 | 393 | 117 | 242 | 329 | 207 |
| Doña Ana..... | 226 | 716 | 357 | 624 | 763 | 478 |
| Grant..... | 351 | 311 | 121 | 264 | 169 | 103 |
| Lincoln..... | 179 | 89 | 253 | 50 | 285 | 23 |
| Mora..... | 1,234 | 428 | 884 | 702 | 1,241 | 367 |
| Rio Arriba..... | 232 | 1,508 | 541 | 1,270 | 975 | 544 |
| Santa Ana..... | 112 | 366 | 100 | 308 | 42 | 276 |
| Santa Fé..... | 498 | 793 | 488 | 978 | 747 | 110 |
| San Miguel..... | 2,328 | 625 | 1,361 | 2,022 | 842 | 256 |
| Socorro..... | 444 | 880 | 552 | 783 | 729 | 475 |
| Taos..... | 614 | 1,093 | 534 | 1,194 | 471 | 752 |
| Valencia..... | 285 | 759 | 629 | 1,033 | 358 | 951 |
| Total..... | 7,100 | 8,681 | 6,583 | 10,401 | 7,666 | 5,285 |
| Majority..... | | 1,581 | | 3,818 | 2,381 | |
| Whole vote..... | 15,781 | | 16,984 | | 15,485 | |

Past vote of the Territory.

| | Dem. | Rep. | Maj. |
|----------------------|--------|---------|-----------|
| 1863, Congress | 7, 231 | 6, 425 | 866 D. |
| 1865, Congress | 6, 180 | 8, 511 | 2, 331 R. |
| 1867, Congress | 8, 891 | 8, 794 | 97 D. |
| 1869, Congress | 6, 273 | 8, 094 | 1, 821 R. |
| 1871, Congress | 7, 666 | 7, 819 | 153 R. |
| 1873, Congress | 6, 583 | 10, 401 | 3, 818 R. |
| 1875, Congress | 7, 100 | 8, 681 | 1, 581 R. |

The republican vote of 1871 includes that cast for Sena, independent republican.

Although it is claimed that the vote of 1875 is not a correct estimate, for the reason that there was no great contest at that time, yet the undersigned have been informed by several very reputable citizens of the Territory that a vigorous contest did in fact exist, and the statements are broadly made of great frauds having been perpetrated by way of increasing the popular vote.

It is not proposed to go into the merits or demerits of this alleged controversy; and it is only mentioned as a fact openly avowed, indicating that a vigorously-contested election for Delegate actually took place in 1875.

A gentleman residing in New Mexico, and possessing unusual facilities for obtaining the information, has kindly furnished your committee with the following statement, showing voting-population and valuation of property:

| Counties. | Mexican vote, 1875. | American vote, 1875. | Total vote, 1875. | Assessed valuation, 1874. | Remarks. |
|-----------------|---------------------|----------------------|-------------------|---------------------------|---|
| Bernalillo..... | 1, 000 | 17 | 1, 017 | \$881, 538 | The statistics of the voting-population are taken from the official returns of the election for Delegate, September 6, 1875. These returns show the total vote, and the number of Americans is estimated, the estimate being based upon an extensive acquaintance in all parts of the Territory, and being in excess of all estimates by other parties. It is a <i>very liberal</i> estimate. |
| Colfax..... | 343 | 350 | 693 | 1, 264, 740 | |
| Dofia Aña..... | 875 | 67 | 942 | 540, 600 | |
| Grant..... | 262 | 400 | 662 | 317, 836 | |
| Mora..... | 1, 600 | 62 | 1, 662 | 436, 252 | |
| Rio Arriba.... | 1, 737 | 3 | 1, 740 | 117, 630 | |
| Santa Ana..... | 478 | | 478 | 65, 464 | Three firms pay two-thirds of all the taxes. |
| Santa Fé..... | 1, 141 | 150 | 1, 291 | 1, 691, 488 | Includes Government officers and attachés. |
| San Miguel... | 2, 850 | 103 | 2, 953 | 1, 304, 902 | |
| Socorro..... | 1, 275 | 49 | 1, 324 | 375, 776 | Four firms pay three-fourths of all the taxes. |
| Taos..... | 1, 680 | 27 | 1, 707 | 198, 084 | |
| Valencia..... | 1, 020 | 24 | 1, 044 | 371, 942 | |
| Lincoln..... | 128 | 140 | 268 | 100, 000 | No report; valuation estimated. |
| Total..... | 14, 389 | 1, 392 | 15, 781 | 7, 666, 252 | The assessments are at the actual valuation of the property, and not at 50 or 60 per cent., as is usual in the States. |

The classification of nationalities is made for convenience in estimating population. Nearly one-half of the American voters have no families at all, so that an allowance of three persons to every such voter is large. If we allow four and one-half persons to the voter among the Mexicans, we will have the following:

| | |
|---|---------|
| Mexican voters, 14,389; population..... | 64, 750 |
| American voters, 1,392; population..... | 4, 176 |
| Total population represented in vote of 1875 | 68, 926 |
| As a liberal calculation of population not represented in vote of 1875, estimated | 25, 000 |
| Total | 93, 926 |

Which amount is, in the judgment of the undersigned, a very liberal calculation and estimate of the entire population of New Mexico at the present time.

AREA.

also, may be fairly considered in the case of an applicant for admission along with the older States of the Union, especially as in the case of New Mexico the area is so extensive as under all the circumstances to preclude the idea of a homogeneous population. There has, therefore, been compiled from the census of 1870 the following comparative statement of area and population, which embraces, beside New Mexico, the States of New York and Rhode Island, as representatives of the maximum and minimum of States in the respect referred to, space not allowing a more extended reference.

| | Square miles. |
|-------------------------|---------------|
| New Mexico..... | 121, 201 |
| New York..... | 47, 000 |
| Rhode Island..... | 1, 306 |
| PERSONS TO SQUARE MILE. | |
| New Mexico..... | 0. 76 |
| New York..... | 93. 25 |
| Rhode Island..... | 166. 43 |
| NUMBER FAMILIES. | |
| New Mexico..... | 21, 449 |
| New York..... | 898, 772 |
| Rhode Island..... | 46, 133 |
| DWELLINGS. | |
| New Mexico..... | 21, 053 |
| New York..... | 688, 559 |
| Rhode Island..... | 34, 828 |

The last census further shows that, in 1860, the number of dwellings in New Mexico was 21,945, and in 1870, 21,053, showing a decrease of 892. The average of persons to a family in 1860 was 4.48, and in 1870 4.28, averaging for the two decades 4.38. If, as claimed in New Mexico, each family has its dwelling, then the decrease in population from 1860 to 1870 was 4,906.96, showing a discrepancy, or rather exaggeration, in the census of 1870 amounting to nearly 3,500 inhabitants over and above the decrease claimed, by reason of the cession of territory to Arizona and Colorado.

Neither is it sufficient to say that States have been heretofore admitted into the Union without the requisite ratio of population as prescribed by law, namely, a sufficient number for one Representative in the House of Representatives of the United States, which ratio, as at present constituted, is about one hundred and thirty-seven thousand.

The following schedule shows only four States have been admitted without the ratio requisite at the date of admission:

| | Date. | Population. |
|---------------|-------|-------------|
| Florida..... | 1845 | 54, 447 |
| Oregon..... | 1849 | 52, 465 |
| Nevada..... | 1864 | 40, 000 |
| Nebraska..... | 1866 | 60, 000 |

Of these States, Florida at the time of its application for admission had the requisite population, although the ratio was increased while the application was pending. Oregon was admitted at a time when the political exigencies of the period seemed to demand it; and concerning

Nevada and Nebraska, the circumstances attending their admission are so fresh in the minds of all that they need not here be referred to. In the case of New Mexico, however, there are no public exigencies which support or demand its admission into the sisterhood of States.

EDUCATION.

The intelligence of the people of a Territory may always be fairly taken into consideration in view of admission to the Union, but in the case of New Mexico, with a population dating earlier than any of the original thirteen States, there is unusual force in the application of such a test.

The Compendium of Census 1870, Table XXIX, page 488, shows that of public schools, New Mexico had only five, with five male teachers and 188 pupils, on a total income of \$1,000; an exhibit so meager as to be hardly credible in this age of enlightenment. The census of 1870 also shows that the total income for all educational institutions was \$29,886, of which only \$1,200 was derived from public funds and taxation, and \$28,686 from tuition and other sources. The public-school fund in 1874 is reported at \$27,110.99, and in 1875 is reported at \$25,473.46, showing a decrease for the year of \$1,637.53.

The Hon. G. W. Ritch, secretary of New Mexico, upon whom devolves the duty of making report to the United States Commissioner of Education, thus expresses himself in his last report, dated Santa Fé, February 1, 1876:

APOLOGETIC.

In presenting a report on education in this Territory, on the most important of factors in republican civilization, upon the Centennial of American Independence, when our whole country will be subject to the critical judgment of the varied intelligence of the enlightened nations of the world, it is not, in view of the situation, without some misgivings that we undertake the task; nor would we be doing justice to the nation and the Territory, without first calling attention, as in a former report, to the *condition under which education first made its appearance* in any considerable degree, and the circumstances under which it has since struggled for a place among the institutions of the Territory.

The Territory of New Mexico is part of the far West—on the extreme frontier, settled to-day by a people nine-tenths of whom speak a foreign tongue, most of whom are illiterate, and the balance with little American literature, and, as a consequence, knowing little of the political and social institutions *per se* of our common country; with habits, and customs, and modes of thought rather of a past age than of the present; * * * with unimportant exceptions without schools of any kind until nearly within the past decade; isolated by a thousand miles of wild, unsettled domain, through which her highway of commerce and of the Army wearily wended its way; all overrun by the aggressive nomads, and only suppressed to any considerable degree during the past five years; and coming in contact with the civilization of their adopted country, mainly as they met the few civil officers and teachers, the representatives of the Army, and the scape-goat and the outlaw, the latter by no means either few in number or elevating in character.

The secretary quotes from Governor Axtell's message to the legislature at the session of last winter the following language, which appears particularly appropriate in this consideration of the subject of admission of New Mexico.

RECOMMENDATIONS OF THE GOVERNOR—COMMON SCHOOLS.

The foundation and corner-stone of the republic rests upon the intelligence and virtue of the people; the people are the Government. The system of common schools for the education of the people is the only method known to us by which the requisite intelligence for self-government can be obtained. These schools must have competent teachers, competent not only to teach the elementary branches, but competent to give moral instruction both by example and precept, and to set such examples in manners and general deportment as children, who learn quickly by the eye, ought to follow; an incompetent school-teacher is a public calamity.

In conclusion, the governor made recommendation for authorization of independent school-districts, with power to raise money, &c., but the legislature refused to pass the requisite law for such purpose.

The secretary, in his report, further says:

THE GREAT NEED.

Tried by the standard that would be applied to the other States and Territories, the great need of New Mexico, beyond a peradventure, is good English public schools, and educated and enterprising men, in numbers and force sufficient to energize the whole people, and this before assuming greater responsibilities of the Government. To this end, so far as lays in her power, she must make them.

It should be stated here, however, that with limited means, and struggling with great surrounding difficulties, considerable has been accomplished, in the way of education, by the denominational schools of New Mexico, among which are represented the Catholics, Presbyterians, Methodists, and Episcopalians.

The following is a table of illiteracy in the Territories, wherein New Mexico appears to an exceedingly great disadvantage, especially considering the percentage of native-born, and the further fact that, in making enumeration, reading and writing is frequently of very limited extent.

Illiteracy by Territories—1870.

| Territories. | Persons 10 years of age and over. | Cannot write—persons 10 years of age and upward. | | | | | | | | |
|-----------------|-----------------------------------|--|---------|---------------|-----------|---------|-----------|---------|--------------|---------|
| | | Total. | Native. | Foreign-born. | White. | | | | | |
| | | | | | 10 to 15. | | 15 to 21. | | 21 and over. | |
| | | | | | Male. | Female. | Male. | Female. | Male. | Female. |
| Arizona..... | 2,690 | 2,753 | 262 | 2,491 | 177 | 122 | 242 | 254 | 1,167 | 767 |
| Colorado..... | 5,297 | 6,823 | 6,563 | 255 | 483 | 487 | 498 | 717 | 2,305 | 2,074 |
| Dakota..... | 1,249 | 1,563 | 758 | 805 | 56 | 38 | 44 | 47 | 403 | 306 |
| Idaho..... | 3,293 | 3,388 | 138 | 3,250 | 17 | 19 | 9 | 19 | 315 | 107 |
| Montana..... | 667 | 918 | 394 | 524 | 69 | 36 | 29 | 29 | 399 | 81 |
| New Mexico..... | 48,836 | 52,220 | 49,311 | 2,909 | 4,530 | 4,893 | 3,956 | 5,734 | 14,592 | 17,135 |
| Utah..... | 2,515 | 7,363 | 3,334 | 4,029 | 1,539 | 1,289 | 523 | 429 | 1,137 | 2,180 |
| Washington..... | 1,018 | 1,307 | 804 | 503 | 71 | 58 | 44 | 34 | 437 | 179 |
| Wyoming..... | 468 | 602 | 266 | 336 | 22 | 19 | 14 | 14 | 326 | 86 |

Another element may also be considered as bearing upon the intelligence of the people, and that in this age of enterprise and inventions is the influence of the press and the extent to which it is encouraged. In New Mexico, in 1870, there were of newspapers of all classes, as shown by the following comparative table:

| State or Territory. | Number. | Circulation. |
|---------------------|---------|--------------|
| New York..... | 518 | 3,338,497 |
| Rhode Island..... | 19 | 43,950 |
| Arizona..... | 1 | 280 |
| Colorado..... | 9 | 9,550 |
| Dakota..... | 3 | 1,652 |
| Idaho..... | 4 | 1,900 |
| Montana..... | 6 | 12,200 |
| New Mexico..... | 4 | 1,300 |
| Utah..... | 3 | 8,400 |
| Washington..... | 10 | 4,525 |
| Wyoming..... | 4 | 1,400 |

FINANCES.

On this branch of the subject it is deemed sufficient to call attention to the exhibit contained in the recent message of the governor of the Territory, the remarks added being derived from the same intelligent source as the exhibit of "Voting Population and Valuation of Property."

From the message of Gov. S. B. Artell to the legislature, December 7, 1875.

FINANCES.

It gives me pleasure to report to you that the finances of the Territory are in a favorable condition. The auditor has furnished me with the following statement of the receipts and expenditures for the past two years:

| | |
|--|------------------|
| Receipts | *\$92,658 65 |
| Expenditures | 90,839 90 |
| Receipts over expenditures | \$1,818 75 |
| I have pleasure in referring the legislature to the auditor's report which is herewith transmitted. The following recapitulation will show the exact condition of the finances of the Territory: | |
| Outstanding funded debt, bearing 10 per cent. interest..... | \$59,500 00 |
| Outstanding warrants..... | 29,662 28 |
| Interest unpaid..... | †9,650 00 |
| Total indebtedness..... | 98,812 28 |
| Amount on hand over expenses..... | \$1,818 75 |
| Due from counties..... | ‡72,629 71 |
| | <u>74,448 46</u> |
| Subtracted from total indebtedness leaves the sum of only..... | 24,363 82 |

FEES OF SHERIFFS, CLERKS, DISTRICT ATTORNEYS, JURORS, WITNESSES, &C.

It is for you to consider whether all the public funds ought to be expended for fees of officers, or whether there are other objects for which governments are instituted among men.

| | |
|---|--------------|
| The clerks of the district courts in two years have received..... | §\$10,334 98 |
| Sheriffs..... | 10,274 90 |
| District attorneys..... | 11,682 82 |
| Jurors and witnesses..... | 40,436 39 |
| Something over \$70,000 of the \$90,000 expended. | |

RESOURCES.

The soil and climate of New Mexico are more easily determined than its population or products, although in this particular a considerable margin exists for difference of opinion among explorers, travelers, and others who may be regarded as giving disinterested and intelligent testimony on the subject.

* Total receipts of treasury of New Mexico for two years, including fines, licenses, and taxes.

† Since this statement was made another coupon has fallen due on the territorial bonds, and is unpaid. This amounts to about \$6,000, making a total of interest in default \$15,650.

‡ This amount of \$72,629.71 "due from counties," and which is credited as an available cash fund against the territorial indebtedness, actually represents taxes assessed and uncollectible, together with taxes collected and embezzled by sheriffs, with worthless bonds. The most of it is absolutely worthless as assets, and most of it is due from counties that are too poor to pay it.

§ Over \$70,000 of the \$90,000 expended was for court-expenses.

The limit of this report will not admit of an extended reference or examination on this branch of the subject, which also possesses peculiar characteristics. Professor Thomas introduces his report on the agriculture of this Territory with this language:

In studying the agricultural capacity of the vast Rocky Mountain region and broad plains of the West, and calculating the probable development of the same, it is necessary to lay aside, to a great extent, all our ideas of agriculture based upon experience in the States. For not only are the physical aspects of this portion of the West so different from the eastern half of our country as to strike the most superficial observer, but the climate is almost completely reversed, the thermometric and hygrometric conditions bearing no such relations to vegetation and agriculture here as there.—*Hayden's Survey, 1870.*

The Territory is divided by the Rocky Mountains into two great divisions, one known as the eastern and the other as the western division, of which the eastern division is regarded the more fertile, as embracing areas drained by considerable streams. Professor Thomas regards about one-twentieth of the area of New Mexico as arable—that is, as susceptible of being made such; while others, equally well informed, insist that an average of not one acre in a hundred can ever be rendered fit for cultivation; and Major-General Averill, who spent several years in this region, is authority for saying that not one acre in a thousand will ever be productive.

Professor Thomas's calculation excludes, for some unknown cause, that extensive American Sahara known as the Staked Plains, and he admits that his estimate of arable lands exceeds any before made, and that it depends upon the introduction of railroads and a more enterprising population.

In the eastern division, the valley of the Rio Grande is the richest, and it is of this section that Lieut. E. G. Beckwith reports in the surveys of Pacific Railroad, vol. II:

The extensive valley of San Luis, lying between the Sierra Blanca on the east and Sierra San Juan on the west, and watered by the Rio Grande del Norte, and its numerous small tributaries, is, in general, one vast sage-plain from the Rio Colorado to Gunnison's Pass. The grass on the lower tributaries of the Rio del Norte, in this valley, is very limited indeed. It is more abundant on the upper affluents, where a few fields of prairie-grass a mile or two in width were observed, and the authority of our guide given for extensive grass-prairies on the Rio del Norte itself. But all these grass-fields, with the greatest amount of cultivation which can be supplied with water from the little streams of this valley, can, under the most favorable circumstances, only support a meager population.

Professor Rothrock, in charge of special party attached to Lieutenant Wheeler's exploration of last year, says:

The immigrant must not anticipate seeing an immense stretch of country everywhere alternating in beauty between greenswards, heavy forests, and abundance of water, like the familiar spots of the East. He must expect at present to find sterility and aridity impressing their hard lines on every feature of the landscape. * * * Labor, here as elsewhere, will bring its reward, but acres of waving, maturing crops will not come unearned.

On January 6, 1874, General Sherman testified concerning New Mexico before the Committee on Military Affairs of the House of Representatives as follows, as shown by the report of that committee:

The Eighth Cavalry is in New Mexico, another of those delightful lands acquired from old Mexico at the end of our Mexican war. We have got it, and we have got to take care of it, unless you can prevail on Mexico to take it back. The highest point occupied by our troops is Fort Garland, in what is called the San Juan Valley. To the westward of it is Wingate, a post that is necessary in connection with the Navajo Indians; Fort Union, to the east, where the mail-road comes into New Mexico. Down the valley you have Fort Bayard, Fort McRae, and Fort Craig. To the right and left, in the lower valley, you have Fort Stanton and Fort Cummings—we call it Tularosa;

so that regiment covers substantially the whole of New Mexico, protecting the native population as against the Indians, and protecting the Indians as against the native population. Between them there is, and has been for three hundred years—longer than this country has been settled—a war, and the soldiers have to catch the knocks of both. As long as that condition of affairs lasts, you will have to keep a regiment of cavalry there. If we should disband the Eighth Cavalry to-morrow, we would have to replace it within three weeks, or else acknowledge that we are incompetent to defend our own territory. It is not worth the cost of defense, but that is not our business.

Irrigation, which is so extensively relied upon in nearly all the region west of the Mississippi Valley, can only be partially successful here. The streams are few in number, and they generally course through deep and inaccessible cañons. The average rain-fall is shown in the following comparative table:

| | |
|--|-------|
| Fort Craig, New Mexico | 11.67 |
| Fort Conrad, New Mexico | 6.76 |
| Fort Marcy, New Mexico, (Santa Fé) | 16.65 |
| Socorro, New Mexico | 7.86 |
| Fort Crook, California | 23.68 |
| Fort Terwaw, California | 69.93 |
| Fort Vancouver, Washington Territory | 38.84 |
| Fort Townsend, Indian Territory | 51.08 |
| Omaha, Nebraska | 35.02 |
| Fort Atkinson, Iowa | 39.78 |
| Richmond, Indiana | 43.32 |
| Nashville, Tennessee | 52.02 |
| Fort Wood, Louisiana | 63.53 |
| Key West, Florida | 36.23 |
| Fortress Monroe, Virginia | 47.04 |
| Washington, D. C. | 37.52 |
| Albany, New York | 40.52 |
| Amherst, Massachusetts | 43.90 |
| Portland, Maine | 48.63 |

The small quantity of rain which falls in New Mexico is even large, when compared with the humidity of the atmosphere of this climate; absolute humidity being found by comparison in a number of instances, lower than any observed in hot or temperate zones, and lower even than in the desert of Sahara.

Table showing humidity in various places.

| Date. | Time. | Locality of observation. | Thermometer. | | Humidity. | |
|-------------------------|--------------|--------------------------------|---------------|---------------|-----------|-----------|
| | | | Dry. | Wet. | Absolute. | Relative. |
| September, 17, 1874.... | 4 p. m. | Head of Cañon Chaco | 74° Fah.. | 49° Fah.. | 1.9 | 9 |
| | 7 p. m. | do | 61° Fah.. | 43° Fah.. | 2.5 | 18 |
| | 8 p. m. | do | 59° Fah.. | 42° Fah.. | 2.7 | 21 |
| September 18, 1874 | 6 p. m. | Pueblo Bonito | 53° Fah.. | 37° Fah.. | 1.9 | 18 |
| September 19, 1874.... | 6 a. m. | do | 27° Fah.. | 21° Fah.. | 1.3 | 28 |
| | 8 a. m. | do | 47° Fah.. | 34° 8 Fah.. | 2.2 | 24 |
| November 7, 1874 | 6 p. m. | Sierra de Santa Fé | 32° 4 Fah.. | 22° 1 Fah.. | 1.3 | 23 |
| August 5, 1829 ..... | ..... | Siberian Desert, Platowskaya. | 23° 7 C | 12° 7 C | 4.0 | 18 |
| March 1, 1845 ..... | ..... | Quarata, in Abyssinia | 26° 2 C | 15° 7 C | 6.3 | 24 |
| March 11, 1866 | Sunrise. | Mursuek, in North Africa | 23° 0 C | 11° 3 C | 3.13 | 13 |
| January 13, 1866 | 3 p. m. | do | 22° 2 C | 10° 5 C | 2.48 | 12 |

The presence of extensive ruins of Aztec or ancient Pueblo towns in districts which are now uninhabitable by reason of lack of water and moisture would indicate an increasing dryness in the climate of New Mexico. Science has demonstrated the fact, and the inhabitants, says Professor Loew—

Are convinced that it becomes drier and drier every year. "*El tiempo se pone mas seco cada año,*" (the weather grows drier every year,) sighs the Mexican. They tell of

springs and creeks that existed one hundred and some fifty years ago; indeed, even of some that have disappeared within the last fifteen years. Among these, a Mexican of Abiquiu mentioned the Rito Coyote, Rito Vallecito, and Rito Colorado de Abiquiu, all once existing in the mountains near Abiquiu. The provinces of Tiguex and Quivira, (the former on the Rio Puerco, the latter east of the Manzana Mountains), described by the early Spanish visitors as fertile countries, are now barren. Ruins of former Indian towns are found twelve to eighteen miles away from any water, one discovered by Lieutenant Whipple being fifteen miles north of the Rio Mancoes. There must certainly have been water in this section formerly.

OTHER CHARACTERISTICS OF THE PEOPLE.

We would willingly forbear further report respecting the peculiar character of the people of New Mexico were it not that there appears so general a misapprehension concerning it.

Of the native population but few are pure-blooded or Castilian, probably not more than fifty or one hundred families in all, the rest being a mixture of Spanish or Mexican and Indian in different degrees. With the decadence of early Spanish power and enterprise on this continent the inhabitants of this isolated region, with few exceptions, continued to sink, till now, for nigh two hundred years, into a condition of ignorance, superstition, and sloth that is unequaled by their Aztec neighbors, the Pueblo Indians.

In seeking for impartial and trustworthy data on this head the following, from Bishop Adams, whose diocese is made up of New Mexico and Arizona, may be regarded as unexceptionable. Giving an account of his journey through the former Territory last summer, in a letter in the nature of a report to the Board of Home Missions, he makes the following statement concerning the city of Santa Fé, the capital of the Territory:

The population of Santa Fé is said to be about 6,500, 300 of whom are Americans, *i. e.* English-speaking people. These are made up of the Army, Government officials, merchants, and those who live by their wits and the want of wit in others. The Presbyterians have lately sent a minister to Santa Fé. They have a church edifice, and their congregation is, I learn, about the size of our own. (Average 45.) If the railroad is pushed down the Rio Grande from the northeast it will be apt to remove the greater part of Santa Fé from its present site.

The bishop further says of the people of the Territory generally:

I am told, and readily believe, that the mass of the people once constituted the peon class. These appear to have more Indian than Spanish blood in their veins. They are Roman Catholics, retaining yet some of their Indian superstitions. In secret the fires of Montezuma are kept burning as brightly and continuously as a century and a half ago. I learn from many, and from those least friendly to the Church of Rome, that Archbishop Lamey has, in the course of his long episcopate, wrought many wholesome and decided improvements. He found the Mexican priesthood regardless of manners and thoroughly debauched. They were the chief men in all dissolute and immoral courses of the people, more at home with the goats than the sheep of the flock. These have been gradually removed and a better class of men appointed in their stead. He found many old rites, customs, processions, and games, which, however innocent in the beginning, had grown into serious abuses. Some are entirely removed, and the evil of others abated.

In Lieutenant Wheeler's explorations for 1875, Professor Yarrow gives, among other interesting statements concerning the people in question, the following account of a strange sect. Writing at Taos, he says:

At this place a first acquaintance was made with the "Penitentés," a powerful organization of religious fanatics, whose societies' ramifications extend to every settlement throughout New Mexico. The object of this secret society does not appear to be fully understood, but self-punishment for sins committed during the year is inflicted during the lenten season. At this time it is customary for the members to meet together, and after prayers and chanting, a procession is formed, which marches through the town. The different individuals who are selected as scape-goats on this occasion

are stripped nearly naked and carry enormous crosses made of heavy beams of wood; others carry whips made of fibers of Spanish bayonet and soap-root, with which they flagellate themselves and others until their backs are covered with gory welks. Some of the most energetic of these self-made martyrs lie down in front of the procession and permit the others to walk over them; and the greater the suffering the more their religious fervor increases. This curious performance lasts for several days at a time, and is extremely disgusting to all sensible people. The priests of the Catholic Church have endeavored in vain to break up this organization, but without success, as their numbers are constantly increasing. At Taos, where we first noticed them, one of their number had died, and the branch to which he had belonged sat up with the body all night, singing and howling.

They have meeting-houses of their own in which the profane are not permitted to enter, and these houses are, as a rule, far superior to their regular churches. It is a custom with them while traveling to make heaps of stones, with a cross on top, alongside the road at different points, and each member as he passes adds one to the pile. This is a peculiar feature to be seen on all the roads of New Mexico, the natural inference being that these heaps marked the resting-places of the dead who had perished while traveling over the roads.

It is in sincere regard for the people of this Territory, and from a desire that nothing shall enter upon the public record calculated at a future period to reflect against them, that we withhold a further statement of their social and moral characteristics, not, however, here omitting to do entire justice to their general observance of law and authority, which, in the latter case, often amounts to almost an infirmity, and to a degree calculated to place them in political control of designing or intriguing men who may happen to be intrusted with official station over them.

The late Albert D. Richardson, author and journalist, writes of this people in 1859, in a work entitled "Beyond the Mississippi:"

Of the civilized inhabitants two thousand are Americans, and sixty-six thousand Mexicans. Fierce Indians rove the mountain-ranges and number about forty-four thousand. Twice or thrice New Mexico has suffered from the frontier epidemic of constitution-making, but until new gold discoveries bring in thousands of immigrants to develop its wide and varied mineral resources, and revolutionize its industries and social life, it will not and should not be admitted to the Union as a sovereign State.

What was true of that period is believed to be true to-day, little or no change in the interval having taken place; indeed, one standing high in the nation's esteem, and who has had great opportunities for forming correct judgment of this section and its people, expresses the views of your committee:

There has been little increment of wealth or population since 1846, and there is none of the vitality that marks Colorado, Montana, and Territories purely of American immigration.

PRODUCTS.

New Mexico affords opportunities for sheep-raising, and wool, of an inferior grade, however, has been and probably will for some time continue to be the principal product.

No sufficient data for estimate exists since the census of 1870, when we have the following comparative statement:

| | 1860. | 1870. | Decrease. |
|--------------------|----------|----------|-----------|
| Sheep | 830, 116 | 619, 438 | 210, 678 |
| Wool, pounds | 492, 645 | 684, 930 | 182, 285 |

No basis is formed for the estimate of wool-product now claimed for the Territory, and we believe that little exists in point of fact.

| | |
|--------------------------------|---------|
| 1870.—Total farming acres..... | 883,549 |
| Total improved acres..... | 143,007 |

Manufactories: Number, 82; hands, 1,044.

These manufactures are chiefly for family purposes and of very primitive construction, no manufactory worthy the name existing in the Territory.

MINING.

This branch of industry has thus far made little progres. Professor Raymond, in his report of 1875, estimates the entire product of precious metals to have been for the preceding year \$500,000, but admits it to be merely guess-work, as no report had been received from this Territory, and refers to no data whatever for his calculation. He also makes the same estimate for each of the years from 1869 to 1874, both inclusive, showing no advance whatever, while the census of 1870 shows the quartz-mill products to be \$399,712.

Three or four mines are worked at intervals, and altogether the exhibit affords no encouragement in this direction. In 1870 the quartz-mills were seven in number, in seventeen establishments, employing 88 hands.

THE TREATY OF GUADALUPE HIDALGO.

An additional claim presented for the admission of New Mexico is, that the promise was more or less expressed or implied on the part of this Government in the treaty of Guadalupe Hidalgo that this Territory should be admitted as a State immediately after the execution thereof. The ninth article of that treaty read as follows:

The 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 secure in the free exercise of their religion without restriction.

The first explanation in the protocol of the above treaty, executed at Querataro, May 20, 1848, reads:

1st. The American Government, by suppressing the ninth article of the treaty of Guadalupe Hidalgo and substituting the III^d article of the treaty of Louisiana, did not intend to diminish in any way what was agreed upon by the aforesaid article ninth in favor of the inhabitants of the territories ceded by Mexico. Its understanding is that all of that agreement is contained in the third article of the treaty of Louisiana. In consequence, all the privileges and guarantees, civil, political, and religious, which would have been possessed by the inhabitants of the ceded territories, if the ninth article had been retained, will be enjoyed by them, without any difference, under the article which had been substituted.

And the third article of the Louisiana purchase, referred to in such protocol, reads:

The inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

These treaty provisions present the entire law upon the subject, and it is difficult to understand how they can be construed as having the intent or meaning claimed for them, and it is equally difficult to understand how any treaty, much less the proclamation of a commanding officer of a district, should pledge Congress to any line of action in violation of so plain a provision of the Constitution as that which imposes upon it the discretion and power of admitting new States into the Union.

IS ADMISSION DESIRED BY THE PEOPLE OF NEW MEXICO ?

Doubtless a portion of the population is favorable and a few very anxious for admission. We shall not particularize this latter class, but, from information derived from many sources, we are satisfied the great bulk of the population are opposed to admission, as affording, under the peculiar condition of the country there, increased facilities for strengthening the power already in the hands of the few, while at the same time adding to the burdens of a population hitherto comparatively unused to taxation, and too poor to assume them.

CONCLUSION.

From what has been stated, it will be readily inferred that the character and sparseness of the population, the condition of the country and its remoteness from the States, constitute an anomalous condition of affairs. When we add to this the large expenditures of public money within the borders of the Territory annually, by officials not of the people, and which expenditures are to be rather increased than diminished by the admission as a State, we certainly have all the opportunities for the establishment of what is aptly denominated a "rotten borough." Rather than such should be the fate of this trust, does not wisdom dictate that New Mexico shall yet awhile continue in its territorial condition? And when the contemplated and projected lines of railway now directed toward its borders shall have been constructed, we will have learned more of its actual condition, and if its resources and capabilities shall prove what the advocates of New Mexico as a State claim, then we may reasonably expect an accession of population, industry, intelligence, and wealth to entitle this Territory to admission in the Union as a sovereign State.

The undersigned of the committee recommend that Senate Bill No. 229 do not pass.

E. R. MEADE.
M. I. SOUTHARD.
WM. MUTCHLER.