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- H. R. 27872—  
Granting an increase of pension to Thomas E. Morgan.  
Mr. Sterling; Committee on Invalid Pensions 1968.
- H. R. 27873—  
Granting an increase of pension to Cornelius Chamberlain.  
Mr. Sulloway; Committee on Invalid Pensions 1968.
- H. R. 27874—  
Granting an increase of pension to Benjamin H. Perkins.  
Mr. Sulloway; Committee on Invalid Pensions 1968.—Reported back (H. R. Report 2220) and H. R. 28285 substituted 3332.
- H. R. 27875—  
Granting an increase of pension to George W. Rowe.  
Mr. Sulloway; Committee on Invalid Pensions 1968.—Reported back (H. R. Report 2109) and H. R. 28046 substituted 2207.
- H. R. 27876—  
Granting a pension to Hannah Edgerly.  
Mr. Sulloway; Committee on Invalid Pensions 1968.—Reported back (H. R. Report 2220) and H. R. 28285 substituted 3332.
- H. R. 27877—  
Granting an increase of pension to William W. Lichty.  
Mr. Thomas of North Carolina; Committee on Invalid Pensions 1968.—Reported back (H. R. Report 2109) and H. R. 28046 substituted 2267.
- H. R. 27878—  
Granting an increase of pension to Enoch Conner.  
Mr. Tou Velle; Committee on Invalid Pensions 1968.
- H. R. 27879—  
For the relief of J. W. Cain, Morde Fuller, Charles Van Buren, and H. C. Perry.  
Mr. Williams; Committee on Claims 1968.
- H. R. 27880—  
To correct the military record of William H. Patterson.  
Mr. Glass; Committee on Military Affairs 1968.
- H. R. 27881—  
Granting a pension to Alma C. Maxey.  
Mr. Hammond; Committee on Invalid Pensions 1968.
- H. R. 27882—  
To amend an act entitled "An act to provide for participation by the United States in an international exposition to be held at Tokyo, Japan, in 1912," approved May 22, 1908.  
Mr. Hayes; Committee on Industrial Arts and Expositions 1967.
- H. R. 27883—  
To pension ex-Presidents.  
Mr. Volstead; Committee on Election of President, Vice-President, and Representatives in Congress 2021.
- H. R. 27884—  
To amend section 6 of an act entitled "An act to regulate commerce," approved February 4, 1887, and acts amendatory thereof.  
Mr. Needham; Committee on Interstate and Foreign Commerce 2021.
- H. R. 27885—  
To provide for a world temperance conference, to be called by the President of the United States.  
Mr. Sheppard; Committee on Foreign Affairs 2021.
- H. R. 27886—  
Amendatory of existing laws regulating the sale of intoxicating liquors in the District of Columbia.  
Mr. Campbell; Committee on the District of Columbia 2021.
- H. R. 27887—  
To prevent the shipment of spirituous, malt, or vinous liquors on collect-on-delivery charges into prohibition and local-option States, districts, and communities.  
Mr. Sheppard; Committee on the Judiciary 2021.
- H. R. 27888—  
To regulate the price of gas in the District of Columbia, and for other purposes.  
Mr. Sims; Committee on the District of Columbia 2021.—Debated 2037, 2064.
- H. R. 27889—  
Granting certain land to the town of Yuma, in the Territory of Arizona.  
Mr. Smith of Arizona; Committee on the Public Lands 2021.—Reported back (H. R. Report 2209) 2825.
- H. R. 27890—  
To amend the act entitled "An act to protect the harbor defenses and fortifications constructed or used by the United States from malicious injury, and for other purposes," approved July 7, 1898.  
Mr. Parker; Committee on Military Affairs 2021.
- H. R. 27891—  
To enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States.  
Mr. Hamilton of Michigan, from the Committee on Territories (H. R. Report 2079) 2020.—Debated and passed House 2416-2423.—Referred to Senate Committee on Territories 2430.
- H. R. 27892—  
To provide for the survey of the curve in the Harlem River Ship Canal at Johnson's Iron Works, New York City, with a view to removing same.  
Mr. Goulden; Committee on Rivers and Harbors 2021.
- H. R. 27893—  
Providing for the purchase, for the use of the Library of Congress, of certain manuscript books formerly the property of John Marshall, late Chief Justice of the United States.  
Mr. Bennett of Kentucky; Committee on the Library 2021.
- H. R. 27894—  
Amending "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906.  
Mr. Mann; Committee on Interstate and Foreign Commerce 2021.—Reported back (H. R. Report 2147) 2337.—Passed House 2486.—Referred to Senate Committee on Interstate Commerce 2545.—Reported back 2672.—Passed Senate 2699.—Examined and signed 2824, 2857.—Presented to the President 2923.—Approved (public No. 262) 3149.
- H. R. 27895—  
Granting an increase of pension to David R. Cook.  
Mr. Bates; Committee on Invalid Pensions 2022.
- H. R. 27896—  
Granting a pension to David Woods.  
Mr. Burnett; Committee on Invalid Pensions 2022.—Reported back (H. R. Report 2220) and H. R. 28285 substituted 3332.
- H. R. 27897—  
Granting a pension to Mary Walls.  
Mr. Burnett; Committee on Invalid Pensions 2022.
- H. R. 27898—  
Granting an increase of pension to William L. Laffer.  
Mr. Burton of Ohio; Committee on Invalid Pensions 2022.
- H. R. 27899—  
For the relief of the heirs of the estate of Jesse Watkins, deceased, late of Neshoba County, Miss., and James Watkins, also of said county.  
Mr. Byrd; Committee on War Claims 2022.
- H. R. 27900—  
Granting a pension to Alice M. Bundy.  
Mr. Campbell; Committee on Invalid Pensions 2022.
- H. R. 27901—  
Granting an increase of pension to Oren Isham.  
Mr. Campbell; Committee on Invalid Pensions 2022.
- H. R. 27902—  
Granting an increase of pension to William Schallenberg.  
Mr. Cocks; Committee on Pensions 2022.
- H. R. 27903—  
For the relief of M. J. Meyer.  
Mr. Craig; Committee on Claims 2022.
- H. R. 27904—  
For the relief of George A. Smith.  
Mr. Dawson; Committee on War Claims 2022.
- H. R. 27905—  
To transfer Capt. John Clarke Wilson from the retired to the active list of the navy.  
Mr. Denby; Committee on Naval Affairs 2022.

Mr. LAPEAN with Mr. HULL of Tennessee.

Mr. CUSHMAN with Mr. RUSSELL of Texas.

The SPEAKER. Upon this vote the yeas are 149, the nays are 98, answering "present" 7—a quorum. The yeas have it, and the previous question is ordered. The Doorkeeper will open the doors.

Is a separate vote demanded on any amendment?

Mr. OLLIE M. JAMES. I demand a separate vote on the committee amendments.

The SPEAKER. On each one of the amendments?

Mr. OLLIE M. JAMES. On each one of the amendments.

The Clerk read as follows:

On page 1, line 11, after the word "necessary," strike out the comma.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 1, at the end of line 11, after the word "estates," strike out the period and insert a semicolon.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 20, after the word "act," insert the word "as."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 3, strike out the word "first" and insert the figure "1."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 4, line 4, strike out the word "second" and insert the figure "2."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 7, strike out the word "third" and insert the figure "3."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 8, after the word "statement," strike out the comma.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 11, strike out the word "fourth" and insert the figure "4."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 16, strike out the word "fifth" and insert the figure "5."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 4, line 18, strike out the word "sixth" and insert the figure "6."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 5, line 3, after the word "have," strike out the word "been."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 6, line 9, after the word "therefor," strike out the word "specified" and insert the word "specifying."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 7, line 24, strike out the word "the" and insert the word "n."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. BARTLETT of Georgia. Division, Mr. Speaker. The House divided, and there were—ayes 165, noes 37. So the bill was passed.

On motion of Mr. TIBRELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ADMISSION TO COUNT OF ELECTORAL VOTE.

Mr. GAINES of West Virginia. Mr. Speaker, I move that the House agree to the resolution which I have sent to the Clerk's desk.

The Clerk read as follows:

#### House Resolution 542.

*Resolved*, That in addition to those portions of the galleries reserved by the resolution of January 28, 1909, for the use of families of Senators, Members of the House of Representatives, Delegates, and Resident Commissioners from Porto Rico and the Philippines, and their visitors, the remaining section of the southern end of the gallery shall also be reserved, and that admission to said section of the gallery shall be controlled in all respects in accordance with the said resolution of January 28, 1909.

The question was taken, and the resolution was agreed to.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 25392. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1910, and for other purposes.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 6252) to promote the administration of justice in the navy, disagreed to by the House of Representatives; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon; and had appointed Mr. PERKINS, Mr. GALLINGER, and Mr. TILLMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 8564) to authorize the construction of two bridges across Rock River, State of Illinois.

#### STATEHOOD BILL.

Mr. HAMILTON of Michigan, from the Committee on the Territories, reported the bill (H. R. 27891) to enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States, and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States, which was read the first and second time, referred to the Committee of the Whole House on the state of the Union, and, with accompanying report (No. 2079), ordered to be printed.

#### RETURN OF BILL TO SENATE.

The SPEAKER laid before the House the following request from the Senate, which was read, considered, and agreed to:

IN THE SENATE OF THE UNITED STATES,  
February 6, 1909.

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 8564) to authorize the construction of two bridges across Rock River, State of Illinois.

#### ADJOURNMENT.

Mr. PAYNE. I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 47 minutes p. m.) the House adjourned.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Coosa River, Alabama and Georgia (H. Doc. No. 1421)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for clerical services at the office of the assistant treasurer at New Orleans (H. Doc. No. 1422)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation intended to authorize the issue

## STATEHOOD FOR THE TERRITORIES.

FEBRUARY 6, 1909.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. HAMILTON, of Michigan, from the Committee on the Territories, submitted the following

### REPORT.

[To accompany H. R. No. 27891.]

The Committee on the Territories, to whom was referred H. R. 27891, to enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States, and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States, report same back to the House of Representatives and recommend that it do pass.

#### ANALYSIS OF BILL.

This bill, under a single title and enacting clause, enables two States to be admitted into the Union.

It consists of 36 sections, the first 18 of which relate to the proposed State of New Mexico, the area of which is to comprise the present Territory of New Mexico, and the remaining 18 sections relate to the proposed State of Arizona, the area of which is to comprise the present Territory of Arizona.

The whole bill is drawn to conform as nearly as may be to the language of previous enabling acts, and contains such provisions as may in their nature be common to all, besides such additional provisions as are made necessary by existing laws and local conditions.

The sections framed to provide similar objects for each of the proposed new States are made to conform as nearly as may be to each other.

The States of Arizona and New Mexico can be admitted into the Union within about ten months after the approval of this act.

Each State is to be admitted into the Union by a proclamation of the President of the United States, in the usual manner, after compliance with certain requirements.

An election which is properly safeguarded is provided for delegates to a constitutional convention for each proposed State. The convention for New Mexico is to consist of 100 delegates, and that for Arizona of 52 delegates.

The constitution framed must in each case conform to the usual requirements and be submitted to the people of each proposed State, respectively, for ratification at an election to be held for that purpose.

Each State is to constitute a judicial district, and the proper officials are provided therefor. New Mexico is to be attached to the eighth and Arizona to the ninth circuit.

Proper provision is made in the usual way for pending causes in the territorial courts during the transition.

New Mexico is allowed two and Arizona one Member of the House of Representatives, representation being based on the last census, supplemented by a conservative estimate of increase in population since 1900.

Proper provision is made in each State for nonsectarian common schools and the teaching of English therein.

Suffrage is well guarded, and strong antipolygamy clauses are in the bill.

The new States are to assume and pay the debts of the Territories, respectively.

The capital of New Mexico is fixed at Santa Fe until 1915, and that of Arizona at Phoenix until the same year, at which time it is expected that conditions will have so shaped themselves that state capitals may be established by elections provided for that purpose, with entire fairness to all parts of the States concerned.

Each State, as in the case of Utah, because of the arid character of the land, is given two sections of nonmineral land in each township for the support of common schools in addition to the two sections heretofore granted or reserved. Each is also given, as is usual, certain specific donations of land for its educational and other institutions.

The bill fixes a minimum price at which the lands granted for educational purposes subject to sale may be sold. The price east of the one hundred and fifth meridian is fixed at \$5 per acre. This covers approximately the east third of New Mexico. The price fixed on the remaining two-thirds of New Mexico and upon Arizona is \$3 per acre.

It is recognized by the committee as well as by other earnest advocates of a minimum price, that practically none of these lands are worth now anything like the minimum price fixed. Where school sections fall within national forests, this valuable land can not be sold, and comparatively few sections fall within irrigable districts where land prices are now high. It is believed, however, that the advance of science, the extension of public and private irrigation projects, and the tendency toward the higher development of smaller holdings will, in the case of Arizona and New Mexico, as in the case of other States, result in a sure, although slow, increase of land values.

The educational lands which are subject to sale would probably not bring on the market now much more than 25 cents an acre, but if the history of other States in which minimum prices, which at the time were considered prohibitive, were fixed shall be repeated in Arizona and New Mexico, it is of the utmost importance that some restriction be placed upon the sale of these lands.

The experience of other States and the importance of fixing a minimum selling price for educational lands is indicated in the following extract from a letter from the Secretary of the Interior addressed to the chairman of the committee:

The history of the public-land States in the matter of the disposal of granted school lands has convinced me that those States which have a minimum price fixed on their lands granted for educational purposes get a much larger return from their lands. I am informed that most States with no minimum have not disposed of their lands to the best advantage, thus seriously failing to derive the full benefit to which the schools are entitled. The States of North and South Dakota, Montana, Wyoming, Idaho, and Washington have a \$10 minimum fixed on their lands, and I am informed that none of these States, unless it is Wyoming, feels that this high minimum is harmful.

On the contrary, I find that officials of these States are zealous and proud of the splendid school funds which they are creating from the sale of school lands. North Dakota, which a few years ago seemed to contain immense areas of poor land, is, I am informed, obtaining in many cases \$15 or \$20 per acre for its school sections. Colorado seems to have an exceedingly low minimum, \$2.50; and nevertheless it has administered its land grants unusually well, securing from them very large returns, both from sales and from leases. For these reasons, I urge that a minimum price be fixed for these proposed new States. They will be able to lease most of their land, if it is not worth to-day the minimum price, and will thereby obtain an income.

As has been suggested, many school sections will fall within national forests, which cover an area in New Mexico of 8,474,547 acres and in Arizona of 13,668,366 acres.

The new States naturally dislike to be compelled to take indemnity lands for these forest sections, because indemnity lands of equal value can not be obtained. On the other hand, it would be inconvenient for the States and undoubtedly injurious to the interests of the Federal Government, if the States were permitted or were obliged to lease, sell, or manage these sections scattered through the national forests.

It has therefore been provided that the States may, at their option, take indemnity lands for school sections within national forests, or may allow the sections so left in national forests to remain under the control of the Federal Government to be administered in connection with the national forests, the States to receive 20 per cent of the gross proceeds of the income from national forests within their respective boundaries as income from their school sections. This is a very liberal percentage, and the committee has little doubt that the States will be glad to avail themselves of the privilege of having their forest sections administered in this way.

In addition to grants for educational purposes, New Mexico is given 3,000,000 and Arizona 3,300,000 acres of nonmineral land for the payment of the debts of the Territory and "of such valid county and other public debts existing at the date of the approval of this act as said Territory may have assumed or said State shall assume."

This grant, which the committee thought preferable to a grant of money, is intended to provide a fund to be derived either from the sale of the lands or from the income from them with which the new States may, at least in part, pay the indebtedness of the Territories, and such valid county and other public debts as the Territories have assumed or the States may assume.

The fact that so much of the area of the proposed States is in the public domain, and the fact that much of the most valuable land is included in national forests and other reservations, deprive the proposed States of resources readily convertible for the payment of debts, and it was thought to be only fair that a grant of land should be made

to enable the new States to meet, so far as possible, their existing obligations.

This grant to each of the proposed States may at first appear to be large, but from the information which your committee has been able to obtain from residents and officials in the Territories and from the Interior Department, it is believed that if this land were to be placed upon the market it would not bring an average of more than 25 cents an acre. Some estimates are lower and some slightly higher. If these lands are sold without delay, as the States may desire to sell them so as to relieve themselves of further interest charges, it is believed they will not bring over 25 cents an acre, or \$750,000 for each State.

A proviso has been added to the section making the grant to the effect that if any of the lands granted, or any of the proceeds of the sale or lease thereof shall remain after the payment of the debts, such remainder shall become a part of the permanent school fund of the State, the interest from which only can be expended.

If this proviso shall prove to be an incentive for the conservation and improvement of these lands, and their careful management shall provide a larger fund than is needed for the payment of debts, any remainder will be devoted to the excellent purpose of maintaining the common schools of the State.

The grant is a grant to the people for commendable public purposes.

The Secretary of the Interior, in a letter addressed to the chairman of the committee, says in reference to this grant of lands for the payment of debts:

I also suggest that special attention should be given by the committee to the 3,000,000-acre grant for payment of debts, and to the class of debts to which this grant should be made applicable. Three million acres is an immense tract. It would probably be selected in large blocks, and since the suggested minimum price in sections 11 and 29 applies only to grants for educational purposes—in other words, grants which are supposed to be permanent funds—the States might find it necessary to sell this land for prices as low as, or lower than, 25 cents per acre.

Arizona is given 300,000 acres more than New Mexico because New Mexico has heretofore had much larger grants for territorial institutions than Arizona.

Each State, as is usual, after admission is to receive 5 per cent of the cash realized from the sale of public lands within the State, to form a permanent fund, the interest of which only can be used for the maintenance of its common schools, and the usual restrictions, requirements, and safeguards are thrown around all of these donations to each of the States.

An appropriation of \$100,000 for the State of New Mexico and of \$100,000 for the State of Arizona, or so much thereof in each case as may be necessary, is made for defraying the expenses of the conventions provided for in the bill, to be expended under the direction of the Secretary of the Interior.

It is provided that until the admission of the proposed States the territorial officers shall continue to perform their duties as at present in the respective Territories.

#### QUALIFICATIONS FOR STATEHOOD.

Article IV, section 3, of the Constitution of the United States provides that "new States may be admitted by Congress into the Union," but the Constitution nowhere defines the qualifications of Territories

for statehood. Congress therefore has discretion as to what conditions shall be required of Territories seeking admission as States, and in exercising that discretion Congress ought to take into consideration not only the number and character of the population and the resources of Territories, but the question of the probability of increase in both.

#### ARIZONA.

Arizona was a part of the territory acquired from the Republic of Mexico by the treaty of Guadalupe-Hidalgo, February 2, 1848, and by the Gadsden purchase of December 30, 1853, and was a part of the original Territory of New Mexico, from which it was separated and organized into a Territory in 1863.

It is 378 miles long by 339 miles wide and contains 112,920 square miles, or 73,000,000 acres. By the census of 1900 it had a population of 122,931, of whom 26,480 were Indians, being 1.1 persons to the square mile.

The census of 1900 has always been declared by the people of Arizona to have been inaccurate in that it did not give the Territory as many people as it was claimed were there, it having been impossible for enumerators, because of great distances and lack of time, to completely cover the ground. When the question of statehood was under consideration three years ago, representatives from the Territory asserted well-supported claims that the population was not less than 175,000.

There having been no census since 1900, the committee has been compelled to rely on the estimates of citizens and officials having knowledge of conditions.

A comparison of the vote cast in 1900 with that cast in 1908 at the election for Delegate in Congress, coupled with the fact that great distances tend to a light vote; a similar comparison of the census of school children in 1900 with that in 1908; the more rapid settlement on agricultural lands, particularly in the vicinity of irrigation projects; the development of mining camps into permanent communities; the increase of 168 per cent in the receipts of post-offices in the Territory since 1900, and the fact that as conditions have become more settled and permanent communities have been established the percentage of women and children has constantly increased, lead to the conclusion that Arizona has a population of not less than 200,000.

The governor estimates the population to be 69 per cent American, 13 per cent Mexican (native and foreign born), 11 per cent Indian, and 6 per cent other foreign nationalities.

There is no reason to suppose the percentage of illiteracy is any greater than it was three years ago when it was estimated by the governor to be not more than 1 per cent.

The Territory has two normal schools with buildings and property valued at approximately \$300,000.

It has a university (in connection with which are various other schools such as a military institute, college of mines, and agricultural and mechanical college) with buildings and other property valued at \$245,000, an insane asylum with buildings and other property valued at \$222,000, a territorial prison with buildings and other property valued at \$186,000, and an industrial school (reformatory) with buildings and other property valued at \$35,000. The capitol building with the land upon which it stands is valued at \$160,000.

There are published in the Territory 18 daily and 54 weekly newspapers (3 in the Spanish language), and 3 periodicals issued monthly.

The total assessment of property for taxation for the year 1908 was \$80,637,541.49. It is difficult to strike an average of the ratio of assessed value to actual value, but the governor estimates the actual value of property in the Territory to be \$450,000,000.

While the lands of the Territory are mainly valuable for agriculture only when irrigated, no reason is known why methods of dry farming employed in various parts of the United States will not be employed in Arizona. The soil, when once irrigated, is invariably of great fertility.

Two irrigation projects now in construction, on the Colorado near Yuma and on the Salt at Roosevelt, will cost in the aggregate about \$9,000,000 and will irrigate nearly 300,000 acres. It should be remembered that this irrigated territory will support a dense population.

There are in Arizona 32 territorial and 13 national banks with a capital and surplus of \$3,555,781.64, deposits of \$13,849,214.67, and loans and discounts of \$9,358,647.95.

Stock raising is an important industry, the value of live stock being estimated at \$18,000,000.

The forest area is said to be the largest in the United States, and the national forests cover something over 13,000,000 acres.

The chief industry is mining, and while great mineral wealth has already been developed, it is asserted that the mineral resources of Arizona, so far as developed, are small as compared with its possibilities. The governor states that the "prediction of three years ago that Arizona would lead the world in production of copper has been fulfilled."

The Territory has within its limits approximately 1,900 miles of railroad, as against 1,400 miles three years ago.

The bonded indebtedness of the Territory on June 30, 1908, was \$3,113,275.29, which includes the indebtedness of the various counties which has been assumed by the Territory, the counties reimbursing the Territory for the interest paid.

#### NEW MEXICO.

New Mexico was acquired from the Republic of Mexico by the treaty of Guadalupe-Hidalgo, February 2, 1848, and by the Gadsden purchase of December 30, 1853.

It is 360 miles north and south by 346 miles east and west and contains 122,580 square miles, or 78,451,200 acres, on which, by the census of 1900, lived a population of 195,310, being 1.6 persons to the square mile.

Relying in part upon the same sources of information upon which the population of Arizona has been estimated, and in addition upon records of land entries and upon immigration statistics obtained from the territorial bureau of immigration and from railroads, the governor of New Mexico is of the opinion that the population of the Territory is not far from 450,000. The committee feels entirely safe in saying that New Mexico has a population of not less than 400,000.

The outstanding bonded debt of the Territory on January 1, 1909, was \$1,023,000—\$305,000 of this amount having been issued in the past year for the improvement of territorial institutions. The sinking fund is \$61,680.82.

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The aggregate bonded indebtedness of the counties in the Territory is stated by the governor in his last annual report to be \$2,795,089.91.

The Territory has a university with buildings and land valued at \$175,000; agricultural college, \$300,000; military institute, \$125,000; reform school, \$25,000; penitentiary, \$300,000; normal schools, \$245,000; insane asylum, \$125,000; deaf and dumb asylum, \$7,000; miners' hospital, \$20,000; school of mines, \$25,000; blind asylum, \$35,000; capitol (old and new capitol bonds), \$370,000.

The assessed valuation of property for the year 1908 was \$52,526,295.01.

As in the case of Arizona, it is difficult to fix the ratio of the assessed valuation to the actual value, but the percentage is low, and the governor's estimate that the Territory has over \$300,000,000 worth of property is probably not far wrong.

In addition to this actual value of property, subject to taxation, there are many homesteads under cultivation, and many mining claims, where patents have not yet issued, and which are still exempt from taxation. There are probably 400 miles of railroad recently constructed and exempt from taxation for six years. It is estimated that there are 9,000,000,000 tons of coal in the Territory. The value of these resources, not yet subject to taxation, and of other undeveloped resources, is estimated to be not less than \$500,000,000.

The Territory has an excellent school system, the buildings alone being estimated to be worth \$2,000,000.

The school census taken in August, 1907, showed 84,942 children of school age.

It is stated that there are over 50 sectarian schools conducted by various religious denominations, with an enrolment of over 6,000 pupils.

All the territorial institutions and the public school system of New Mexico have been built and sustained by the Territory without the aid of the Federal Government except by the usual grant of sections 16 and 36 for common-school purposes and by grants of land for territorial institutions.

New Mexico has eight daily and probably nearly a hundred weekly newspapers.

Agriculture in New Mexico is mainly conducted by irrigation along the river valleys of the San Juan, Rio Grande, the Mimbres, the Canadian, the Cimarron, the Gila, the Pecos, their tributaries, and some smaller valleys, although dry farming has developed extensively in the eastern counties of the Territory.

In his annual report for 1908 the governor states;

Irrigation projects now in course of construction will add over 500,000 acres to the area of agricultural lands. These irrigation plants will cost in the neighborhood of \$2,000,000.

On January 1, 1909, there were 28 territorial banks in the Territory, with a capitalization of \$819,500, combined resources of \$4,240,038.88, and deposits of \$3,223,132.

On July 15, 1908, New Mexico had 41 national banks, with an aggregate capital of \$2,020,000; surplus, \$593,145; undivided profits, \$9,219; deposits, \$9,995,422; and loans and discounts, \$8,570,193.

It is safe to say that the Territory has 3,000 miles of railroad, of which probably 2,600 miles are subject to taxation.

## CONCLUSION.

New Mexico and Arizona—particularly New Mexico—have repeatedly applied for admission. Bills for their admission as separate States have many times passed the House, and sometimes have passed both Houses and failed in conference.

In the last six years the Committee on the Territories has devoted much time to the question of statehood, and bills have been fully considered in the House and Senate.

The Republican national platform for 1908 declared as follows:

We favor the immediate admission of the Territories of New Mexico and Arizona as separate States in the Union.

The Democratic national platform for 1908 declared:

The National Democratic party has for the last sixteen years labored for the admission of Arizona and New Mexico as separate States of the Union, and, recognizing that each possesses every qualification successfully to maintain separate state governments, we favor the immediate admission of these Territories as separate States.

The pending bill has been prepared with the utmost care, with proper regard for the interests of the people of the proposed States and of the United States, and the committee recommends that it pass.

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## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed joint resolution and bills of the following titles:

On February 11, 1909:

H. J. Res. 247. Joint resolution relating to the celebration of the one hundredth anniversary of the birth of Abraham Lincoln and making the 12th day of February, 1909, a legal holiday, and for other purposes.

On February 13, 1909:

H. R. 13809. An act for the relief of Charles S. Blood; and

H. R. 24635. An act to create a new division in the middle judicial district of the State of Tennessee.

## ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. R. 6252. An act to promote the administration of justice in the navy;

H. R. 7474. An act granting a pension to Charles H. Balch and others;

H. R. 18726. An act for the relief of Wyatt O. Selkirk;

H. R. 20385. An act to enable the Omaha and Winnebago Indians to protect from overflow their tribal and allotted lands located within the boundaries of any drainage district in Nebraska;

H. R. 21458. An act authorizing sales of land within the Cour d'Alene Indian Reservation to the Northern Idaho Insane Asylum and to the University of Idaho;

H. R. 26746. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors;

H. R. 27069. An act to authorize the Secretary of War to donate two condemned brass or bronze cannon or fieldpieces and cannon balls to the city of Henderson, Ky.;

H. R. 27970. An act to amend section 8 of the act approved May 28, 1908, entitled "An act to amend the laws relating to navigation, and for other purposes;" and

H. J. Res. 226. Joint resolution authorizing the Secretary of War to loan certain tents for use at the festival encampment of the North American Gymnastic Union, to be held at Cincinnati, Ohio, in June, 1909.

## STATEHOOD.

Mr. HAMILTON of Michigan. Mr. Speaker, by authority of the Committee on Territories, I move to discharge the Committee of the Whole House on the state of the Union from the consideration of the bill H. R. 27891, known as the "statehood bill," to suspend the rules, and pass the bill.

The SPEAKER. The gentleman from Michigan, by authority of the Committee on Territories, moves to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill indicated, the so-called "statehood bill," to suspend the rules, and pass the same. The Clerk will read the bill.

The bill was read, as follows:

A bill (H. R. 27891) to enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States.

*Be it enacted, etc.,* That the inhabitants of all that part of the area of the United States now constituting the Territory of New Mexico, as at present described, may become the State of New Mexico, as hereinafter provided.

SEC. 2. That all the qualified electors of said Territory are hereby authorized to vote for and choose delegates to form a convention for said Territory. The aforesaid convention shall consist of 100 delegates; and the governor, chief justice, and secretary of said Territory shall apportion the delegates to be thus elected, as nearly as may be, equitably among the several counties thereof in accordance with the voting population as shown by the vote cast at the election for Delegate in Congress in said Territory in 1908.

The governor of said Territory shall, within thirty days after the approval of this act, by proclamation in which the aforesaid apportionment of delegates to the convention shall be fully specified and announced, order an election of the delegates aforesaid in said Territory on a day designated by him in said proclamation, within sixty days after the approval of this act. Such election for delegates shall be conducted, the returns made, and the certificates of persons elected to such convention issued, as nearly as may be, in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature; and the penal provisions of said laws are hereby made applicable to the election herein provided for; and said convention when so called to order and organized shall be the sole judge of the election and qualifications of its own members. Persons possessing the qualifications entitling them to vote at the aforesaid

election of delegates shall be entitled to vote on the ratification or rejection of the constitution formed by said convention when said constitution shall be submitted to the people of said Territory hereunder, and on the election of all officials whose election is taking place at the same time, under such rules and regulations as said convention may prescribe, not in conflict with this act.

SEC. 3. That the delegates to the convention thus elected shall meet in the hall of the house of representatives in the capital of the Territory of New Mexico at 12 o'clock noon on the fourth Monday after their election, and they shall not receive compensation for more than sixty days of service; after organization they shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and state government for said proposed State. The constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide by ordinance irrevocable without the consent of the United States and the people of said State—

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship; and that polygamous or plural marriages and the sale, barter, or giving of intoxicating liquors to Indians are forever prohibited.

Second. That the people inhabiting said proposed State do agree and declare that they forever disclaim all right and title to the unappropriated and ungranted public lands lying within the boundaries thereof and to all lands lying within said limits owned or held by any Indian or Indian tribes, except as hereinafter provided, and that until the title thereto shall have been extinguished by the United States the same shall be and remain subject to the disposition of the United States, and such Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands and other property belonging to citizens of the United States residing within the said State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof; that no taxes shall be imposed by the State on lands or property therein belonging to or which may hereafter be acquired by the United States or reserved for its use; but nothing herein, or in the ordinance herein provided for, shall preclude the said State from taxing, as other lands and other property are taxed, any lands and other property outside of an Indian reservation owned or held by any Indian, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation, but said ordinance shall provide that all such lands shall be exempt from taxation by said State so long and to such extent as such act of Congress may prescribe.

Third. That the debts and liabilities of said Territory of New Mexico shall be assumed and paid by said State, and that said State shall be subrogated to all the rights of indemnity and reimbursement which said Territory now has.

Fourth. That provision shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control; and that said schools shall always be conducted in English; *Provided,* That nothing in this act shall preclude the teaching of other languages in said public schools.

Fifth. That said State shall never enact any law restricting or abridging the right of suffrage on account of race, color, or previous condition of servitude, and that ability to read, write, and speak the English language sufficiently well to conduct the duties of the office without the aid of an interpreter shall be a necessary qualification for all state officers.

Sixth. That the capital of said State shall temporarily be at the city of Santa Fe, in the present Territory of New Mexico, and shall not be changed therefrom previous to A. D. 1915, but the permanent location of said capital may, after said year, be fixed by the electors of said State, voting at an election to be provided for by the legislature.

Seventh. That the State shall grant to the United States Government all rights and powers relating thereto necessary for the carrying out of the provisions by it of the act of Congress entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, and acts amendatory thereof, to the same extent as if said State had remained a Territory.

SEC. 4. That in case a constitution and state government shall be formed in compliance with the provisions of this act, the convention forming the same shall provide by ordinance for submitting said constitution to the people of said proposed State for its ratification or rejection, at an election which shall be held on the first Tuesday after the first Monday in November after the adjournment of the convention, at which election the qualified voters of said proposed State shall vote directly for or against the proposed constitution and for or against any provisions thereof separately submitted. The returns of said election shall be made by the election officers direct to the secretary of the Territory of New Mexico at Santa Fe; who, with the governor and chief justice of said Territory, shall constitute a canvassing board, and they, or any two of them, shall meet at said city of Santa Fe on the third Monday after said election and shall canvass the same; and if a majority of the legal votes cast on that question shall be for the constitution, the said canvassing board shall certify the result to the President of the United States, together with the statement of the votes cast thereon, and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitution and government of said proposed State are republican in form and not repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and if the provisions in this act have been complied with in the formation thereof, it shall be the duty of the President of the United States, within twenty days from the receipt of the certificate of the result of said election and the statement of the votes cast thereon and a copy of said constitution, articles, propositions, and ordinances from said board, to issue his proclamation announcing the result of said election, and thereupon the proposed State shall be deemed admitted by Congress into the Union, under and by virtue of this act, under the name of New Mexico, on an equal footing with the original States, from and after the date of said proclamation.

The original of said constitution, articles, propositions, and ordinances, and the election returns, and a copy of the statement of the votes cast at said election, shall be forwarded and turned over by the secretary of the Territory of New Mexico to the state authorities.

SEC. 5. That until the next general census, or until otherwise provided by law, said State shall be entitled to two Representatives in the

House of Representatives of the United States, to be elected at large from said State, which Representatives, together with the governor and other officers provided for in said constitution, shall be elected on the same day of the election for the adoption of the constitution; and until said state officers are elected and qualified under the provisions of the constitution and the State is admitted into the Union the territorial officers of said Territory, including Delegate to Congress, shall continue to discharge the duties of their respective offices in said Territory until their successors are duly elected and qualified.

SEC. 6. That in addition to sections 16 and 36, heretofore granted to the Territory of New Mexico, sections 2 and 32 are hereby granted to the said State for the support of common schools, and where sections 2, 16, 32, and 36, or any parts thereof, are mineral, or have been sold, reserved, or otherwise disposed of by or under the authority of any act of Congress, other lands equivalent thereto in acreage are hereby granted to the said State for the support of common schools: *Provided*, That any such sections 2, 16, 32, and 36, or parts thereof, embraced in any Indian, military, or other reservations, except national forests, at the date of the passage of this act, or prior to the survey of said sections, shall not be subject to this grant, but other lands of equal area are hereby granted to be selected for school purposes in lieu thereof. And the Secretary of the Interior, without awaiting the extension of the public surveys, shall ascertain and determine by protraction or otherwise, the area of said sections 2, 16, 32, and 36 included within such Indian, military, or other reservations, including national forests, and shall certify to the State the area thus determined, whereupon the State shall be entitled to select indemnity lands to the extent of the area thus certified: *And provided*, That the grants of sections 2, 16, 32, and 36 to said State within national forests now existing or proclaimed before identification of said sections by survey shall not vest the title to said sections in said State until the part of said national forests embracing any of said sections is restored to the public domain, but in the meantime said State shall have the option of making indemnity selections for any or all of said sections or of leaving any or all of them to remain a part of the respective national forests; and said sections so left in national forests shall be administered as a part of said forests, but at the close of each fiscal year there shall be paid by the Secretary of the Treasury to the State as income for its common-school funds 20 per cent of the gross proceeds of all the national forests within said State, said 20 per cent, however, to be reduced at the end of each fiscal year in proportion to the reduction of the area of said sections originally in national forests, by all indemnity selections which may have been made by the State for said sections in said forests prior to the close of the respective fiscal years, the area of said sections when unsurveyed to be determined by the Secretary of the Interior, by protraction or otherwise, the amount necessary for such payments being hereby appropriated and made available annually from any money in the Treasury not otherwise appropriated.

SEC. 7. That where settlement with a view to preemption or homestead, or improvement with a view to desert-land entry, made heretofore or hereafter, before the survey of the lands in the field, are found to have been made on sections 2, 16, 32, or 36, those sections or portions thereof settled upon or improved shall be subject to the claims of such settlers or desert-land claimants who have otherwise complied with the requirements of the preemption, homestead, and desert-land acts, respectively, and other lands of equal acreage are hereby granted in lieu thereof. And other lands are hereby granted to and may be selected by said State as indemnity whereupon survey sections 2, 16, 32, and 36 are found to be entirely wanting or fractional in quantity by reason of the township being fractional, or from any natural cause whatever, except that the area of such indemnity selection right in any such fractional township shall not in any event exceed an area which, when added to the area of the above-named sections returned by the survey as in place, will equal four sections for fractional townships containing 17,280 acres or more, three sections for such townships containing 11,520 acres or more, two sections for such townships containing 5,760 acres or more, nor one section for such townships containing 640 acres or more.

SEC. 8. That in lieu of the grant of land for purposes of internal improvements made to new States by the eighth section of the act of September 4, 1841, which section is hereby repealed as to the proposed State, and in lieu of any claim or demand by said State under the act of September 28, 1850, and section 2479 of the Revised Statutes, making a grant of swamp and overflowed lands to certain States, which grant it is hereby declared is not extended to the said State, and in lieu of the grant of saline lands heretofore made to the Territory of New Mexico for university purposes by section 3 of the act of June 21, 1838, which is hereby repealed except as to such portions of such saline lands as may have been selected by said Territory prior to the passage of this act, the following grants of land are hereby made, to wit:

For university purposes, 54,400 acres; for legislative, executive, and judicial public buildings heretofore erected in said Territory or to be hereafter erected in the State, and for the payment of the bonds heretofore or hereafter issued therefor, 96,000 acres; for insane asylums, 100,000 acres; for penitentiaries, 100,000 acres; for schools and asylums for the deaf, dumb, and the blind, 100,000 acres; for miners' hospitals for disabled miners, 50,000 acres; for normal schools, 200,000 acres; for state charitable, penal, and reformatory institutions, 100,000 acres; for agricultural and mechanical colleges, 150,000 acres; and the national appropriation heretofore annually paid for the agricultural and mechanical college to said Territory shall, until further order of Congress, continue to be paid to said State for the use of said institution; for school of mines, 100,000 acres; for military institutes, 100,000 acres; and for the payment of the debts of said Territory and of such valid county and other public debts existing at the date of the approval of this act as said Territory may have assumed or said State shall assume, 3,000,000 acres: *Provided*, That if there shall remain any of the 3,000,000 acres of land so granted, or of the proceeds of the sale or lease thereof, or rents, issues, or other profits therefrom, after the payment of said debts, such remainder of lands and the proceeds of sales thereof shall be added to and become a part of the permanent school fund of said State, the income therefrom only to be used for the maintenance of the common schools of said State.

SEC. 9. That the schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said State, and no part of the proceeds arising from the sale or disposal of any lands granted herein for educational purposes shall be used for the support of any sectarian or denominational school, college, or university.

SEC. 10. That 5 per cent of the proceeds of sales of public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union after deducting all

the expenses incident to such sales, shall be paid to the said State to be used as a permanent inviolable fund, the interest of which only shall be expended for the support of the common schools within said State.

SEC. 11. That all lands herein or heretofore granted for educational purposes shall be disposed of, at public sale only, for a price not less than \$5 per acre as to all such lands east of the one hundred and fifth meridian of longitude nor less than \$3 per acre for such land west of said meridian, the proceeds of such sales to constitute a permanent fund, any portion of which, if lost for any reason, shall be replaced by appropriation from the treasury of the State, and the income from which only shall be expended for the improvement, maintenance, and support of the respective educational institutions; but pending sale said lands may be leased as the state legislature shall prescribe; and all lands herein or heretofore granted for purposes other than educational shall be disposed of as the legislature of said State may prescribe.

SEC. 12. That all lands granted in quantity, or as indemnity, by this act shall be selected under the direction of the Secretary of the Interior from the unreserved, unappropriated, and nonmineral public lands of the United States within the limits of said State by a commission composed of the governor, surveyor-general, or other officer exercising the functions of a surveyor-general, and attorney-general of the said State; and the fees to be paid to the register and receiver collectively for each final location or selection of 160 acres made hereunder shall be \$1: *Provided*, That if the above commission selects any tract of unurveyed land it shall determine the exterior boundaries thereof and file with the Department of the Interior a map and description of such boundaries by metes and bounds or otherwise, and the filing of such selection map and description shall operate to defeat any right within said area sought to be initiated thereafter by location, settlement, or improvement under any but the mineral-land laws; and there is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$50,000, or so much thereof as may be necessary, to be used by the Secretary of the Interior for such examination and survey of said land as he may deem necessary for purposes of patenting the land so selected to the State.

SEC. 13. That all grants of lands heretofore made by any act of Congress to said Territory, except to the extent modified or repealed by this act, are hereby ratified and confirmed in and to said State.

SEC. 14. That the said State, when admitted as aforesaid, shall constitute one judicial district, and the circuit and district courts of said district shall be held at the capital of said State, or at such other place or places as the court itself may designate, and the said district shall, for judicial purposes, be attached to the eighth judicial circuit. There shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The judge of said district shall receive a yearly salary the same as other similar judges of the United States, payable as provided for by law, and shall reside in the district to which he is appointed. There shall be appointed clerks of said courts, who shall keep their offices at the capital of said State. The regular terms of said courts shall be held in said district, at the place or places aforesaid, on the first Monday in April and the first Monday in October of each year, and one grand jury shall be summoned in each year in each of said circuit and district courts. The circuit and district courts for said district, and the judges thereof, respectively, shall possess the same powers and jurisdiction and perform the same duties required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney, and clerks of the circuit and district courts of said district, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation now allowed by law to officers performing similar services for the United States in the Territory of New Mexico.

SEC. 15. That all cases of appeal or writ of error heretofore prosecuted and now pending in the Supreme Court of the United States upon any record from the supreme court of said Territory, or that may hereafter lawfully be prosecuted upon any record from said courts, may be heard and determined by said Supreme Court of the United States. And the mandate of execution or of further proceedings shall be directed by the Supreme Court of the United States to the circuit or district court, hereby established within the said State, or to the supreme court of such State, as the nature of the case may require. And the circuit, district, and state courts herein named shall, respectively, be the successors of the supreme court of the said Territory as to all such cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same and award mesne or final process therein; and that from all judgments and decrees of the supreme court of the said Territory, in any case arising within the limits of the proposed State prior to admission, the parties to such judgment shall have the same right to prosecute appeals and writs of error to the Supreme Court of the United States or to the circuit court of appeals as they shall have had by law prior to the admission of said State into the Union, and as in other States of the Union.

SEC. 16. That in respect to all cases, proceedings, and matters now pending in the supreme or district courts of the said Territory at the time of the admission into the Union of the said State, and arising within the limits of such State, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory, respectively; and in respect to all other cases, proceedings, and matters pending in the supreme or district courts of the said Territory at the time of the admission of such Territory into the Union, arising within the limits of said State, the courts established by such State shall, respectively, be the successors of said supreme and district territorial courts; and all the files, records, indictments, and proceedings relating to any such cases shall be transferred to such circuit, district, and state courts, respectively, and the same shall be proceeded with therein in due course of law; but no writ, action, indictment, cause, or proceeding now pending, or that prior to the admission of the State shall be pending, in any territorial court in said Territory shall abate by the admission of such State into the Union, but the same shall be transferred and proceeded with in the proper United States circuit, district, or state court, as the case may be: *Provided, however*, That in all civil actions, causes, and proceedings in which the United States is not a party transfers shall not be made to the circuit and district courts of the United States except upon cause shown by written request of one of the parties to such action or proceeding filed in the proper

court; and in the absence of such request such cases shall be proceeded with in the proper state courts.

Sec. 17. That the constitutional convention shall by ordinance provide for the election of officers for a full state government, including members of the legislature, two Representatives in Congress, and such county and other officers as said constitutional convention shall prescribe, at the time for the election for the ratification or rejection of the constitution; but the said state government shall remain in abeyance until the State shall be admitted into the Union as proposed by this act. In case the constitution of said State shall be ratified by a majority of the qualified voters of said Territory voting at the election held therefor as hereinbefore provided, but not otherwise, the legislature thereof may assemble at Santa Fe, organize, and elect two Senators of the United States in the manner now prescribed by the Constitution and laws of the United States; and the governor and secretary of state of the proposed State shall certify the election of the Senators and Representatives in the manner required by law, and when such State is admitted into the Union, as provided in this act, the Senators and Representatives shall be entitled to be admitted to seats in Congress and to all rights and privileges of Senators and Representatives of other States in the Congress of the United States; and the officers of the state government formed in pursuance of said constitution, as provided by the constitutional convention, shall proceed to exercise all the functions of state officers; and all laws of said Territory in force at the time of its admission into the Union shall be in force in said State until changed by the legislature of said State, except as modified or changed by this act or by the constitution of the State; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States.

Sec. 18. That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for defraying all and every kind and character of expense incident to the elections and convention provided for in this act; that is, the payment of the expenses of holding the election for members of the constitutional convention and the election for the ratification of the constitution, at the same rates that are paid for similar services under the territorial laws, and for the payment of the mileage for and salaries of members of the constitutional convention at the same rates that are paid to members of the said territorial legislature under national law, and for the payment of all proper and necessary expenses, officers, clerks, and messengers thereof, and printing and other expenses incident thereto: *Provided*, That any expense incurred in excess of said sum of \$100,000 shall be paid by said State. The said money shall be expended under the direction of the Secretary of the Interior, and shall be forwarded, to be locally expended in the present Territory of New Mexico through the secretary of said Territory, as may be necessary and proper, in the discretion of the Secretary of the Interior, in order to carry out the full intent and meaning of this act.

Sec. 19. That the inhabitants of all that part of the area of the United States now constituting the Territory of Arizona, as at present described, may become the State of Arizona, as hereinafter provided.

Sec. 20. That all the qualified electors of said Territory are hereby authorized to vote for and choose delegates to form a convention for said Territory. The aforesaid convention shall consist of 52 delegates; and the governor, chief justice, and secretary of said Territory shall apportion the delegates to be thus elected, as nearly as may be, equitably among the several counties thereof in accordance with the voting population as shown by the vote cast at the election for Delegate in Congress in said Territory in 1908.

The governor of said Territory shall, within thirty days after the approval of this act, by proclamation, in which the aforesaid apportionment of delegates to the convention shall be fully specified and announced, order an election of the delegates aforesaid in said Territory on a day designated by him in said proclamation, within sixty days after the approval of this act. Such election for delegates shall be conducted, the returns made, and the certificates of persons elected to such convention issued, as near as may be, in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature; and the penal provisions of said laws are hereby made applicable to the election herein provided for; and said convention when so called to order and organized shall be the sole judge of the election and qualifications of its own members. Persons possessing the qualifications entitling them to vote at the aforesaid election of delegates shall be entitled to vote on the ratification or rejection of the constitution formed by said convention when said constitution shall be submitted to the people of said Territory hereunder, and on the election of all officials whose election is taking place at the same time, under such rules and regulations as said convention may prescribe not in conflict with this act.

Sec. 21. That the delegates to the convention thus elected shall meet in the hall of the house of representatives in the capital of the Territory of Arizona, at 12 o'clock noon on the fourth Monday after their election and they shall not receive compensation for more than sixty days of service; after organization they shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and state government for said proposed State. The constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide, by ordinance irrevocable without the consent of the United States and the people of said State—

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship; and that polygamous or plural marriages and the sale, barter, or giving of intoxicating liquors to Indians are forever prohibited.

Second. That the people inhabiting said proposed State do agree and declare that they forever disclaim all right and title to the unappropriated and ungranted public lands lying within the boundaries thereof and to all lands lying within said limits owned or held by any Indian or Indian tribes, except as hereinafter provided, and that until the title thereto shall have been extinguished by the United States the same shall be and remain subject to the disposition of the United States, and such Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States; that the lands and other property belonging to citizens of the United States residing without the said State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof; that no taxes shall be imposed by the State on lands or property therein belonging to or which may hereafter be acquired by the United States or reserved for its use; but

nothing herein, or in the ordinance herein provided for, shall preclude the said State from taxing, as other lands and other property are taxed, any lands and other property, outside of an Indian reservation, owned or held by any Indian, save and except such lands as have been or may be granted to any Indian or Indians under any act of Congress containing a provision exempting the lands thus granted from taxation, but said ordinance shall provide that all such lands shall be exempt from taxation by said State so long and to such extent as such act of Congress may prescribe.

Third. That the debts and liabilities of said Territory of Arizona shall be assumed and paid by said State, and that said State shall be subrogated to all the rights of indemnity and reimbursement which said Territory now has.

Fourth. That provision shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control; and that said schools shall always be conducted in English; *Provided*, That nothing in this act shall preclude the teaching of other languages in said public schools.

Fifth. That said State shall never enact any law restricting or abridging the right of suffrage on account of race, color, or previous condition of servitude, and that ability to read, write, and speak the English language sufficiently well to conduct the duties of the office without the aid of an interpreter shall be a necessary qualification for all state officers.

Sixth. That the capital of said State shall temporarily be at the city of Phoenix, in the present Territory of Arizona, and shall not be changed therefrom previous to A. D. 1915, but the permanent location of said capital may, after said year, be fixed by the electors of said State, voting at an election to be provided for by the legislature.

Seventh. That the State shall grant to the United States Government all rights and powers relating thereto necessary for the carrying out of the provisions by it of the act of Congress entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, and amendments thereof, to the same extent as if said State had remained a Territory.

Sec. 22. That in case a constitution and state government shall be formed in compliance with the provisions of this act, the convention forming the same shall provide by ordinance for submitting said constitution to the people of said proposed State for its ratification or rejection, at an election which shall be held on the first Tuesday after the first Monday in November after the adjournment of the convention, at which election the qualified voters of said proposed State shall vote directly for or against the proposed constitution and for or against any provisions thereof separately submitted. The returns of said election shall be made by the election officers direct to the secretary of the Territory of Arizona at Phoenix; who, with the governor and chief justice of said Territory, shall constitute a canvassing board, and they, or any two of them, shall meet at said city of Phoenix on the third Monday after said election and shall canvass the same; and if a majority of the legal votes cast on that question shall be for the constitution the said canvassing board shall certify the result to the President of the United States, together with the statement of the votes cast thereon, and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitution and government of said proposed State are republican in form, and not repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and if the provisions in this act have been complied with in the formation thereof, it shall be the duty of the President of the United States, within twenty days from the receipt of the certificate of the result of said election and the statement of the votes cast thereon and a copy of said constitution, articles, propositions, and ordinances from said board, to issue his proclamation announcing the result of said election, and thereupon the proposed State shall be deemed admitted by Congress into the Union, under and by virtue of this act, under the name of Arizona, on an equal footing with the original States, from and after the date of said proclamation.

The original of said constitution, articles, propositions, and ordinances, and the election returns, and a copy of the statement of the votes cast at said election shall be forwarded and turned over by the secretary of the Territory of Arizona to the state authorities.

Sec. 23. That until the next general census, or until otherwise provided by law, said State shall be entitled to one Representative in the House of Representatives of the United States, which Representative, together with the governor and other officers provided for in said constitution, shall be elected on the same day of the election for the adoption of the constitution; and until said state officers are elected and qualified under the provisions of the constitution, and the State is admitted into the Union, the territorial officers of said Territory, including Delegates to Congress, shall continue to discharge the duties of their respective offices in said Territory until their successors are duly elected and qualified.

Sec. 24. That in addition to sections 16 and 36, heretofore reserved for the Territory of Arizona, sections 2 and 32 are hereby granted to the said State for the support of common schools, and where sections 2, 16, 32, and 36, or any parts thereof, are mineral, or have been sold, reserved, or otherwise disposed of by or under the authority of any act of Congress, other lands equivalent thereto in acreage are hereby granted to the said State for the support of common schools: *Provided*, That any such sections 2, 16, 32, and 36, or parts thereof, embraced in any Indian, military, or other reservations except national forests, at the date of the passage of this act, or prior to the survey of said sections, shall not be subject to this grant, but other lands of equal area are hereby granted to be selected for school purposes in lieu thereof. And the Secretary of the Interior, without awaiting the extension of the public surveys, shall ascertain and determine, by protraction or otherwise, the area of said sections 2, 16, 32, and 36 included within such Indian, military, or other reservations, including national forests, and shall certify to the State the area thus determined, whereupon the State shall be entitled to select indemnity lands to the extent of the area thus certified: *And provided*, That the grants of sections 2, 16, 32, and 36 to said State within national forests now existing or proclaimed before identification of said sections by survey shall not vest the title to said sections in said State until the part of said national forests embracing any of said sections is restored to the public domain, but in the meantime said State shall have the option of making indemnity selections for any or all of said sections or of leaving any or all of them to remain a part of the respective national forests; and said sections so left in national forests shall be administered as a part of said forests, but at the close of each fiscal year



of the United States shall have the same force and effect within the said State as elsewhere within the United States.

Sec. 30. That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for defraying all and every kind and character of expense incident to the elections and convention provided for in this act; that is, the payment of the expenses of holding the election for members of the constitutional convention and the election for the ratification of the constitution, at the same rates that are paid for similar services under the territorial laws, and for the payment of the mileage for and salaries of members of the constitutional convention at the same rates that are paid to members of the said territorial legislature under national law, and for the payment of all proper and necessary expenses, officers, clerks, and messengers thereof, and printing and other expenses incident thereto: *Provided*, That any expense incurred in excess of said sum of \$100,000 shall be paid by said State. The said money shall be expended under the direction of the Secretary of the Interior, and shall be forwarded, to be locally expended in the present Territory of Arizona through the secretary of said Territory, as may be necessary and proper, in the discretion of the Secretary of the Interior, in order to carry out the full intent and meaning of this act.

During the reading of the bill,

Mr. SMITH of Arizona. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of Arizona. I should like to ask the Chair whether or not, under a motion to suspend all rules, the reading of the bill is required? How can the reading be demanded if all rules are suspended, even the rule requiring the reading of the bill?

The SPEAKER. It is only the rules that stand in the way of the consideration of the bill that are suspended; and so far as the Chair recollects, it has been the practice to read the bills at some time. Every man in the House has a right to have the bill read once at least on which he is called to vote. It seems to the Chair that the practice of the House had better be adhered to.

Mr. SMITH of Arizona. If my memory serves me correctly, I think it has been frequently ruled, under a suspension, that the reading is unnecessary. But I am not controverting the Chair in that, and if the rule calls for the reading of the bill, I should like to ask unanimous consent, as the House is paying very little attention to the reading—

The SPEAKER. The Chair is informed that there are one or more precedents where the House has suspended the rules and dispensed with the reading of a measure, but there would have to be a special vote on that method of proceeding. It is a little inconvenient, but it seems to the Chair—

Mr. MANN. I should think the gentleman might contain his patience long enough, in his desire to get statehood, so that the bill might at least be read.

Mr. SMITH of Arizona. I do not think the gentleman from Illinois is paying particular attention to the reading.

Mr. MANN. On the contrary, the gentleman has been examining the bill very carefully.

Mr. SMITH of Arizona. I ask unanimous consent—

Mr. MANN. I shall have to object, if it requires unanimous consent.

The SPEAKER. The gentleman from Illinois objects. The Clerk will read.

The Clerk resumed and completed the reading.

The SPEAKER. Is a second demanded?

Mr. LLOYD. I demand a second.

Mr. HAMILTON. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Michigan [Mr. HAMILTON] is entitled to twenty minutes, and the gentleman from Missouri [Mr. LLOYD] is entitled to twenty minutes.

Mr. HAMILTON of Michigan. Mr. Speaker, it is not my purpose to occupy so much even as five minutes. I simply want to say that I believe I express the conviction of the overwhelming majority of this House when I say that the question whether we shall make States out of Arizona and New Mexico is practically a foreclosed question. The platforms of both the great political parties have declared for immediate separate statehood for Arizona and New Mexico. The retiring administration has repeatedly declared for statehood for those Territories, and I am informed that the incoming administration desires the admission of these Territories as States.

I have read in the newspapers that it has been said by some one, not connected with this House, but connected with Congress, that there may not be sufficient time during the remainder of this session for the consideration of this bill. I have only to say that during the last six years no question has received more frequent consideration by the Committee on the Territories of this House and the Committee on Territories of the Senate, and by the House and by the Senate than this question of state-

hood; and I believe, Mr. Speaker, that the time has come when we should grant statehood to these Territories. [Applaud.]

I reserve the remainder of my time.

Mr. LLOYD. I yield ten minutes to the gentleman from Arizona [Mr. SMITH]. [Prolonged applause.]

[Mr. SMITH of Arizona addressed the House. See Appendix.]

Mr. HAMILTON of Michigan. Mr. Speaker, this is not a partisan occasion, but in response to something more than a suggestion in the remarks of the gentleman from Arizona [Mr. SMITH], I desire to call attention to the fact that ever since 1875 there has scarcely been a Congress when statehood bills for Arizona and New Mexico have not been introduced; that during the Cleveland administration, in the Fifty-second Congress, the Democratic party had full control of the House and in the Fifty-third Congress had full control of Congress, but no statehood bills were passed. [Applause on the Republican side.] As I said before, this is not a partisan occasion—

Mr. SMITH of Arizona. Mr. Speaker, I hope my friend from Michigan has not understood me as trying to throw any partisan color into this matter.

Mr. HAMILTON of Michigan. I feared the gentleman might be doing that.

Mr. SMITH of Arizona. It was far from my purpose to do so, I will say to my friend from Michigan, and, speaking for my people, we can not say too much for the honest and consistent labors which he has given to our cause.

Mr. HAMILTON of Michigan. I thank the gentleman, and I am completely disarmed. [Laughter and applause.]

Mr. LLOYD. Mr. Speaker, I yield two minutes to the gentleman from Kentucky [Mr. STANLEY].

Mr. STANLEY. Mr. Speaker, I think it entirely fitting that in speaking of these Territories we should speak of the gentlemen who have represented them. My love for Arizona has been increased by my admiration for her good judgment in sending MARK SMITH to Congress. [Applause.]

No Member of the Sixtieth Congress will retire from it more universally beloved or more universally regretted than my dear old friend the gentleman from Arizona [Mr. SMITH]. [Applause.]

I might be tempted to question the appreciation and the wisdom of Arizona in permitting him to return to private life were I not aware of his sensitive and intense devotion to his people and his unwillingness to hear them questioned or criticized, even though in that criticism there should be implied a compliment to himself.

I can say, however, that his retirement at this time is the cause of genuine surprise among those who have followed his career with interest and with admiration. But a short time ago it seemed morally certain that Arizona and New Mexico would be indissolubly bound in a union that to the people of Arizona appeared nothing less than a loathsome and abhorred miscegenation. Then it was that MARK SMITH displayed his tireless devotion to his people and his marvelous tact and resourcefulness in saving them from the impending catastrophe. [Applause.]

A Delegate without a vote, with nothing to give and nothing to exchange, battling among several hundred cool, calculating politicians, undaunted by the desperation of his cause, determined to fight as long as there was a ray of hope, and die, if need be, in the last ditch. In the committee rooms, in the House, in the Senate—he was everywhere, he saw everybody. Nothing could be done or said or attempted that he was not there to answer, to explain, to checkmate. Twenty-odd years of distinguished service had won for him the respect of the House and of the Senate, and his generous, genial, and winsome personality had attracted to him every man capable of a generous impulse or disinterested emotion. In the presence of those who knew him in that trying hour, I can unhesitatingly say, without being charged with exaggeration or flattery, that it was to the efforts of MARK SMITH and to his personal influence more than to any and to all other causes combined that Arizona owes her escape from the irksome shackles which she so much dreaded. [Applause.]

Had any Member of the House of Representatives, on either side of the Chamber, been asked "What would be the inevitable result, so far as MARK SMITH was personally concerned," the reply would inevitably have been: "MARK SMITH will remain in the House as long as Arizona is a Territory, and he will be the first to wear with distinction the senatorial toga when she becomes a State." [Prolonged applause.] It was indeed with pain and amazement we learned that after more than twenty years of distinguished service this tried and valiant champion of his people, with his deathless laurels still fresh upon his brow, was retired by the Territory he had redeemed, and that Arizona,

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on the very threshold of the promised land, having been led out of this wilderness by her brave sponsor, seems to have forgotten him in the hour of her brightest hope.

His colleagues, without an exception, still cherish the fond desire that he shall receive the reward which he so abundantly deserves, and that his name shall be indissolubly linked with Arizona the State as it is forever emblazoned on the brightest pages of the history of Arizona the Territory. [Applause.]

MARK SMITH, the jurist and the statesman, has commanded unqualified respect and attention. As an eloquent and impassioned orator he has thrilled a critical audience with admiration and delight; great as a lawyer and a forensic orator, he is greater still and dearer still as a man. Tender as a woman, brave as a lion, the soul of honor and of truth, utterly incapable of fearing an enemy or of disloyalty to a friend, a perfect exemplar of that debonair, winsome, and picturesque civilization which immortalized the old South, we bid MARK SMITH, the dear old friend and the ideal gentleman, a temporary adieu, assuring him that he will carry with him into his western home the tenderest memories and the truest friendship one noble man ever inspired in the warm heart of another. [Prolonged applause.]

Mr. LLOYD. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Speaker, I do not desire at this late hour to detain the House in arriving at a conclusion in reference to this great question which is now pending before us. I am a member of the Committee on Territories and had the honor to take part in reporting this bill, and am proud of it. It is no longer a question, as has been so well said by the distinguished gentleman from Arizona [Mr. SMITH], that admits of argument, because both of the great political parties of the country have announced most solemnly in their platforms in favor of the admission of these two Territories as States of the Union. Therefore, both of the great political parties of the country, which absolutely control the destinies of the Republic, having declared in favor of the admission of these Territories, I take it for granted that a unanimous vote will record the will of those parties that represent all the people at large.

When this is done, then two new stars will be added to the flag of this Republic, which we all love and which we honor and respect, a flag that shelters this whole country, and beneath the folds of which we all stand seeking to promote the advancement and prosperity and development of all the people and the resources of this great land, which contribute so much not only to the development of our own people, but to the peace and prosperity and glory of the world at large. This result has been brought about not only by reason of the fact that these two great parties have declared in favor of it, but because of the further fact that the distinguished Delegate from New Mexico [Mr. ANDREWS] and the distinguished Delegate from Arizona [Mr. SMITH] have labored in season and out of season for its accomplishment. The distinguished chairman of the committee, the gentleman from Michigan [Mr. HAMILTON], has lent a helping hand and been ready and willing at all times to further the advancement of this object. I trust that when these stars are added to the flag it will be an added brilliancy to the glory that the other States in their grandeur have given to this flag, which will give happiness and peace and prosperity to the country at large and be a blessing to the people to whom we give statehood. I trust the bill will promptly pass. [Great applause.]

Mr. COLE. Mr. Speaker, I am somewhat surprised at the character of the eulogy pronounced by the gentleman from Kentucky [Mr. STANLEY] upon the distinguished Delegate from Arizona. It sounded somewhat like an obituary. A strong impression prevails that this is not the final honor for that gentleman, but merely a stepping-stone to the Senate of the United States. Mr. Speaker, the Committee on Territories has thoroughly considered every detail of this measure. It is a unanimous report. The rights of the Government and of the people are properly safeguarded. One statement has been made which I desire to correct. It has been charged that the Government of the United States has not kept faith with the people of New Mexico and Arizona in not granting to them statehood prior to this time. The statement has gone unchallenged that there was a provision for immediate statehood in the treaty of 1848 between the United States and Mexico and under which the Territory of New Mexico was ceded to the United States. In order that the RECORD may show distinctly that no such article was ever incorporated into the treaty of Guadalupe Hidalgo, I desire to read section 9, which refers to that subject:

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.

Under the provisions of that treaty it is expressly stipulated that statehood shall not be granted to the territory ceded to the United States until so decreed by Congress. I hope this will silence the oft-repeated assertion that the Government has failed to redeem its treaty obligations in regard to these two Territories.

The struggle of New Mexico for statehood has extended over a long period of time. The great prize has been within her grasp a number of times, only to disappear with the expiration of a Congress. The first attempt for statehood was made in 1850. The status of New Mexico was a subject of contention in the great omnibus bill of Henry Clay, the last of his famous compromises for the preservation of the Union. Under the provisions of that measure California was admitted as a State, but New Mexico was organized into a Territory. Thus her early aspirations for statehood were sacrificed in the preliminary struggle for nationality. The people of New Mexico evidently understood that they were to be given immediate admission into the Union. A convention was called, a constitution framed, submitted to and adopted by the people, and Senators and a Member of Congress elected. They had traveled as far as Missouri when they learned of the adverse action of Congress. Arizona was a part of New Mexico at this time and remained so until 1863.

The second attempt was made in 1874-75, when Senator ERKINS of West Virginia was the Delegate in Congress from New Mexico. An enabling act passed the House by a vote of 160 to 54. This measure passed the Senate in an amended form by a vote of 32 to 11. This vote in both House and Senate indicated an overwhelming sentiment for admission over a quarter of a century ago.

If New Mexico was qualified for statehood at that time, with all the progress that has since been made, it can not be contended now that she is lacking in any of the essential factors of statehood. Unfortunately for the fate of that bill the amendments proposed in the Senate necessitated a conference. It was so late in the session that it was impossible to adjust the differences between the two Houses, and the bill died in conference. The same measure passed the succeeding Senate by a vote of 35 to 15. It was reported favorably by the House Committee on Territories, but was never reached on the calendar. The third fight for statehood began in 1890, and has been waged with untiring zeal down to the present time. In 1906 a bill providing for joint statehood between New Mexico and Arizona passed the House of Representatives. The bill passed the Senate after a proviso had been incorporated, which submitted the question to a direct vote of the people of the Territories. It was made mandatory under this proviso that a majority of the votes in each Territory should be cast in favor of joint statehood or the provisions of the act should be null and void. Arizona refused to sanction the proposal, and the measure failed. Joint statehood is forever doomed. It would be impossible to pass another such measure through Congress. The question now is separate statehood or a continuation of territorial government.

New Mexico comes with splendid qualifications for admission as a member of the Union. This fact has been recognized by both great political parties in their platforms of 1908. Both documents contain an unequivocal declaration in favor of immediate admission.

Population has always been considered the leading qualification of statehood. During the whole course of our history it has been customary to admit a Territory when it contained a sufficient population for one Member of Congress. The ratio of representation at the present time, approximately stated, is one Member of Congress to every 185,000 of people. If this were the only standard, New Mexico's title to admission is perfect. According to the census of 1900 there were 195,310 people residing within her boundaries. It is evident, however, from the school enumeration and other public documents of unquestioned authority, that the population of New Mexico was at least 225,000 in 1900 and has greatly increased since that time. From July, 1906, to October, 1907, there were 23,223 land entries made in that Territory. Each of those entries represents a family, which would indicate an increase of at least 100,000. The great influx of farmers from the East into western Texas and eastern New Mexico is a matter of common knowledge. New Mexico has at the present time a greater population than any other State at the date of admission except Oklahoma. I shall include in my remarks a table showing the date of admission and population of a number of States of the Federal Union.

State.	Date of admission.	Population.
Tennessee.....	1790	35,081
Ohio.....	1802	43,365
Louisiana.....	1812	76,556
Indiana.....	1816	24,530
Mississippi.....	1817	40,353
Illinois.....	1818	12,252
Missouri.....	1821	65,557
Minnesota.....	1853	6,677
Oregon.....	1859	13,294
Kansas.....	1861	107,296
Nevada.....	1864	6,557
Nebraska.....	1867	28,541
Colorado.....	1876	39,884
North Dakota.....	1889	135,177
South Dakota.....	1890	92,537
California.....		

\* Including Alabama.

A conservative estimate of the present population of New Mexico is 350,000. The evidence to sustain this statement is so conclusive that by common consent we have granted New Mexico two Members of Congress in the pending measure.

The character of the people is perhaps the second qualification in importance for statehood. It is perhaps sufficient to state that 93 per cent of the people of New Mexico are American-born citizens. This is undoubtedly a greater per cent of native-born Americans than can be found in any other State in the Union. The foreign-born inhabitants in Idaho constitute 21 per cent of her population; Utah, 22 per cent; Wyoming, 24 per cent; Washington, 25 per cent; Montana, 43 per cent; and North Dakota, 45 per cent. When we refer to many of the older States New Mexico has the same advantage in comparison. In 1900 Michigan had 22 per cent foreign-born population; New York, 26 per cent; Minnesota, 29 per cent; and Massachusetts, 30 per cent. It is evident from the foregoing figures that as far as the character of the citizenship of New Mexico is concerned, they are on an equality with the rest of the country. It is contended, however, that 25 per cent of the people are of Mexican descent. That is true. But the younger generation are taking advantage of the free schools and making rapid strides in education. The character of these Mexicans needs no defense, as they have demonstrated their capacity for advancement and their high respect for law and order during the past fifty years.

New Mexico has made splendid progress along educational lines. In 1891 a public school system was introduced and has been extended throughout the entire Territory. Their common schools will favorably compare in efficiency with those of the older States of the country. It is even contended that she has already established too many institutions of higher learning. New Mexico has one state university, an agricultural college, a military institute, a normal university at Las Vegas, a normal school at Silver City, and a school of mines at Socorro. Her penal and charitable institutions are equal to every demand, and the unfortunate of the Territory receive the same care and consideration that characterizes every American community.

No financial standard has ever yet been established as a qualification for admission into the Union. But as evidence of the great industrial progress of the Territory, it is enough to state that the assessed valuation of property is over \$50,000,000. From computations which will hardly admit of refutation it is found that the wealth of New Mexico will aggregate \$300,000,000. This is but a promise of her great possibilities. Her resources in minerals, in timber, and the products of her soil are considered almost inexhaustible. Many of her valleys are rich in all the elements of production save that of water. Great irrigation projects are being planned that will fertilize and make fruitful millions of acres and build up homes for thousands of American people.

Mr. Speaker, New Mexico possesses every qualification for statehood. She has more than sufficient population. The character of her people is above criticism. The people of New Mexico have assembled there from all sections of the country—the North, the East, and the South. They have carried with them high ideals of both private and public life. They will build a State ready at all times to stand the severest tests and rise to the full dignity of a member of the Federal Union. Congress will perform an act of justice long delayed by recognizing the validity of her claims and crowning her long and historic fight with a grateful welcome into the sisterhood of States. [Applause.]

Mr. LLOYD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. SULZER]. [Applause.]

Mr. SULZER. Mr. Speaker, in my opinion it is a matter of sincere congratulation to all friends of home rule that at last Arizona and New Mexico are to be admitted to all the rights of sovereign States. In population, in natural resources, and by every principle of our free institutions they are justly entitled to statehood. For years and years I have been advocating this fundamental right [applause], and I am glad that finally it has come, so far as the House is concerned; and I indulge the hope that the other branch of the Congress will also respond to public sentiment and speedily pass this bill and make it a law before we finally adjourn. [Applause.] I also indulge the gratifying hope that when these two Territories become full-fledged States in the Union our distinguished colleague, Mr. SMITH, and some other good Democrat will be the Senators from Arizona [applause], and that our distinguished colleague, Mr. ANDREWS, and my good friend, Governor Curry, who is with us to-day, will be the first two Senators from New Mexico [applause]; provided, of course, that the Republicans control the legislature. [Laughter.] So let us all rejoice that the last two Territories are now to be made in all respects sister States, with all the rights that it implies, and in this connection I desire to say there is one other right that is near and dear to my heart, and that is home rule for Alaska, local self-government for Alaska—the grandest country on earth, the wonderland of the world, the richest asset in Uncle Sam's domains—and I hope the next Congress will grant Alaska territorial government, with all the rights ever possessed by any Territory. [Applause.]

Mr. HAMILTON of Michigan. Mr. Speaker, while I have the highest regard for the Delegate from Arizona, I feel it my duty to express the hope that the proposed State of Arizona will be strongly a Republican State and will elect a Republican Representative and two Republican Senators to the Congress of the United States. [Applause.]

Mr. LLOYD. Mr. Speaker, I ask unanimous consent that gentlemen may have permission to print remarks on this subject for five days.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON of Michigan. Mr. Speaker, I desire to yield two minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Speaker, I want to state one or two facts. I do not raise any political question. If this bill becomes a law it will incorporate into statehood all the remaining territory acquired from Mexico in 1848 and 1853. Now, the other fact is that when the commissioner on behalf of the United States met the commissioners on behalf of Mexico to form the treaty of Guadalupe Hidalgo in 1848, the commissioners of Mexico said that all Mexican territory, including the Territories of New Mexico and Upper California, had been dedicated to freedom, and they asked to have written into the treaty a provision that it should forever remain free. Thereupon it was refused, and Mr. N. P. Trist, a treaty commissioner for the United States, wrote a short letter to James Buchanan, then Secretary of State, saying that he had received such a proposition from the Mexican commissioners and that he had spurned and rejected it, saying that if the territory to be ceded was covered over 1 foot thick with solid gold he would not consent that it should be forever free. [Applause.] Now it is free and ever to remain so. [Applause.]

It is a source of extreme congratulation to know that not one foot of the territory acquired by conquest and purchase from our sister Republic of Mexico became slave territory, as was originally intended. Texas, a province of Mexico when the latter seceded from Spain (February 24, 1821), through the connivance of citizens of the United States—Sam Houston, of Tennessee, and others—on March 2, 1836, issued a "declaration of independence" from Mexico, and after the decisive battle of San Jacinto, fought on Texas soil on April 21, 1836, the United States recognized Texas as an independent Republic, under a constitution authorizing the existence of slavery therein. This was after President Jackson (1830) had offered \$5,000,000 to Mexico for Texas.

On March 1, 1845, by resolution of Congress, consent was given to erect Texas into a State, with a view to her admission into the Union. In August following Texas framed a constitution in pursuance of the resolution, which prohibited the emancipation of slaves and authorized their importation into Texas. Under this constitution Congress formally admitted Texas into the Union of States—the last slave State admitted into the Union.

By the terms and conditions of her admission four other States, with her consent, might be formed out of her territory; those lying south of 36° 30' north latitude should be admitted as slave States, and those north of that line should be admitted

without slavery. It was then ascertained that no part of Texas was within 200 miles of 36° 30'.

Soon (May 13, 1846) war was, on a miserable pretense, declared by the United States against Mexico, the object being to acquire more territory to dedicate to slavery. By September, 1847, the conquest of Mexico was complete, and it only remained to be by treaty and purchase secure sovereignty and title to the coveted region.

This acquisition thus sought was, according to Thomas Benton, himself a slaveholder, to answer the cry for more room for slaves. Benton, in his 'Thirty Years' View' (Vol. II, p. 680), says of the real character of the war with Mexico that:

The truth was an intrigue was laid for peace before war was declared! And this intrigue was even part of the scheme for making war. It is impossible to conceive of an administration less warlike, or more intriguing, than that of Mr. Polk. They were men of peace, with objects to be accomplished by means of war. \* \* \* They wanted a small war, just large enough to require a treaty of peace and not large enough to make military reputations dangerous for the Presidency.

It is now conceded history that the design and purpose of declaring war against Mexico was not to redress an international grievance but to acquire territory.

Even the great Clay, of Kentucky, had declared that it was cruel to limit slavery extension and thus starve it to death. Senator Cass justified the acquisition of more slave territory on the proclaimed doctrine of "manifest destiny."

Senator Corwin, in his great Mexican war speech, responded:

But you still say you want room for your people. This has been the plea of every robber chief from Nimrod to the present hour. I dare say, when Tamerech descended from his throne, built of 70,000 human skulls, and marched his ferocious battalions to further slaughter, I dare say he said, "I want room."

Interesting as this line of talk may be historically, I can not pursue it at length here.

The commissioners, on behalf of the two nations, met at Guadalupe Hidalgo, and a treaty was signed there February 2, 1848, almost exactly sixty-one years ago.

By this treaty, for \$15,000,000, to be paid by the United States to Mexico, New Mexico and Upper California were ceded by Mexico to the United States, and the Rio Grande, from El Paso to its mouth, became the boundary line between the two countries.

Upper California is now the State of California; and the New Mexico territory, as bounded at the date of the cession and as acquired, included much of the present New Mexico, nearly all of Arizona, substantially all of Utah and Nevada, and the western portion of Colorado; in all, about 545,000 square miles.

By further treaty with Mexico (December 30, 1853), for \$10,000,000, a large slice more of territory was acquired by the United States, which now constitutes the southern part of Arizona Territory and the southwest corner of the Territory of New Mexico. All the vast region so acquired was to be dedicated to human slavery, and slave States were promptly sought to be created out of it. A great contest arose, which precipitated or hastened the civil war. It was proposed by act of Congress to extend the Constitution of the United States over all the territory acquired from Mexico.

This was the Calhoun theory. He maintained that the Constitution did not of itself extend over acquired territory, and that when it did so extend it carried or protected slavery therein. This attempt failed. The friends of freedom sought to attach to bills in Congress to provide for territorial organizations out of parts of the Territories of New Mexico and Upper California the famous Wilmot proviso, which read:

That no part of the territory acquired should be open to the introduction of slavery.

This, too, failed. It never became a part of any law of Congress, though agreed to by this House frequently.

The discovery of gold in California hastened its admission as a State. The bill passed Congress for the admission of California as a State in the Union August 13, 1850. It is, however, now enough to say that no part of the territory ceded to the United States by Mexico ever became slave.

If, as already stated, this bill becomes a law, the last of our Mexican-acquired territory will have been organized into States, and two more stars will be emblazoned on our flag. This happy event has come after a period of nearly two-thirds of a century's waiting, and when all, I believe, of those great statesmen and soldiers who were active in acquiring the coveted territory are in their graves, and after this country had been shaken to its foundation by war to preserve it.

Mr. HAMILTON of Michigan. Mr. Speaker, I call for a vote. The question was taken, and, in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended and the bill was passed. [Applause.]

LEAVE OF ABSENCE.

Mr. BENNET of New York, by unanimous consent, was granted leave of absence for three days, on account of death in his family.

Mr. BAENHART, by unanimous consent, was granted leave of absence for one week, on account of illness of secretary.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill (H. R. 27971) authorizing the Attorney-General to appoint as special peace officers such employees of the Alaska school service as may be named by the Secretary of the Interior, was changed from the Committee on the Judiciary to the Committee on Territories.

SCHOOL-TEACHERS' RETIREMENT FUND.

By unanimous consent, the bill (H. R. 19311) to provide for the formation and disbursement of a public-school teachers' retirement fund in the District of Columbia, was changed from the House to the Union Calendar.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. MCLACHLAN of California was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Mary A. Bean, Fifty-sixth Congress, no adverse report having been made thereon.

By unanimous consent, Mr. MCLACHLAN of California was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Charles R. Stevens, Fifty-sixth Congress, no adverse report having been made thereon.

By unanimous consent, Mr. PARSONS was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Harding Weston (H. R. 19294), no adverse report having been made thereon.

ALASKA PACIFIC RAILWAY AND TERMINAL COMPANY.

Mr. WATSON. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 25553) for the relief of the Alaska Pacific Railway and Terminal Company, and to recommit the same to the Committee on Territories.

The SPEAKER. Is there objection?  
There was no objection.

LATE REPRESENTATIVE DANIEL L. D. GRANGER.

Mr. CAPRON. Mr. Speaker, I desire to present the following resolutions on the death of my colleague [Mr. GRANGER].

The SPEAKER. The Clerk will report the resolutions.  
The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. DANIEL L. D. GRANGER, late a Representative from the State of Rhode Island.

Resolved, That a committee of 15 Members of the House be appointed by the Speaker to take order superintending the funeral of Mr. GRANGER at Providence, R. I., and to attend the same, with such Members of the Senate as may be appointed by the Senate.

Resolved, That the Sergeant-at-Arms of the House be, and he is hereby, authorized and directed to take such steps as may be necessary to carry out these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on the adoption of the resolutions.

The resolutions were unanimously agreed to.

The SPEAKER announced the following committee: Mr. CAPRON of Rhode Island, Mr. HOWARD of Georgia, Mr. BOUTELL of Illinois, Mr. UNDERWOOD of Alabama, Mr. HILL of Connecticut, Mr. SLAYDEN of Texas, Mr. HUGHES of New Jersey, Mr. WASHBURN of Massachusetts, Mr. WILLIAMS of Mississippi, Mr. PARSONS of New York, Mr. SHERLEY of Kentucky, Mr. GAINES of Tennessee, Mr. RYAN of New York, Mr. O'CONNELL of Massachusetts, and Mr. MARCUS A. SMITH of Arizona.

RECESS.

Mr. CAPRON. Mr. Speaker, I also desire to submit the following resolution.

The SPEAKER. The Clerk will report the resolution.  
The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased the House do now stand in recess until 11 a. m. to-morrow.

The resolution was agreed to.

Accordingly (at 5 o'clock and 38 minutes p. m.), the House took a recess until 11 o'clock a. m. to-morrow.

Mr. BURKETT introduced a bill (S. 9368) for the relief of Sadie A. Lewis, which was read twice by its title and referred to the Committee on Claims.

Mr. SCOTT introduced a joint resolution (S. R. 132) authorizing the Secretary of War to donate two condemned cannon to the city of Wheeling, W. Va., which was read twice by its title and referred to the Committee on Military Affairs.

Mr. TILLMAN introduced a joint resolution (S. R. 133) authorizing the Director of the Census to collect and publish additional statistics, which was read twice by its title and referred to the Committee on the Census.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment proposing to create a commission to be known as the "Commission on the Alcoholic Liquor Traffic," etc., intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. FOSTER submitted an amendment proposing to appropriate \$250,000 for the extermination of the boll weevil, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

#### MAJ. G. S. BINGHAM.

Mr. TALIAFERRO submitted the following concurrent resolution (S. C. Res. 92), which was considered by unanimous consent and agreed to:

*Resolved by the Senate (the House of Representatives concurring).* That the President be requested to return to the Senate the bill (S. 6891) for the relief of Maj. G. S. Bingham.

#### ROAD IMPROVEMENT IN ALASKA.

Mr. PILES submitted the following concurrent resolution (S. C. Res. 96), which was referred to the Committee on Military Affairs:

Whereas petitions have been received from the legislatures of the States of Oregon and Washington and from numerous commercial bodies on the Pacific coast and in Alaska for increased appropriations for the construction of wagon roads, bridges, and trails in the Territory of Alaska; and

Whereas several bills have been previously introduced in Congress providing for aid in railroad construction in the said Territory: Therefore be it

*Resolved by the Senate (the House of Representatives concurring).* That, for a better understanding of the requirements of Alaska in these respects, and to the end that a more systematic plan may be adopted, if found necessary, for the development of its resources, the Secretary of War be, and he is hereby, authorized to cause an examination to be made of the need for further road improvement in Alaska, in connection with the military and post roads, bridges, and trails now being constructed under War Department supervision, and of the needs and advantages from a military standpoint and to the Government of aid to railroad construction in that Territory; and to report thereupon, with recommendations, at the earliest practicable date.

#### OWNERS OF PRIVATE DIES.

Mr. LODGE submitted the following resolution (S. Res. 290), which was read:

*Resolved.* That the Secretary of the Treasury is hereby directed to report at his earliest convenience to the Senate if the following amounts opposite the respective names—or, if not these, what amounts, if any—were wrongfully collected under the acts of Congress approved July 1, 1862, and June 30, 1864, for commissions due owners of private dies, viz:

Alligator Match Company	.....	\$103.00
A. Beecher & Sons	.....	1,407.00
W. T. Brown & Co	.....	830.00
John I. Brown & Son	.....	2,535.00
John Bull (estate)	.....	1,278.00
Jeremiah Curtis & Sons	.....	4,010.00
Curtis & Brown Manufacturing Company	.....	49.50
Andrew Dougherty	.....	5,645.00
Henry Dalley, jr.	.....	229.13
P. H. Drake & Co.	.....	990.00
A. Eichele & Co.	.....	3,527.00
Griegs & Scott	.....	380.00
William Gates' Sons	.....	204.98
L. G. Hunt	.....	155.00
Holman Liver Pad Company	.....	21.04
S. B. Hartman & Co.	.....	2,345.68
Joseph Lochr	.....	2,961.44
R. H. McDonald & Co.	.....	2,436.00
National Match Company	.....	1,040.00
D. Ransom & Co.	.....	400.00
H. R. Stevens	.....	348.00
Swift, Courtney & Beecher Company	.....	7,000.00
Trenton Match Company	.....	755.20
John Lochr	.....	4,521.44
Demas Barnes & Co.	.....	1,890.00

Mr. LODGE. I should like to have present consideration of this resolution of inquiry. It is a repetition of one passed last week, which was in wrong form, I was informed by the department.

The resolution was considered by unanimous consent and agreed to.

#### MAJ. C. DE W. WILCOX.

Mr. BACON. I submit a concurrent resolution for which I ask present consideration.

The concurrent resolution (S. C. Res. 95) was read, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That the President be requested to return to the Senate the bill (S. 5989) authorizing the Department of State to deliver to Maj. C. De W. Wilcox decoration and diploma presented by Government of France.

Mr. BACON. I desire to state that there is a name misspelled in the bill, and it is necessary to recall it in order to have the error corrected.

The concurrent resolution was considered by unanimous consent and agreed to.

#### IRON ORE AND PIG IRON.

Mr. CUMMINS submitted the following resolution (S. Res. 289), which was read:

*Resolved.* That the Director of the Geological Survey of the Department of the Interior be, and he is hereby, directed to furnish the Senate, as soon as practicable, a report showing the total amount of iron ore and pig iron produced and manufactured in the United States in any twelve successive months ending not earlier than June 30, 1908; and also showing the names of all persons, partnerships, or corporations producing iron ore or manufacturing pig iron and the amount produced or manufactured by each thereof.

Mr. CUMMINS. This is an exact duplicate of the resolution submitted the other day and adopted, directing the Secretary of Commerce and Labor to furnish the information. That officer suggests that the information can be furnished without any cost by the Geological Survey of the Department of the Interior. The resolution simply changes the direction.

The resolution was considered by unanimous consent and agreed to.

#### THE IMMIGRATION COMMISSION.

Mr. GARY. I desire to give notice that on Thursday next, after the routine morning business, I shall call up Senate resolution 279, directing the Immigration Commission to report a summary of its acts, doings, and present work, and so forth, for the purpose of submitting some remarks thereon.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. M. C. Latta, one of his secretaries, announced that the President had, on February 15, 1909, approved and signed the following acts and joint resolution:

S. 5330. An act for the relief of the Mille Lac band of Chippewa Indians, in the State of Minnesota, and for other purposes;

S. 7390. An act for the relief of Christina Rockwell;

S. 4535. An act to amend section 714 of the Revised Statutes of the United States, relating to the resignation of judges of the courts of the United States; and

S. R. 122. Joint resolution to enable the Secretary of the Senate and Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States, March 4, 1909.

#### HOUSE BILLS REFERRED.

H. R. 26725. An act to supplement an act entitled "An act to promote the safety of employees and travelers upon railroads" was read twice by its title and referred to the Committee on Interstate Commerce.

H. R. 27891. An act to enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States, and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States, was read twice by its title and referred to the Committee on Territories.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. I ask that the Senate resume the consideration of the naval appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 26394) making appropriations for the naval service for the fiscal year ending June 30, 1910, and for other purposes.

The VICE-PRESIDENT. The Secretary will resume the reading of the bill.

The Secretary resumed the reading of the bill on page 25, line 18.

The next amendment of the Committee on Naval Affairs was, on page 25, line 23, before the word "thousand," to insert the words "and fifty," so as to make the paragraph read:

Navy-yard, Portsmouth, N. H.: Rebuilding and fireproofing building No. 20, \$43,500; electric capstan for quay wall, \$3,000; foundry building (to cost \$250,000), \$50,000; in all, \$96,500.