

STATEHOOD BILL.

SPEECH

OF

HON. CHAUNCEY M. DEPEW,

OF NEW YORK,

IN THE

SENATE OF THE UNITED STATES,

February 11, 12, 13, and 17, 1903.



WASHINGTON.

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OF
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February 11, 1903.

The Senate having under consideration the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States—

Mr. DEPEW said:

Mr. PRESIDENT: We debated in Congress, on the platform, and in the newspapers for over sixty years the question whether a State had a right to retire from the Union. We fought over that question for five years in the bloodiest civil war of modern times. The result of that war settled forever the question of the nationality of the Republic of the United States. It settled forever that a State once in the Union could neither retire by its own volition nor be expelled by its sister Commonwealths. Under that decision, thus made permanent, the position of a State in the Federal Union is enormously enhanced, its value is enhanced, and the condition under which a Territory should be admitted should be more carefully inquired into than at any other previous period.

The State that comes into the Union now, so far as the House of Representatives is concerned, affects only in proportion to its population the legislation of the country. But the State which comes into the Union now has two United States Senators in this body. Those two Senators may represent a population wholly inadequate for a sovereign State, and at the same time they neutralize the wishes, neutralize the voice and the vote of the 7,000,000 people in New York, of the 6,000,000 in Pennsylvania, and of the millions in all the other States in the Union so far as they negative the one State which those two Senators oppose.

We, in considering this question, are not in the dark as to the conditions in these Territories which are included in the omnibus bill. The Committee on Territories took elaborate testimony, heard witnesses, and gathered a volume upon this question. Not satisfied with that, they appointed a subcommittee of their own number, who, at great labor, great trouble, and great sacrifice, spent months going through these Territories, meeting the inhabitants, ascertaining their views, finding what was the quality of the population, what were its productions, what the present conditions which justified statehood, and what were the future prospects.

Mr. BATE. Will the Senator from New York allow me to correct him there? I know he does not wish to misrepresent. The committee that went to investigate and make report on these

Territories were not gone two or three months, as was stated by the Senator, but they were there only a few days. They went through those Territories, as large as they are, in a short time, spending five or six days in all, and on the moving train most of the time. I was appointed on the subcommittee, but I did not go. However, that was the result. I want to correct that statement at this time.

Mr. DEPEW. I do not want to misrepresent the committee—

Mr. BATE. I know the Senator did not, and therefore I took the liberty of correcting him.

Mr. DEPEW. But I judge from the report which the subcommittee has made, of the testimony which they took, of the distant places which they visited, the amount of travel they did, the number of cities, villages, ranches, and mines they saw, that they must have spent more than a few days in the Territory. In any event, they spent time enough to present here an elaborate report, the statements of which have been contradicted on this floor by statements, but none of them have been contradicted by testimony such as that upon which the report of the committee is based.

Now, the Government of the United States has become so vast, its interests have become so enormous, the questions which press upon Congress are so acute and require such immediate action, that we have been in the habit of investigating by committees, it being impossible for individual Senators out of the committees to ascertain the facts necessary for legislation.

So with the Government of the United States, with its vast matters of internal commerce, of foreign commerce, of internal revenue, of tariff, of Territories, of colonies, of finance, of currency, it has become common for the committees of this body to take up these questions, to examine them, as committees here do, and when their results are arrived at to present their report to the Senate.

Except when there is a political question involved, that report is never questioned. Except when there is politics involved, politics to be defeated or politics to be progressed, the conclusions of the committee are always accepted by the Senate, because the Senate has confidence in the committee and the committee knows what individual Senators can not by any possibility ascertain.

Now, here is a question which ought not to be political. It is a question affecting the integrity of the Senate, affecting the future legislation of our country, a question affecting the admission of six Senators into this body and of a larger number of representatives into the Electoral College for the election of a President. That question should not be political, but it should be decided upon its merits.

Nevertheless, Mr. President, we have here the extraordinary spectacle of one party lined up solidly for this statehood bill against the report of the committee and against the report of the subcommittee. Now, it would be impossible for a Senator on the Republican side or a Senator on the Democratic side to know as much on this question as the committee has ascertained, or to be familiar enough, as a matter of intelligence or information, to conscientiously vote against the conclusions of the committee. So when one of the sides of this Chamber stands pat for this omnibus bill as it is, refuses to discuss it, will not argue it, wants to vote upon it regardless of the report and the testimony, there

must be hidden somewhere a political purpose other than the admission of these new States or their rights to be admitted.

There have been two exceptions only among our Democratic brethren on the policy of silence which they have imposed upon themselves. One was the impassioned utterance of the Senator from Utah [Mr. RAWLINS], demanding and calling and crying for the privileges of American citizenship for these poor people in the Territories of Arizona and Oklahoma and New Mexico who were deprived of them. It was a presentation not to move the judgment, but to move the sympathy for these poor people who were living in this condition, where apparently they were not enjoying the rights and the privileges and the immunities of American citizenship. But there was about that appeal this inconsistency: That sympathy was narrow. That sympathy had bounds and confines to it. That sympathy did not go out at all by a single word or expression to the Americans in the Indian Territory, numbering more than those in Arizona and New Mexico combined. There it might be said that they did not have the privileges of American citizenship. There it might be said that they could not own land, that they could not acquire titles to farms, that they could not vote, that they could not do any of the things which constitute American citizenship in the other Territories.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Indiana?

Mr. DEPEW. Certainly.

Mr. BEVERIDGE. The Senator made an interesting statement and a very significant one about there being in the Indian Territory more of white population than there is in Arizona and New Mexico combined. That is exactly true, but it is not all the truth. There are over one hundred thousand more there than in both the other Territories combined. I thought the Senator would not object to having that fact brought out.

Mr. DEPEW. I am very glad to be corrected, whether I minimize or whether I enlarge the fact.

Mr. BEVERIDGE. There are about 400,000 or 450,000 people in the Indian Territory, some say 500,000, of whom not to exceed 80,000—and the best estimate puts it at about 70,000—are Indians, leaving perhaps 100,000 more white people in the Indian Territory than there are in the Territories of New Mexico and Arizona combined, according to the census.

Mr. BATE. Mr. President, a moment, if the Senator pleases.

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Tennessee?

Mr. DEPEW. Certainly.

Mr. BATE. In this connection I wish to state that in the Indian Territory all the lands belonged to the 70,000 Indians, or whatever the number, in common and in tribal form, except small parts that have been given for railroad purposes or for town sites. They are the owners of that soil. They were there long ago by deeds from the United States in fee simple. They are there now; it is their home, and whoever comes there is more of a visitor than a proprietor.

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The manner in which the Indians in the Indian Territory have conducted themselves has been applauded by all intelligent, upright, and Christian people. They have won the favor of all Chris-

tian churches and are communicants therein—the Methodist, the Baptist, the Presbyterian, the Episcopalian, the Catholic, all of whom have their churches and their schools among them; and the schoolhouses were put up at the common expense of the Indians and the teachers are paid by them.

Not only that, but they established courts of justice there after the fashion of ours. They have their judges, their lawyers, their jurors, their inferior courts, their clerks, and sheriffalty and constabulary; they have their witnesses, and all the machinery pertaining to the administration of justice amongst the most civilized nations. Their courts are conducted in a manner after the fashion of those in the United States, and they have been conducted most successfully.

Not only have they their district schools, but they have magnificent colleges. Among many others, there is one at Tahlequah which is one of the most beautiful structures and efficient institutions of learning west of the Mississippi River, the beautiful building costing from seventy-five to one hundred thousand dollars. It is for the education of girls.

The interest which they have manifested in the education and training of their girls is something which peculiarly attracts the attention of those who like and respect the Indians and wish to aid in elevating them in the scale of civilization. Mr. President, whenever you find a disposition to protect woman, to guard her honor and cultivate and refine her gentler nature—to lift her from a lower to a higher degree in the scale of educational and social life—you find evidences of an advancement in civilization and refinement. As I have said, they have established these schools for girls, and the one to which I have referred is the finest west of the Mississippi River, the cost of which has been paid out of the Indian funds, and no man will appreciate this more highly than the distinguished Senator from New York [Mr. DEPEW], to whose courtesy I am indebted at this time for the permission of the floor.

You may examine the history of man and you will find that wherever civilization, struggling to lift itself from the shadows of darkness, arises and begins to shed abroad its beautiful and beneficent light the best evidence and the first indication of it is the care, the politeness, the deference, and the love and honor shown to woman. This is illustrated in the history of all nations that have grown great and powerful, notably Egypt and Greece. Rome in the days of her grandeur and glory gave greater admiration to woman than during any period of her history. In the days of her splendor woman was a queen as she sat upon her little throne in the social circle of her domestic surrounding. In Venice, in the day of her highest culture, woman was the charm of her social life. The salons of Paris and the courts of London have felt no less her power than her charm, and in our own land she has ever gone hand in hand with the advance of culture and refinement; and why not applaud the poor Indian in his struggle to gain a higher social scale by educating the girls of his nation?

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Mr. DEPEW. Mr. President—

Mr. SPOONER. Will the Senator from New York yield to me? The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Wisconsin?

Mr. DEPEW. Certainly.

Mr. SPOONER. It is my recollection that the Senator from

Minnesota [Mr. NELSON] in the very able and exhaustive speech which he made upon this floor, stated that by some act of 1890 or 1891 Congress had made citizens of the Indians in the Indian Territory independent of the question of allotments. I should like to ask the Senator whether my recollection is accurate?

Mr. NELSON. That is perfectly correct. By the act of March 3, 1901, 31 Statutes at Large, page 1447, every Indian in the Indian Territory is made a citizen of the United States. There is also a general law, commonly called the Dawes allotment act, under which every Indian who owns an allotment becomes a citizen. But under the act to which I first referred every Indian in the Territory, whether he belongs to these Five Nations or otherwise, is a full citizen of the United States to all intents and purposes.

Mr. SPOONER. I thank the Senator from New York.

Mr. DEPEW. Mr. President, I am very glad of this interruption, because it reveals what I did not know before, that there are 100,000 more Americans in the Indian Territory than there are in the combined white population of Arizona and New Mexico. This adds to the gravity of the charge which I have made, that the Democratic party seems to confine its sympathy to the Mexicans of New Mexico rather than extend it to the Americans of the Indian Territory; that while they want to grant these privileges, statehood rights and American citizenship, while they are yearning to give them to the Mexicans of New Mexico and to the Mormons of Arizona, as has been exhibited by the very eloquent speech of the Senator from Tennessee (Mr. BATE), they have not a single throb for the 450,000 white Americans in the Indian Territory.

I listened to the speech of my friend from Tennessee with the greatest interest, as I always do, and that beautiful tribute of his to womanhood did justice to his chivalric heart and to his glorious record as a soldier. He could not speak otherwise than in those high terms of American women and of Indian women; but I wish, while he was telling us of what the Indians were doing for their girls, placing them upon that high plane of civilization, that he had spoken one word at least in behalf of these 450,000 white people, men and women, to enable them to get into the Union, to enjoy the rights of citizenship, and not charged them with being interlopers, charged them with being where they had no right to be, charged them almost by implication with having the purpose of taking away from the Indians their lands by some process of expropriation, but that he had come out nobly and said, "I am in favor of amending this bill by adding the Indian Territory to Oklahoma, which the Indians themselves apparently want, in order that the privileges of statehood may be extended over all this population."

Then I have noticed another lack of sympathy on the part of the Democratic brethren. They have not one word to say for the 100,000 white people in Alaska, that they may have the inestimable privileges of statehood and the inestimable privileges of American citizenship that can only be had through statehood.

I have heard from our friends on the other side the most frightful and calamitous predictions as to what would happen if Porto Rico should become a State, and yet Porto Rico has established within one year a school system which has called hundreds and hundreds of school-teachers from the United States. The last report of the governor of Porto Rico shows that they are taxing

themselves for these schoolhouses; that they are erecting them at every crossroads, and that within a year there will not be a child in Porto Rico who will not have the benefits of an American school. The testimony is that not only the children but the adults are attending those schools in order to acquire the English language, in order to be able to read American newspapers in the English language, in order to legislate in the English language, and in order to be in all respects American citizens.

There is not one word of sympathy for the Porto Ricans, who are in a condition not even so fortunate, so far as the opportunities of American citizenship are concerned, as are the people in the Territory of New Mexico. And yet there is an abounding sympathy for the Mexicans—90,000 of them in New Mexico—who for three generations have not made an attempt to acquire the English language or to become American citizens. It seems to me that the position is as inconsistent as possible, and that it can only be accounted for by some high method of politics.

I beg pardon for making the statement that there has been no argument advanced by our Democratic friends who are standing solidly and silently in an unbroken phalanx behind their distinguished leader, my able friend the Senator from Pennsylvania [Mr. QUAY], for there has been one speech on that side—very eloquent, very exhaustive, and very convincing; I refer to the eloquent and able argument on behalf of statehood which just closed to-day, when the venerable and eloquent Senator from Alabama [Mr. MORGAN] took his seat. For four and five hours, sir, the Senator from Alabama advocated the omnibus bill. He based it upon the fact that the Indian is far superior to the white man when you give him an equal opportunity. He based it upon the fact that we have violated or propose to violate the protocol which exists between Colombia and some other Central American State.

Under those conditions it seems to me that the argument for statehood as it comes from the Democratic side presents features which it is almost impossible for us to meet. There is this difficulty about the presentation made on behalf of statehood by the eloquent, the able, and the venerable Senator from Alabama. If the 27,000 Indians in Arizona are superior to the 90,000 whites who are there; if the 30,000 Indians in New Mexico are superior to the Mexicans who are there, the difficulty is they are in the minority and they can not exercise those high qualities which, as the Senator says, have passed their names down through all the centuries since the Pilgrims first landed on Plymouth Rock. It may be that there are in New Mexico and Arizona, among the 27,000 in one Territory and the 30,000 in another, men who might make those Territories, if they came in as States, worthy of statehood if their patriotic and intelligent purposes could be carried out—men like these, who have been named by the Senator from Alabama: Black Hawk, Brandt, Canastogo, Comanche, Egeromont, Ensamore, Jim Fife, George Sagamore, and George Guess.

Mr. President, with 27,000 such patriots of a race which has done such heroic deeds in one Territory and 30,000 in another I am not sure, if I could agree with the Senator from Alabama in his estimate of the race, but that I should vote for the statehood bill if the Senator from Pennsylvania would consent to have a clause put in their constitutions that none but Indians should vote.

Mr. BEVERIDGE. Did the Senator from Alabama mention the name of Geronimo?

Mr. DEPEW. Geronimo is not in the list.

Mr. BEVERIDGE. He is the Indian gentleman and patriot who was the leader of the Indians of Arizona. Since the Senator from Alabama was talking about the heroes, I thought perhaps he was included in the list. I wish to ask the Senator whether he is?

Mr. DEPEW. I have no doubt, answering the question of the Senator from Indiana, that from the stand taken by my distinguished friend, the Senator from Alabama, Geronimo was a patriot, fighting for his lands, fighting for his country, fighting for his wife, fighting for his children, fighting for his people. but that is not my view. That seems to be the view presented by our Democratic friends in the arguments which they offer for the omnibus statehood bill.

Mr. President, why do our friends on the other side stand in such solid, silent phalanx behind this measure? They will deny that there is politics in it. The public press says there are sure to be two Democratic Senators from Arizona and two from New Mexico, and that Oklahoma is already going the same way because of the large immigration that is going in from Texas, Arkansas, and Missouri. So it might be claimed, if the press is correct, that there will be six Democratic Senators added to this body and nine Democratic votes in the electoral college.

I make no such charge, because our Democratic friends would never move for a measure like this on considerations such as six Senators and nine votes in the electoral college. They have never before been united on a question of statehood. They have never before shown this anxiety for the admission of new States. On the contrary they have opposed many of them and given reasons which I confess ought to have prevailed.

I want to say—and I say this from experience and observation—that while the old lady of the Democracy, who is so frequently typified in picture and in caricature, is still young, still frisky, and still attractive, and while she has been successful in her flirtations for a hundred years, flirting with the Greenbacker and capturing him, flirting with the Populist and capturing him, flirting with the Silverite and absorbing him, that when she undertakes this most perilous flirtation with that most dangerous and fascinating gentleman whom she is now following, the Senator from Pennsylvania [Mr. QUAY], she is in more danger than she ever was in her life. [Laughter.] He has hypnotized her, and before he gets through I do not know what will happen. [Laughter.]

Mr. President, there have been many reasons for making States. Nothing more able and eloquent has been presented on that question here than the speech of my friend the Senator from Ohio [Mr. FORAKER]. But in the making of States there are rules which apply to different ages and periods that do not apply to others. When the Republic was first formed one question which met our fathers on the threshold was how to make equal the small and the big States; how Delaware and Rhode Island were to have their equal voice and action compared with New York, Virginia, Pennsylvania, and Massachusetts.

It was necessary then in the forming of a government to make a compromise. We were not then letting in new States, either to expand and enlarge our suffrage and our power or to diminish it. But there were thirteen colonies which had been fighting

together to form a more perfect union, and they had to compromise. That compromise was that population should govern in the popular branch, but, without regard to population, the sovereignty of the State should be represented by ambassadors in the Senate of the United States, elected by the legislatures of the States, representing in their corporate capacity the sovereignty of the Commonwealth. But any obligation to let in a new State ceased with the formation of this compact, ceased with the creation of the Republic under these conditions.

But we were then a small country so far as population was concerned. It was necessary for us to extend our power along the Ohio and to the Mississippi, and so a rule was adopted, which, if applied now, would rule out this bill absolutely—a rule of proportionate population, by which, under the ordinance of 1787, whenever the Territory reached 60,000 inhabitants it must be admitted into the Union. The same proportionate number now would require nearly eleven hundred thousand for Statehood. Everybody knew the conditions of that territory. Everybody knew that it had fertile plains, that it had vast possibilities of agriculture, that it had abundant and abounding opportunities for great populations in the future. Everybody knew that we were taking no risk whatever of admitting States which would stand still or go backward.

When that rule had worked out in that way, then it became necessary to apply another rule imposed upon us by the necessity of the hour. We had to acquire the territory of Louisiana against the conscientious scruples and prejudices of President Jefferson, in order to round out our country and to grant to us the mouth of the Mississippi, essential to the growth, population, commerce, and agriculture of those Northwestern States. But in acquiring that territory, already settled, we had to compromise again with France and compromise with Spain as to the terms of concession. Of course, France wanted to look after the Frenchmen in Louisiana and Spain wanted to take care of her subjects in Florida. So treaties were made under which, without regard to population, but in conformity to those treaties, the States of the Louisiana purchase came in.

There it was known again that these Territories were rich in fruitful soil, rich in irrigating streams, rich in everything in the virgin condition of the country which promises population, commerce, trade, wealth, and prosperity of every kind.

Then came the dark period of our history, when it was compromise again in the admission of States—compromise between slavery and freedom. The very able men who were protecting the institution of slavery saw that the constantly increasing populations in free communities were to people these western areas and would bring in, not only to the House of Representatives but to the Senate, majorities which would be hostile to the institution of slavery. Already in the House of Representatives the preponderance of free sentiment had become alarming to the slave oligarchy, and they made up their minds that their only safety was, without regard to population, to become intrenched in the Senate.

Under that compromise it is curious to see how the different States came in. A glance at the dates shows how it worked. Maine, in 1820, was offset by Missouri in 1821; Indiana, in 1816,

by Mississippi; Illinois, in 1818, by Alabama; Arkansas, in 1836, by Michigan; Florida by Texas, and California by another Southern State. In order to protect themselves it was also provided and understood that as these free communities grew, when Texas was annexed, Texas might be divided into four Commonwealths, which would naturally be on the side of slavery.

Then came the civil war. Then we got out from compromises by which there should be a balance of power between freedom and slavery in the Senate of the United States; and then came political conditions. Then we began to admit States for votes; States to pass constitutional amendments; States to get certain legislation which was regarded by the party in power as essential for the country. Under those political conditions West Virginia, Nevada, and other States came in. Several of the mountain States were admitted under those political conditions in the hope or the certainty of votes for the time being without regard to the future.

But, Mr. President, we have now come to a period when none of these conditions and none of these considerations exist. We are not forming a government now. We are the most powerful nation in the world, and consolidated into a nation. We are not compromising between slavery and freedom now. That question has disappeared forever. We are not acting upon political considerations now, for there are no pending measures for which more votes are needed in the United States Senate—measures of such magnitude, in the view of the majority of this body, that we can risk the whole future of equal State representation to get a few votes for the hour. That condition no longer exists. It has passed away.

The only condition under which the admission of a State should now be thought of or discussed is, regardless of politics, how it lines up in population, in the character of that population, in area, and in the possibilities of a future with reference to equal statehood in the Union. Judged by these considerations, I have failed to hear, I have failed to see presented or to hear read, one single argument, statement, or item of statistics that for one moment justifies the passage of the pending statehood bill and the admission of these States into the Union.

It is admitted by the Senators who have spoken, so far as they have spoken, in favor of the statehood bill that New Mexico and Arizona are not up to the standard, but they say that is because they are Territories; that if they were created States, population would flow in and capital would go in and Arizona and New Mexico would speedily become equal to the other great and growing and populous Northwestern States, with their splendid futures. The difficulty with this argument is that we are presented right at its threshold with Oklahoma. Oklahoma has no statehood. Oklahoma is under Territorial conditions. But while New Mexico has been nearly sixty years in the condition of a Territory, while Arizona has been forty years a Territory, Oklahoma, as against the sixty and against the forty years, has been only eleven years a Territory. Yet Oklahoma in those eleven years has attained four times the population of either Arizona or New Mexico in fifty years. Oklahoma has five times the wealth of Arizona or New Mexico in the fifty years. Oklahoma has ten times all that constitutes a prosperous business community.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Indiana?

Mr. DEPEW. I will.

Mr. BEVERIDGE. The Senator from New York has mentioned two of the principal claims of those in favor of statehood, which are that statehood in itself by some mysterious process would increase population and increase the investment of capital. The Senator is answering that. But I think the Senator himself can give testimony on that point, and that is the reason why I rise to interrupt him. The Senator from New York is not only the first orator of our land, but he is also one of those men who is justly entitled to the name that is so often used, a captain of industry, and a man who all his life has had to do with the investment of large capital.

I wish to ask the Senator whether in his long and very wide experience he ever knew capital to be invested in a place simply because it was in a State? I want to ask the Senator whether it is not true, as we who have nothing to do with capital in a practical way understand it to be upon theory, that capital invests for the dividends to be returned? I want to ask him whether it is not true that if mines exist it is quite immaterial whether they are on the one side or the other side of a Territorial or a State line; that if farms are fertile, streams are full, rainfall adequate, and resources abundant at a given place, that is the place to which capital goes? Is not that what attracts capital, and not merely because some gentleman who wants to be governor wants a different form of government, equally free? I want to call to the aid of the Senator's argument his own personal experience, because his word upon this subject is not the word of opinion, but the word of weight based upon experience.

Mr. DEPEW. Answering the question of the Senator from Indiana, statehood is not the attraction for capital. Statehood is not the incentive for enterprises. I know of numberless expeditions of explorations, and a great number of enterprises in the course of exploitation or of operation where capitalists have gone to Mexico. There are scores of American companies which have gone to Mexico and invested their capital under the laws and the conditions that prevail in that country. There are scores of American companies, with American capital, that have gone to the different countries of South America for the building of railroads, for the opening and working of mines, for the running of cattle ranches, for every industry in which money can be invested with the possibility of large returns. Statehood has nothing to do with the capitalist. It is the opportunity. It is the riches that may be had. It is the return which is possible upon the investment.

Mr. BEVERIDGE. It is said that trade follows the flag. Then capital follows opportunity.

Mr. DEPEW. Capital follows opportunity. Capital wants to be safe, and yet capital takes tremendous risks when there is opportunity of gain by investing in these South American countries, where it is liable at any moment if not to be seized at least to have its operations suspended by revolution.

Mr. President, how is it that Oklahoma gets on so many times more rapidly in everything that constitutes a healthful and pros-

perous community than New Mexico and Arizona—in ten years almost ten times as much, if you take it all, as those two Territories have done in fifty years? Why is it?

Mr. HOAR. And more than some of the old States.

Mr. DEPEW. Yes; more than some of the old States. As the Senator from Massachusetts says, Oklahoma has increased more rapidly than several of the old States. It is because Oklahoma has the climate, it has the soil, it has the streams, and it has that bounteous flow of rains from heaven and the soil to receive and absorb it, without which no harvest can come to the husbandman; that is the reason.

I know of no picture in the story of settlement, no picture in the creation of nations or of States, which reads so like a romance of that of the settlement of Oklahoma. I remember how my blood was stirred as the accounts filled the papers day by day of the row of American citizens lined up in every kind of vehicle—men, women, and children—held by the Army until the clock should strike 12 of the day when the barrier was removed and the Indian title was eliminated. And how the moment that the guns were fired along that line of hundreds of miles the rush took place across the border; and how that night—that night—there were thousands of families living under their own vine and fig tree, who had located their 160 acres of homestead; and that there were 20,000 people in the city of Oklahoma within twenty-four hours. There were not only 20,000 people in the city of Oklahoma, embracing men who had never met before, but there were women who had never before had any social relations together, strangers, and yet in forty-eight hours they had as Americans an American government. In forty-eight hours they had their mayor, they had their council, they had their magistrates, they had their policemen, they had their jail.

Mr. BURTON. May I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Kansas?

Mr. DEPEW. Certainly.

Mr. BURTON. Did it ever occur to the Senator that the advertisement and the method following the advertisement of the opening of Oklahoma appealed strongly to the venturesome spirit of the American people and did much to bring the people there? If any other Territory would have had a like advantage it would also have had a population; I mean, if it had been advertised in the same way. Is it not true that we go, or we want to go, where we are told we shall not? The very fact that settlement was held back to a given period of time caused people to flock there so as to break over.

Mr. BEVERIDGE. Why did they stay?

Mr. DEPEW. Mr. President, I can appreciate what would have been the reverse of the picture of those happy homes in Oklahoma if those thousands of families had landed upon the alkali plains of Arizona or slept on the cacti of New Mexico. [Applause in the galleries.]

The PRESIDENT pro tempore. Applause is not permitted in the galleries, and it must not be repeated.

Mr. DEPEW. I can see those happy people finding pasture for their stock, finding water for their cattle, finding a soil which would yield them support for the future; laying out their school-

house here, staking out their village there, locating the courthouse yonder; looking where the churches were to be of the different denominations, and looking around among the likely people among them for their members of the legislature, for their Delegate in Congress. I can imagine what would have happened if those 30,000 people had landed on the alkali plains. I can see the cattle dying all around them. I can see them with their parched lips and eyes crying to heaven for water that does not exist, and they can not get back to the water which they left behind.

Mr. President, you might advertise the desert of Sahara and throw it open to the populations of all the world for all time to come, and there would be no rush of those people from southern Europe who are now crowding to our ports in order to find home and liberty and citizenship.

Why do not these people go to Nevada? She invites these populations. Millions of acres are there awaiting the husbandman; millions of acres are there awaiting the plow. But the trouble is that through the baked lands of unirrigated alkali the plow will not work and water does not exist. It is one of the beneficences, as also one of the limitations of Providence, that human beings can not live and can not make prosperous communities where harvests will not grow and water will not run.

I have here a little bit of doggerel, which I did not intend to read, but which I will read for the benefit of my friend the Senator from Kansas, and it may be interesting.

What constitutes a State?

I am sure my friend the Senator from Kansas, in his eloquent trips through that growing Commonwealth which illustrates in its own productive power what can be done where nature is beneficent, has often thrilled the corn grower and the coal digger of Kansas with "What constitutes a State?"

What constitutes a state?
 Not high-raised battlement or labored mound,
 Thick wall, or moated gate;
 Not cities proud with spires and turrets crowned;
 * * * * *
 Not Men, high-minded men,
 * * * * *

Who know their rights, and, knowing, dare maintain.

So wrote the famous poet, Sir William Jones, a hundred years ago. But under this bill the poet of the cactus and alkali with broken meter will say:

What constitutes a state?
 Unbounded acres and unnumbered miles,
 Where harvests will not grow, though nature smiles.
 Where barren mountains and alkali plains
 Deny the toiling settler labor's gains.
 Where wealth does not accumulate, nor men decay,
 For the soil is parched by night and day.
 And man who knows his rights is up betimes
 To seek his fortune in more genial climes.

[Laughter.]

Arizona, Mr. President, has 73,000,000 acres. She has been forty years a Territory. She has been promoted by every process by which an advertisement can reach a human being who is adventurous or has a dollar to invest. Out of her 73,000,000 acres she has, after forty years, 255,000 acres of farm land.

New Mexico has 78,000,000 acres. She was captured by General Kearny in 1846, sixty years ago. She had then a population

which had been there for nearly three hundred years—a population of agriculturalists—and yet in three hundred years of settlement and sixty years of Territorial condition, with all the privileges of the Declaration of Independence and the Constitution of the United States and the laws which apply to American citizenship, out of 78,000,000 acres she has only 327,000 acres under cultivation, while Oklahoma in ten years has reduced 6,000,000 acres to cultivation, against 255,000 acres in Arizona and 327,000 acres in New Mexico.

Mr. BEVERIDGE. May I ask—

Mr. BURTON. May I interrupt the Senator from New York for a moment?

Mr. DEPEW. Certainly.

Mr. BURTON. How much greater is the product of the mines of Oklahoma than the product of the mines of New Mexico and Arizona?

Mr. DEPEW. Mining populations do not create States. A mining population alone is a shifting population; it is not a settled population. Tombstone, in Arizona, had, when it was a mining center, 12,500 people. The mines gave out, and in a week it had 1,200.

Mr. BEVERIDGE. It has 600 now.

Mr. BURTON. Before the Senator begins, do I understand him to take the position that mining is not a stable industry? I should be very much pleased indeed if he would give in contrast with the figures he has just now given the product of the mines of Arizona and New Mexico as against the product of the mines of Oklahoma.

Mr. DEPEW. I do not know, Mr. President, that there are any mines in Oklahoma. I know that the wealth produced in Oklahoma is nearly ten times as much as the wealth produced in Arizona or in New Mexico, with all their mines, their cattle industry, their agriculture, and everything else. When you speak of mines constituting a State, I point to the history of the introduction of Nevada. Nevada was brought in here for political reasons. The party in power wanted two votes in the United States Senate, and they let Nevada in, and they let in two of the most brilliant men who ever were upon this floor.

Mr. HOAR. They wanted to carry the thirteenth amendment.

Mr. DEPEW. They wanted Nevada to carry the thirteenth amendment. One of those brilliant Senators went from New York to be a Senator from Nevada.

Mr. BURTON. I do not want to interrupt the Senator so as to annoy him, and I see that an interruption does not.

Mr. DEPEW. No; I am very glad to be interrupted. I am seeking for information.

Mr. BURTON. Since the Senator takes the position that mining, which I always thought was one of the great industries of the world, does not produce wealth, I wish he would give us, if he can, in contrast or in comparison, whichever it may be called, the wealth produced from the mines of West Virginia and Pennsylvania, stating the proportion to the total products of these States and what they have had to do with making those States so rich.

Mr. BEVERIDGE. Will the Senator from New York permit me to interrupt him?

Mr. DEPEW. Certainly.

Mr. BEVERIDGE. The question of the Senator from Kansas is evidently intended to show that Oklahoma has no mines and that New Mexico has mines, and that therefore there are more resources in New Mexico than in Oklahoma. But it does not meet the comparison, even if it could be a comparison, which I do not think it can be, for the reason that the committee substitute proposes to make one State out of Oklahoma and Indian Territory, and that in the Indian Territory there are very rich coal mines, highly developed; mines of iron and mines of marble. While I have not the figures directly at hand, I venture the suggestion that the mines of the Indian Territory, which are a part of this new State which the committee proposes to make, exceed in value even now, under all the adverse circumstances, not with a Territorial but with no form of government, those of New Mexico.

Mr. BURTON. May I interrupt the Senator from Indiana?

Mr. BEVERIDGE. Certainly.

Mr. BURTON. Then I understand the Senator from Indiana to contradict the Senator from New York?

Mr. BEVERIDGE. Your understanding is poor, I will say. I did not contradict him.

Mr. BURTON. Your argument contradicts him. I understand that the Senator from Indiana now insists that mines do have very much to do with making a State, and that in order to make a big, growing, rich State you are going to rest upon the mines of the Indian Territory and attach it to Oklahoma. I will state the point I am trying to get at.

I asked the Senator from New York to give us something about the wealth of the mines of Arizona and New Mexico. Then when he said that mines would not make a State I called attention to the mines of West Virginia and Pennsylvania as having more to do than any other thing in making those States rich and prosperous.

Mr. BEVERIDGE. Mr. President, since the Senator addresses me, he did not understand me to say that I differed with the Senator from New York, or that either the Senator from New York or myself or any of us rests statehood upon this industry or that industry or the other industry; but we rest it upon the inherent resources of the Territory and upon the natural conditions which have brought or are sure to bring people there. People are what make States, and the only thing resources have to do with it is that resources bring the people and resources keep the people.

Now, the Senator from New York is entirely right when he says that a mining population, and particularly a mining population based upon mines of silver or gold, or even copper, is no substantial basis for statehood, for the reason that that industry is transient, whereas statehood is permanent.

The other night we had here a debate which, perhaps, lasted for two hours. The Senator from Nevada [Mr. STEWART] participated in that debate. In the course of that debate it appeared that Nevada had actually shrunk in population since she had been admitted into the Union. The Senator from Nevada said that at the time of Nevada's admission Virginia City had 27,000 people in it, and now it has only 4,000 or 5,000, and that the reason for that remarkable shrinkage was the fact that the mines had become exhausted.

Now, Mr. President, when we are doing something that will last

as long as this earth endures, the Senator from New York I think is exactly right, in the light of the history of what are called mining camps, when he says that the industry of mining alone is no permanent basis for a State.

Mr. NELSON. Will the Senator from Indiana allow me to interrupt him?

Mr. BEVERIDGE. Certainly; I yield to the Senator from Minnesota.

Mr. NELSON. I want to call the Senator's attention to the fact that the number of the people engaged in mining in those two Territories is very insignificant. There are only about 7,000 people of all classes engaged in mining in Arizona and a little over 4,000 in New Mexico, and the mining of gold, silver, and coal all combined is very limited in New Mexico.

The only mining industry of any consequence in either of these Territories is in Arizona, and that is in reference to copper. The gold output and the silver output in Arizona is very limited, and in New Mexico it is still more limited. In New Mexico they have a little coal, but even that is limited.

The mining industry of those two Territories combined does not equal to-day the mining industry that is going on within the limits of the Indian Territory. There are more people engaged in coal mining and in the asphalt and coal industry in the Indian Territory to-day than there are engaged in mining of all classes in Arizona and New Mexico.

Mr. BURTON. Then, I understand, if the Senator will allow me, that you do claim that mining has very much to do with the development of a country?

Mr. NELSON. I wish to say to the Senator from Kansas that one effect of the mining population in Arizona is that they have a law (I take it that it is for the benefit of the miners) by which they keep saloons and gambling houses and other places of resort open day and night, Sundays, and all the year round. I think that is one of the incidents that belong to a mining population. If it was not for the fact that there are mining camps they probably would not have such a law and such license in that country.

Mr. BURTON. I notice, as far as saloons are concerned, that they are in a great many States, except my own. But I call the attention of the Senator from Indiana to the fact that manufactures and the sources of wealth of West Virginia and Pennsylvania depend upon the mines.

If you say that Nevada has gone back, I would answer that by saying that seventy-five years ago farm lands were worth more in New England than they are now. They have gone back also.

Now, another thing, while I am on my feet, if the Senator will allow me, I do not believe this country has ever lost anything by the admission of Nevada. I do not believe that the general legislation of this country has suffered. I believe Nevada has contributed her full share toward wise and beneficent legislation ever since the State has been admitted into the Union.

Mr. HOAR. Mr. President, may I ask the Senator if Nevada, taking the situation exactly as it is at this moment, would now apply for admission as a State, would he vote to admit her?

Mr. BURTON. I certainly would, Mr. President. I would vote to admit all the Territories on this main continent where the people want to become States and exercise all the high privileges of American citizens.

Mr. NELSON. Would the Senator from Kansas vote to admit Alaska and Porto Rico at this time?

Mr. BURTON. Alaska is not a Territory, neither is Porto Rico.

Mr. NELSON. Oh, yes; Porto Rico is.

Mr. BURTON. Not in the sense in which New Mexico and Arizona are Territories.

Mr. NELSON. No; not in that sense, I admit.

Mr. BEVERIDGE. I ask the Senator from New York to yield to me a minute upon this particular point about Nevada.

Mr. DEPEW. Certainly.

Mr. BEVERIDGE. We had all that debate out the other night, and of course it is not necessary to go over it again. I do not wish to reflect upon Nevada. The rules of the Senate forbid it, and I have no disposition to do it, if it is true. But the question is this: Is it the carrying out of our democratic form of government—that is to say, the representation of people instead of land—that 18,000 voters in Nevada should have as much power in deciding all the policies of this country, foreign and domestic, as the million or more people in Kansas have?

Mr. BURTON. If the Senator addresses that question to me, if he will allow me—

Mr. BEVERIDGE. Yes.

Mr. BURTON. I will say, as it bears upon part of the debate which has been heretofore had, that in one of the counties of Kansas, in the recent election, less than 200 votes were polled to elect a member of the legislature and in another one of the districts over 4,000 votes were polled to elect a member of the legislature.

Mr. BEVERIDGE. I should say that you have a very bad apportionment.

Mr. BURTON. The apportionment is a good and a wise one, and everybody in the State believes in it.

Mr. BEVERIDGE. Perhaps that throws some light upon the question as to whether 18,000 votes in Nevada should have an equal voice upon the floor of the Senate with the State of Kansas. The point about it is that the whole principle of popular representation is at stake in this matter. Where it is based upon an industry such as gold mining or otherwise, where it may decrease to a proportion that is abhorrent to the sense of reason of every man, it is a thing which should give us serious concern before we do it, because once done it is done forever.

Mr. DEPEW. Mr. President, I regret that the Senator from Kansas should be taken out of this debate. [Mr. BURTON in the chair.] I will, however, answer the question of the Senator from Kansas, and without attacking Nevada. That is ancient history. It emphasizes the fact that when a State is once in the Union it is there to stay. Nevada might get to a condition where the only population would be her two United States Senators, and she would still stay, and those two Senators would neutralize the Senator from Kansas and his colleague upon matters which might be vital to Kansas and to which these two Senators were opposed.

As to the question of mining, take a purely mining State and what are the prospects of its growth? Nevada is the illustration. Nevada had 42,000 in 1870. She had 62,000 in 1880. That was at the height of the productive power of the Comstock mines. She had 45,000 in 1890 and 42,000 in 1900.

Now, it is a fact that a State can become prosperous and populous and grow without mines, but a mining Territory can not

grow unless it has agriculture, manufactures, commerce, and varied interests. Senators cite the case of the New England States, and the fact that land is worth less in Massachusetts to-day for agricultural purposes than it was one hundred years ago. That may be true. But Massachusetts is so situated——

Mr. HOAR. I beg the Senator's pardon. I do not wish to unnecessarily interrupt him, but I should like to state the county where I dwell is the fourth or fifth county—I have not looked at the last census—in the whole Union in the value of its agricultural products. There are abandoned farms in Massachusetts on the hilltops. For some unexplained reason, probably to get rid of malaria, the Puritan settlers of Massachusetts settled on the tops of hills. Most of our old country towns where there are hills have their old town centers on the very tops of the hills without regard to the quality of the land. There are old rocky farms that have diminished in value, but to say that the agricultural lands in Massachusetts have, as a whole, diminished in value is incorrect. They have increased immensely in value by reason of their neighborhood to numerous manufacturing towns and cities. Vegetables, small fruits, and such things are raised there and sold fresh in those towns.

The statement which the Senator is making, I understand he is merely quoting from other Senators.

Mr. DEPEW. Yes.

Mr. HOAR. The fact is that the farms which have diminished in value are what are called the hilltop farms, distant from villages.

Mr. DEPEW. I am very glad of that statement of the Senator from Massachusetts, and so I correct my statement as to the farm lands of Massachusetts having diminished in value in a hundred years.

Here is Massachusetts, which has no mines. I have just cited the case of Nevada, which has been almost constantly decreasing in population since the closing of the Comstock lode. Massachusetts, with agriculture, with manufactures, and with commerce, had a population—I am giving round numbers—of 523,000 in 1820; of 610,000 in 1830; of 737,000 in 1840; of 994,000 in 1850; of 1,231,000 in 1860; of 1,457,000 in 1870; of 1,783,000 in 1880; of 2,233,000 in 1890, and of 2,805,000 in 1900.

Take the two States which the Senator from Kansas [Mr. BURTON] cited for illustration, West Virginia and Pennsylvania. If Pennsylvania had nothing but her coal mines, if she had no fertile soil, if she had no well-watered plains, if she had no vast manufacturing interests, made possible because of her agriculture, if she had no commerce—and commerce does not come from mines; it comes from agriculture and the products of agriculture and manufactures—Pennsylvania to-day would consist of settlements around the openings of her coal mines in the limited portion of her territory—of her anthracite and bituminous fields. Pennsylvania would be in the condition these Territories are in unless water can be found to irrigate them, and Pennsylvania, outside of the one county where her anthracite coal is and the ten counties where her bituminous coal exists, would be a desert. She would have no population and she would have no growth.

Mr. President, the point was made here, in his very eloquent and able speech, by my friend from Ohio [Mr. FORAKER] that the internal-revenue receipts and the post-office receipts, coming from a State or Territory into the Treasury of the United States, were

the measure of its prosperity and the hope for its future; and the Senator gave figures.

Arizona paid last year internal-revenue taxes amounting to \$61,698.96; New Mexico, after sixty years of existence in the country and three hundred years of government, contributed last year in internal revenue to the Treasury of the United States the magnificent sum of \$15,031.22. I emphasize the cents, Mr. President, because they are important in figures like these. [Laughter.] New York contributed——

Mr. FORAKER. Mr. President——

The PRESIDING OFFICER (Mr. BURTON in the chair). Will the Senator from New York permit an interruption?

Mr. DEPEW. Yes, sir.

Mr. FORAKER. I have just come into the Chamber, and I understand the Senator has been quoting figures I gave when I was addressing the Senate on this subject.

Mr. DEPEW. I was quoting the figures given by the Senator as to the internal-revenue and post-office receipts.

Mr. FORAKER. Did the Senator state that I stated that the total receipts from internal revenue in the Territory of New Mexico for the last year were but fifteen thousand dollars and some cents?

Mr. DEPEW. No; I said the Senator gave the total for the two Territories, and then I found in the only statistics I could reach what were the returns for Arizona, and when I ascertained them, there was left but \$15,031.22 for New Mexico.

Mr. FORAKER. The Senator is entirely mistaken in making that statement. If I can find the place where I made that quotation, I will ask him to allow me to make a correction. I do not know how it comes that he has been misled as to what I said. I remember that I gave the respective internal-revenue receipts and the post-office receipts from New Mexico and from Arizona separately. I now turn to where I made the statement in my speech, and I find I stated that the internal-revenue receipts from New Mexico, as shown by the official statistics, were, in 1890, \$37,671.19, and in 1901 the internal-revenue receipts from New Mexico amounted to \$58,609.31.

I called attention, while making that statement, to the fact that the war taxes had doubtless increased the internal-revenue receipts for the last year, which I quoted, somewhat; and that that difference did not therefore represent the regular increase, and when I quoted the statistics in that respect as to Arizona I said that the internal-revenue receipts from Arizona in 1890 amounted to \$28,416.06, and in 1902 to \$129,267.95.

Mr. DEPEW. Those are post-office receipts.

Mr. FORAKER. I beg pardon; they are.

The internal-revenue receipts from Arizona for 1892 were \$17,965.90, and for 1901 they were \$61,698.96. And the internal-revenue receipts for New Mexico were not \$15,000 for last year, but \$58,609.31, as reported to me when these figures were taken from the census returns.

Mr. DEPEW. Well, Mr. President, accepting, as of course I accept, the figures of the Senator from Ohio, I will say that I got the figures which I quote from the compilation in the Eagle Almanac and the World Almanac, and I am using them both.

I find against \$58,000, if you please, for New Mexico and \$61,000 for Arizona, that here is Illinois with \$54,000,000; Indiana with \$25,000,000—and neither of these States has the age of settlement

of New Mexico—Kentucky with \$21,000,000—that is an old State—Pennsylvania with \$32,000,000; Wisconsin with \$10,000,000; California and Nevada—and of course California contributed the most of it—\$3,785,000; and Connecticut and Rhode Island, \$3,000,000. Even Hawaii has about \$20,000 more than New Mexico, and \$10,000 more than Arizona.

When you come to post-office receipts, which are in a measure an index of population, an index of the intelligence of a people, of their schools, their colleges, their commerce, and their internal trade, we find these astonishing results: The post-office receipts for Arizona for the year ending June 30, 1902, amounted to \$129,267.95, and the post-office receipts for New Mexico for the same period amounted to \$93,684.17.

I have here the post-office receipts of 51 cities of the United States, which run from \$11,000,000 in New York to \$218,000 in Racine, Wis.; \$213,000 in Allegheny, Pa., and \$314,000 in Syracuse, N. Y. In every one of these 51 cities the post-office receipts are larger than, in fact are more than double, those of New Mexico and nearly double those of Arizona.

But here is a significant comparison as to Oklahoma. We have, in making these figures, to return constantly to the years of settlement, and so I have to repeat that New Mexico has been in the Union sixty years and under Territorial government for fifty-one years, while Oklahoma has been only thirteen years open to settlement, and has had a Territorial government only about twelve years. With twelve years against sixty, the post-office receipts from social letters, commercial letters, trade letters, letters of activity, which make a State, were in New Mexico \$93,000 and in Oklahoma \$267,000, almost three times as much, and Oklahoma only twelve years in a Territorial condition.

For forty years Arizona has been exploiting her mines, having her cities increase 10,000 to 12,000 almost in a night and run down from 12,000 to 600 almost in a night. She has been for forty years open to the most favorable settlement, and exploited by the most enterprising people in the United States, and yet her post-office receipts last year were only \$129,000 against Oklahoma's \$267,000, after being only twelve years in a Territorial condition.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Will the Senator from New York permit an interruption?

Mr. DEPEW. Certainly.

Mr. FORAKER. I interrupt the Senator, if he is willing that I may, only to ask him a question as to whether or not the figures he gives as to Oklahoma show the receipts for any but the Presidential offices?

Mr. DEPEW. That is all I could get—the Presidential offices.

Mr. FORAKER. That is also true as to Arizona and New Mexico. The receipts are only those from Presidential offices. The fourth-class offices are not reported at all. That would swell the figures somewhat; but then the figures for Oklahoma would, I suppose, be correspondingly increased. I did not know what analysis the Senator had made of the figures.

Mr. BEVERIDGE. The proportion would be maintained.

Mr. FORAKER. It would probably be maintained.

Mr. DEPEW. Mr. President, in discussing a question I get somewhat off from my line of argument with these interruptions.

There is one point which has been dwelt upon here, which, in my studies, seems to me to grow in importance. It seems to me to

indicate that there has been another hand in the preparation of this bill than the people who are interested in statehood. This bill received little or no consideration in the other House. It was prepared by the interests which wanted statehood given to these Territories immediately, whatever those interests were. It passed the House in that sort of general consideration which sends so much of undigested legislation to the Senate—

The PRESIDING OFFICER. The Chair must remind the Senator that it is not in order to comment upon the action of the other House.

Mr. DEPEW. Am I commenting on the other House?

The PRESIDING OFFICER. It so appeared to the Chair.

Mr. DEPEW. Well, I beg pardon. I was going to pay the House a compliment. I was going to remark in regard to the House that it passed an enormous amount of legislation, a prodigious amount of legislation, which it gets from its committees and passes to the Senate, such volumes of bills as to indicate on that side a vast capacity of statesmanship for construction on the spur of the moment. [Laughter.] I hope I am now within parliamentary lines. And in grasping these colonial, continental, internal, and external matters, it has prepared and sent to us this bill, as to which our Democratic friends will not permit us to add a dot, to cross a "t," or make any suggestions whatever.

The one question in which the good people of this country are more interested than in any other is Mormonism in the Territories which it is proposed to admit to statehood. It was supposed when the Edmunds bill passed, making it a felony to perform polygamous marriages or to live in a polygamous state, that the main prop was taken away from Mormonism, that the Mormon Church would gradually decay, and that it would die out with its professors of the hour. But the Mormon Church has increased enormously since that time—increased in numbers and in power. Mormon missionaries are all over the world. They are gathering recruits through the whole of the Scandinavian country, and are now successfully invading Germany and southern Europe. Nothing so illustrates the power of concentration or the ability of concentrated power as the history and the present dominance of the Mormon Church.

There are 7,000 Mormons in Arizona—one-twelfth of its white population—in other words, one in every twelve of its people is a Mormon.

The Democrats of Arizona, the Republicans of Arizona, the Populists or the Silverites of Arizona are moved according to the conscience and the judgment of the individual citizen. There are divisions between the two great parties and divisions in the minor organizations which are separate from or occasionally act with the two great parties; but here is a solid vote, controlled by one mind, controlled by one hand. The spiritual adviser, who is also the spiritual and the temporal guide of this Mormon population, looks not to the interests of this party or to the welfare of that party, but he says to the Democratic leader, "What will you do in protecting Mormonism?" and to the Republican leader, "What will you do in protecting Mormonism?" We all know that if there is any fallibility in the world it is the judgment at election time of the political leader of any party.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Will the Senator from New York permit an interruption?

Mr. DEPEW. Certainly.

Mr. PATTERSON. The Senator from New York suggested that the Mormon Church, through its apostles or leaders, propounds to the Republican party the question, "What will it do to protect Mormonism?" and to the Democratic party, "What will it do to protect Mormonism?" I want to ask the Senator from New York, if that is true, whether or not the Republican party did not make the highest bid two years ago and pledge itself to do more to protect Mormonism than did the Democratic party? If what the Senator says is true, then the Republican party got only what it bargained for two years ago.

Mr. DEPEW. The answer to that Mr. President, is that both parties probably made every bid that was possible, but the Mormons trusted the Republicans. [Laughter.] Then the Mormon leader, the shrewdest and most capable of leaders, knew that in the trend of civilization, in the spread of colleges and schools, and in the growth of education, the Republican party was likely to grow and the Democratic party otherwise; and that he had better make his bargain on that side, as there would be more permanence to it.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Will the Senator from New York permit an interruption?

Mr. DEPEW. Certainly.

Mr. PATTERSON. Mr. President, I do not know how true the reports of this bargain may be, but out in our country two years ago there was a common report, which was generally believed, that a bargain to the following import and the following effect was made: That the leading Mormon apostles came East and had an interview with the high officers of the Republican party two years ago. At that time a gentleman by the name of Smoot spoke about being a candidate for the United States Senate. As a result of the visit it was suggested, "Turn Utah over to the Republicans, recede from your silver heresies, come into the Republican fold, let Mr. Smoot ignore his ambitions this year, and several things will occur. First, we will give you a Mormon for governor." If that was the bargain, it was carried out, because they have got a Mormon for governor.

Mr. SPOONER. They have a majority, have they not?

Mr. PATTERSON. Next, Mr. Smoot did retire from the field, but became a candidate this year in accordance with the programme, and he has been elected to the United States Senate. Next, that there was some understanding or agreement that the Republican majority of the Senate was to see to it that no anti-polygamy amendment to the Constitution was proposed.

Mr. BEVERIDGE. Was Mr. Smoot one of the parties to the agreement?

Mr. PATTERSON. It is said that Mr. Smoot was one of them.

Mr. BEVERIDGE. With whom did the Mormon leaders make the agreement?

Mr. PATTERSON. Oh, I do not want to mention names. You know who the high officials of the Republican party are.

Mr. BEVERIDGE. Who are the high officials of whom you speak?

Mr. PATTERSON. I prefer not to mention names, Mr. President. Whether the agreement was made or not, we know that the promises upon the part of the Republican leaders up to this time have been faithfully carried out. Whether they will be car-

ried out in the next session of Congress of course remains to be seen when the credentials of the newly elected Senator from Utah will be presented. We know that Utah immediately reversed its very great anti-Republican majority and came pell mell—horse, foot, and dragoons—over into the Republican fold.

Mr. DEPEW. Mr. President, upon that very point I wish to say that if there was any bargain I do not know anything about it. The details of it have been revealed to the Senator from Colorado, but I was in New York at the time and was not taken into the inner council, if there was an inner council, or into the consultation, if there was a consultation; but I call the attention of the Senator from Colorado to the fact that this bill has nothing in it to prohibit polygamy in these Territories when they are admitted as States. It has been demonstrated here that the clause which is pretended to accomplish the purpose of prohibiting polygamous marriage and polygamous living to be put into the constitutions of these States is a sham. It has been shown here that under this provision in these constitutions polygamous marriages can take place and there can be no punishment.

Now, notwithstanding that that has been shown, there has been no proposition from any Democratic Senator or any Democratic source that under any circumstances the antipolygamous provision shall be strengthened. On the contrary, when that subject was under discussion here a few days ago, my friend the senior Senator from Colorado [Mr. TELLER], instead of saying "Yes, I want the provision in regard to polygamy made just as strong as human language can draw it," said there was no need of such a provision, because, if I remember him rightly, the antipolygamous people of those States would never permit this institution to flourish after the State was admitted into the Union.

Mr. TELLER. Will the Senator from New York allow a suggestion?

Mr. DEPEW. Certainly.

Mr. TELLER. If the Senator from New York and his friends will fix a day when we can vote on the bill we will all agree to join him in strengthening the antipolygamy provision.

[At this point Mr. DEPEW yielded the floor for the day.]

Friday, February 13, 1903.

Mr. DEPEW. Mr. President, when I was interrupted by a motion for an executive session, I was discussing the question of Mormonism in its relation to the pending statehood bill. I was saying that the statehood bill had made no provision which was effective in the requirement which it exacted from these proposed States when they came into the Union in reference to the prevention of polygamy and polygamous marriages. It seems from the character of this provision and from the facts that it failed utterly to meet the case, that the fine Italian hand of the Mormon apostles had been at work in the preparation of the measure, and that the influence, the concentrated influence, of the Mormon hierarchy could be seen in the determined effort to prevent any amendment which would perfect completely the exclusion of polygamy in the constitutions of these three proposed States.

Under those circumstances, Mr. President, it becomes exceedingly interesting to ascertain what is the attitude of the Mormon Church and what is its influence wherever it has numbers which it can vote.

Senators upon the other side claim that there is no necessity to limit in those constitutions the power of the States which are to come into the Union to deal with this question. They claim that the sentiment in those States, without any provisions being placed in their constitutions by act of Congress, would be all powerful to enact such laws as would prevent polygamy or polygamous marriages in these various States.

Mr. President, in the Territory of Arizona at present one-twelfth of the population is attached to the Mormon Church. If we could carry that number into the State of New York, it would constitute 600,000 people in that State who would belong to and be under the control of the Mormon Church.

It is not disputed by anyone that the votes of the members of the Mormon Church are absolutely controlled by the central hierarchy of that organization. I want to say that in the close politics of the State of New York, if there were 600,000 of that population, representing something over 100,000 votes, as it would, which could be controlled by one mind, by one purpose, appealing first to this party and then to that, they would be enabled to exact terms from both parties for their own protection, for such legislation as they wanted and for the prohibition of such legislation as they did not desire. Everyone knows how in the election of members of a legislature, if there is a solid body of votes sufficient to control a district, both parties are willing to pledge their candidates to that vote for whatever that vote desires.

I have here an address delivered on the fiftieth year of Mormonism, in 1880, by the ablest and most eloquent bishop of that church. It was delivered at a great convention held at Salt Lake City for the purpose of celebrating the triumph of Mormonism, its past, its then present, and its future. The bishop said:

Like a grain of mustard seed was the truth planted in Zion; and it is destined to spread through all the world. Our church has been organized only fifty years, and yet beheld its wealth and power. This is our year of jubilee. We look forward with perfect confidence to the day when we will hold the reins of the United States Government. That is our present temporal aim; after that we expect to control the Continent.

When told that such a scheme seemed rather visionary, in view of the fact that Utah could not gain recognition as a State, Bishop Lunt replied:

Do not be deceived; we are looking after that.

We intend to have Utah recognized as a State. To-day we hold the balance of political power in Idaho, we rule Utah absolutely, and in a very short time we will hold the balance of power in Arizona and Wyoming. A few months ago President Snow, of St. George, set out with a band of priests for an extensive tour through Colorado, New Mexico, Wyoming, Montana, Idaho, and Arizona to proselyte. We also expect to send missionaries to some parts of Nevada, and we design to plant colonies in Washington Territory.

In the past six months—

And remember this was twenty-two years ago—

We have sent—

I call attention to that. I call attention to the fact that these are not voluntary immigrants. I call attention to the fact that these are not colonists moving, as they do in those Western States, in prairie schooners from the farmhouses to settle for themselves after they have found a proper location, but that they are sent by the church in those large and compact bodies—not colonists primarily, not to secure farms primarily, not to make a living, for they have a living already and already have farms, but in order to colonize their followers in sufficient numbers and

in sufficiently compact bodies to control the legislation of the Territory. So I repeat from the bishop's sermon:

In the past six months we have sent more than 3,000 of our people down through the Sevier Valley to settle in Arizona, and the movement still progresses. All this will build up for us a political power, which will in time compel the homage of the demagogues of the country. Our vote is solid, and will remain so. It will be thrown where the most good will be accomplished for the church. Then, in some political crisis, the two present political parties will bid for our support. Utah will then be admitted as a polygamous State, and the other Territories we have peacefully subjugated will be admitted also. We will then hold the balance of power, and will dictate to the country. In time our principles, which are of sacred origin, will spread throughout the United States. We possess the ability to turn the political scale in any particular community we desire. Our people are obedient. When they are called by the church they promptly obey. They sell their houses, lands, and stock, and remove to any part of the country the church may direct them to. You can imagine the results which wisdom may bring about with the assistance of a church organization like ours.

Mr. RAWLINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Utah?

Mr. DEPEW. Certainly.

Mr. RAWLINS. Can the Senator give me the name of the author of the address from which he has been reading?

Mr. DEPEW. Bishop Lunt.

Mr. RAWLINS. Can the Senator inform me at what place that sermon was supposed to have been delivered?

Mr. DEPEW. According to this pamphlet, it was delivered to celebrate the fiftieth anniversary, the jubilee, of Mormonism.

Mr. RAWLINS. At what place?

Mr. DEPEW. The pamphlet does not state at what place.

Mr. RAWLINS. I think it is but fair to the Senator to say that that address is in its authorship fictitious; that there is, I think, no bishop of that name in the Mormon Church; certainly none that I ever heard of. But I have heard before of the address, and I am quite sure it is fictitious because it describes a condition which is impossible. No Mormon bishop would talk about sending 3,000 colonists through the Sevier Valley into Arizona, because it is a route that is utterly impossible. Besides, I am quite sure that is a fictitious address prepared by some one to disclose his idea of the purposes of the Mormon Church. I think the Senator has been imposed upon; and I thought it but just to call his attention to that fact.

Mr. DEPEW. Mr. President, I would not under any circumstances quote from a sermon which I did not believe had been delivered, or state beliefs of the Mormon Church which I did not suppose were its beliefs.

This pamphlet has been gotten out by the League for Social Service, of New York, under the sign manual and responsibility of Rev. Josiah Strong, D. D., one of the ablest clergymen of the Presbyterian Church, and the author of two books, one of them called "Our Country," and the other "The New Era;" which are amongst the most valuable contributions to the statistics which mark the growth and progress of the United States.

Mr. RAWLINS. I have not any doubt of the belief of the Senator that he was reading an address which had actually been delivered by some prominent Mormon official, but the prominent churchmen in the Mormon Church are the president of the church, two councillors, and the quorum of twelve apostles. The bishops are really subordinate officers, having jurisdiction only in small localities—wards. The occasion which is described

there would have given the matter such prominence that if such an address had been delivered I am sure we would have heard of it. Besides, that has been——

Mr. DEPEW. Twenty-two years ago.

Mr. RAWLINS. I know that address has been repudiated years ago; and I do not think any non-Mormon familiar with the situation, however much he may be opposed to the purposes of the Mormon Church politically or otherwise, would be willing to ascribe that to them.

Mr. DEPEW. I should like to ask the Senator whether, in his opinion, the Mormon Church would repudiate what the bishop is here alleged to have said?

Mr. RAWLINS. The Mormon Church organ has, I think, repudiated that sermon and the correctness of its statements. Of course, some prominent Mormon leaders have given expression to the idea that theirs was to become the paramount church, and things of that sort; but I think some individual has prepared that address as exemplifying what he conceived to be the purposes of the Mormon Church.

* * * * *

I have already stated the influence of the leaders over the Mormon people growing out of the original condition in which they were found. Some of the leaders are disposed to exercise their power in political affairs. There is an increasing number of Mormons, however, who claim their independence in political matters, who resent such interference and who will not obey the dictates of the leaders. Many Republicans, if they were told by their leading churchmen to vote the Democratic ticket, would not do it, and many Democrats, if told to vote the Republican ticket, would not do it.

Many others who have been in the habit of taking counsel upon various matters, feeling in a degree dependent upon the church leaders—their organization being a sort of religious paternal government in the past—would do it. Their influence in the way of controlling elections, where elections are close between the parties, is very great.

The conditions will be the same in Arizona that they are now in Wyoming. The Senators from Wyoming know whether or not Wyoming ought or ought not to be in the Union by reason of that condition. I take it that everybody in Wyoming would say that they preferred to be a State with a considerable percentage of Mormon population there than to be in the condition of a Territory.

All we could do in this connection in regard to any provision in the constitution of a State forbidding polygamy, regulating the sale of intoxicating liquors, or making any domestic State regulation would be futile, unless approved by a prevailing public sentiment in that State which would demand its enforcement. You may put a provision upon the statutes or you may put it in the constitution of a State, and if the sentiment of the people is against its enforcement it will be a dead letter.

When this question came up in the other House my position there was this: I said, if it is necessary to put a provision in the constitution of the State of Utah providing for the punishment of polygamy, Utah is not prepared for statehood, because such a provision will be idle unless the sentiment of the community is such as to put it into effect. If the sentiment in the State is in favor of the suppression of polygamy it will be suppressed by the

State law without any reference to the State constitution. If the sentiment is in favor of the establishment of polygamy a prohibitory provision in the constitution is nugatory and idle. It is simply making a declaration which is of no value upon the fundamental law, which is merely declaratory, if it has any effect at all, of the unfitness of the people for admission into the Union. It does not reach the evils which are complained of. It is not, in my judgment, at this time, a question of polygamy.

* * * * *

Utah has had troubles, and will continue to have some trouble on account of this church; but what are we going to do about it? It does not do any good, in my judgment, to stand here and arraign the entire people, to brand every Mormon as a slave, for that is an unjust accusation. When you do that, you solidify those who would aid you in bringing about the very condition which you desire to see established. Whenever external force is employed against a people, arraigning them, their church, and their faith, it solidifies them, and you are unable to make any impression upon them whatsoever.

* * * * *

Mr. BEVERIDGE. Will the Senator from Utah pardon me? Would the Senator suggest, along that line of argument, that nothing at all should be put in the enabling act concerning polygamy if it were futile?

Mr. RAWLINS. That was my precise contention in the House ten years ago when the question came up as to the insertion of a provision in the constitution. I said then that the provision which was inserted as I remember on motion of Judge Powers of Vermont, that polygamous and plural marriages should be forbidden, was absolutely useless and idle; that if the public sentiment in Utah was not in favor of the suppression of polygamy, that that provision would not lead to its suppression; that if the public sentiment was in favor of affording protection to those who became polygamists or lived in unlawful cohabitation, that provision would have no terror for them; and that after all, whatever you might put in the State constitution, you would have to rely upon the public sentiment in the local community for its enforcement, and if it was in favor of the suppression of polygamy the legislature would provide laws against it and those laws would be enforced and such a provision in the constitution would be unnecessary.

So, I say now, in regard to Arizona. If you insert such a clause as is now in, or if you enact a penal code, if you please, containing all the necessary qualifications and exceptions to define the offense, and make it self-executing, so far as the provisions of the constitution are concerned, what does it amount to if the Mormons are in control and they are determined to have polygamy and elect the prosecuting officers and the judges, and sit upon the grand jury and the petit jury. If you are going to have a provision which will be of any effect to you at all, you will have to go further than any Senator has proposed.

You will have to define polygamy and all its kindred offenses as you would define them in a penal code. You will have to provide some method by which no person favoring the inhibited practice shall sit upon grand or petty juries or be elected to the bench or be elected to the office of prosecuting attorney. You can not do that. It comes back to the original proposition: Are these people fit to be admitted into the Union as a State? If so,

why insert anything which on its face brands them as unfit and yet which will be futile so far as accomplishing any good is concerned?

Mr. STEWART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Nevada?

Mr. DEPEW. Certainly.

Mr. STEWART. Mr. President, I think this discussion is unfortunate. Much is said about the Declaration of Independence. It has been regarded as a great step in human progress. I think that other declaration, in the Constitution of the United States, which guarantees to every citizen of the United States the right to worship God according to the dictates of his own conscience, is, if possible, more important than any declaration which preceded it.

* * * * *

I regret that such a question should be discussed here; that religion should be brought into this discussion. It has nothing to do with polygamy. I regret that sectarianism has been dragged into the question of admitting a State into the Union. It seems to me it is wrong in this body. We ought to be above such considerations.

* * * * *

Senators talk of Nevada. Nevada needs no defense. Nevada has added more to the commerce of the country than any of the Western States, except perhaps California. Colorado perhaps comes next. Nevada has produced about eight hundred millions of gold and silver. She has taken from the Government nothing. She has been no expense and no drawback. She has paid her own expenses. But her progress has been slow. The reasons for it are obvious. Agriculture could be conducted only by irrigation, and the various beautiful valleys over the State were a long distance from transportation. The main industry—mining—was cut down by the demonetization of silver. It took time to build up Nevada. Thank God, it is being built up rapidly now. Every valley is being invaded by hardy settlers. New mines are being opened everywhere, and there is more agricultural land in Nevada which will be developed and make homes for men than there is in very many States of this Union. I can name several States combined which would not begin to have as much.

Now, of course, you must wait a little for it. Nevada did not ask to be admitted into the Union. You can not blame her people. It is not fair to talk about her in that way. A year before her admission the legislature authorized a vote to be taken on the question whether we would come into the Union as a State. It was voted down almost unanimously.

* * * * *

Now, why speak of these people as if they had committed some crime? If they had not given up polygamy, it would be different. But in this question of States, why bring them in collaterally and discuss their conduct? Outside of polygamy, they compare favorably with the conduct of the Puritans or any other people who ever landed upon these shores. If you go and see their homes, see their thrift, see their industry, see their domestic happiness, you will not have it in your heart to raise your hand or your voice against them.

* * * * *

In Utah you had your prosecuting attorneys and you were greatly troubled about polygamy. You have admitted Utah as a State, and the trouble is over. So it will be when you give the American people the right of self-government under the Declaration of Independence and under that higher declaration which allows every man to worship God according to the dictates of his own conscience. It has inspired a sentiment in this country that will prevent any injurious element from entering into the government of the people. Crime will be reprobated and driven to hide its head and truth, justice, and progress will prevail. The time is not far distant when these Territories that you so much condemn to-day will be proud States. You yourselves will live long enough to boast of them on the Fourth of July. There is no doubt about it, particularly the Senator from New York [Mr. DEPEW], as he is in the habit of making Fourth of July orations.

Mr. DUBOIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. DUBOIS. I will not interrupt the Senator unless he is entirely satisfied to have me do so.

Mr. DEPEW. Certainly.

Mr. DUBOIS. I will not take very much time.

Mr. DEPEW. I have become accustomed to it.

Mr. DUBOIS. I repeat my observation, with entire sincerity, that I will not interrupt the Senator unless it is agreeable to him.

Mr. DEPEW. It is entirely agreeable. The Senator comes from a college that makes it agreeable.

Mr. DUBOIS. Thank you.

I doubt very much whether gentlemen on the other side who are proposing some special legislation in regard to polygamy are serious. I do not think they are. I think they are simply trying to put some amendments on this bill which may defeat it.

Now, I will make this proposition to them: If you will allow this bill to be put on the post-office appropriation bill, I will accept the Idaho constitution relating to elections as an amendment, and allow you to prescribe that Arizona and New Mexico shall put into their constitutions the test oath of Idaho before they are admitted to statehood. In doing this I will not run counter to the good judgment or the wishes of the people of Idaho, one-fourth of whom are Mormons.

* * * * *

Mr. BEVERIDGE. Will the Senator from New York permit me?

Mr. DEPEW. Certainly.

Mr. BEVERIDGE. Concerning the proposition of the Senator from Idaho, it is perhaps proper that I should speak.

I have never questioned the sincerity of a Senator upon this floor, and I never expect to do so. If the Senator is anxious to have this antipolygamy clause put on this bill or any bill that may be passed, why does he ask a condition? Why does he say, "I am willing to purchase the attachment of the statehood bill to an appropriation bill by conceding an antipolygamy amendment?"

Mr. DUBOIS. Does the Senator want me to answer him?

Mr. BEVERIDGE. Yes.

Mr. DUBOIS. For the reason that it is perfectly apparent to everyone that, so far as the Senator from Indiana is concerned, we will never have a vote on the statehood proposition; and I

simply took this method of informing him that, in my judgment, we will have a vote on it upon an appropriation bill, and I anticipate it in advance and say that I am ready for this amendment. I am not anxious for the amendment and do not want it, because it is not necessary. Polygamy is dead and can not be made more dead.

Mr. BEVERIDGE. If that is so, Mr. President, there was no use of the Senator putting forth his proposition to barter. He said some two or three weeks ago with great earnestness that a vote was to be had, and so forth; and we had a debate that afternoon, which it is not necessary here to repeat. But if the Senator again repeats that he is going to have a vote in the extraordinary way now proposed, why should he put forth his proposition to barter upon this question?

The Senator made a clear and powerful speech the other day to the effect that some legislation as an antipolygamy amendment to this or any bill was not necessary because polygamy was no longer practiced. The Senator from Utah [Mr. RAWLINS] said to-day, in his usually clear way of speaking, that there was not any use of adopting even what is in the omnibus bill on this subject.

Now, if this be so, and if the Senator is going to have an attachment of a statehood measure to an appropriation bill, why does he put forward this proposition to barter or to purchase that attachment by a thing which he says is not necessary because it no longer exists?

Now, then, I will put this question to the Senator or any person representing the bill. If we want an antipolygamy amendment as strong as can be drawn, as strong as perhaps the moral sentiment of the people of the United States thinks should be drawn, why quibble about it at all? Why not go on record right now as saying, "Yes, here and now, without ifs and ands, we accept anything you can draw." That is the question.

Mr. DEPEW. Mr. President, I listened with great interest to the speech of the Senator from Utah [Mr. RAWLINS] and also to the speech of the Senator from Nevada [Mr. STEWART]. I find that everyone who apologizes for the Mormon Church is in favor of this statehood bill. That is one of the curious developments of this discussion. I would not criticise Nevada, and I am sorry that her distinguished Senators have left the Chamber; but in the decadence of that State from a population of 62,000 down to 42,000 in 1900 I am glad, and I know the country will be, to be assured that now there are multitudes of farmers pouring into her valleys and that in a short time she will line up alongside of New York in population and production.

But, sir, the best contribution that Nevada has made to the wealth of the country has been the two Senators whom she has kept here for a quarter of a century.

When I heard my friend from Nevada speaking in that glowing and patriarchal way of the pleasures he enjoyed in Mormon families fifty years ago, and as he passed from the capital to Nevada, what comfort, what peace, what family relations, what observance of every family requirement by the father and mother and children he witnessed, and how pleased he was with it, I could not help recalling a lecture I once heard by Artemus Ward, that great humorist, nearly forty years ago, delivering his lecture then upon Utah, which was to us in the East

an unknown country. This is what I remember of his visit to a Mormon family of whom he spoke in much the same glowing terms as did the Senator from Nevada. He said:

Having delivered a lecture in Salt Lake City, I received a note from a Mormon widow saying that she was greatly bereaved and wishing me to call upon her in the family circle. As I entered the parlor she held out to me her lily-white hand—seventeen of them. [Laughter.]

Now, this patriarchal relation is one which has been condemned as no other institution that has existed among any sect in the United States has been.

I thoroughly agree with all that has been said by the Senator from Nevada on the question of religious freedom and religious toleration. Every man and every woman in this country has a right to any creed which they choose to adopt and any creed which they choose to profess. They have a right to practice their religion anywhere and everywhere so long as that religion in its practice does not strike at the foundations of the family and at the morality of the State.

There can be a so-called religion, sir, which steps beyond the bounds of religious freedom and of religious toleration. There can be a so-called religion, sir, which can be made a cloak for immorality, which can be made a cloak for crime, which can be made a cloak for the purpose of breaking up the family circle, which can be made a cloak for the degradation of womanhood and for the corruption of childhood.

Any law which permits, or any law which does not prohibit and punish penally, a religion of that kind is unworthy of a free country and of a free people. We stand, as the Senator from Nevada [Mr. STEWART] in one part of his speech has said, for absolute freedom of conscience and absolute toleration of religion; but it must be religion, and not immorality, not crime.

Mr. President, why this sensitiveness on the part of the advocates of this bill about immediately divorcing themselves from Mormonism? I take issue with my friend from Utah [Mr. RAWLINS] on his proposition that we solidify Mormons, that we prevent them from leaving their faith, that we estop them from surrendering their tenets; that, if they are bigoted, we make them more bigoted by discussing their religion or by assailing them upon this floor.

Nobody assails the Mormon as such. Nobody assails the Mormon religion as such. If the Mormons choose to believe the revelations made by Smith and by Brigham Young, that is their affair. If they choose to regard them as saints and their books as the real Bible, that is their affair. If they choose, within the law, to worship according to the tenets of those revelations, they stand on the plane which the Christian Scientists and others do, who believe differently from the tenets that are entertained by evangelical churches or by those who have no religion at all. It is not on their faith, it is not on the book of Mormon, it is not on their religious practices, it is not on their temples that we are discussing this proposition here to-day, but it is because they have never really and actually abandoned the tenets of polygamy, and there is a wide suspicion that they have not in secret abandoned its practice.

The Senator from Nevada recalled the fact that a member of the other House who had been elected from Utah was expelled from the last Congress. Sir, why was he expelled? Because he believed in the book of Mormon? No. Because he was a Mor-

mon apostle? No. Because he had a creed which was assented to by no single member of the House of Representatives? No. He was expelled because—notwithstanding the professions of the Mormon hierarchy as to the abandonment of polygamy—he would not deny that he was a polygamist, and he defended on the floor polygamy as a sacred and divine institution. He stood there as the representative of the church before the whole nation in the most conspicuous attitude possible, in the presence of the representatives of the people and of the country, to defend not Mormonism, but the liberty to live in polygamous relations wherever men believed that that was the proper doctrine to practice.

It has been proved here that a company of Mormons have gone into Mexico and settled there in a place where the Mexican Government wants industry, which those people undoubtedly have, and the concentrated colonization for protection against savages and for the development of agricultural resources, which those people undoubtedly have, but they have gone there because in Mexico they can freely practice polygamy.

Mr. President, the discussion of this Mormon question is legitimate just here for the very reason that at this moment there is no question upon which the American people are more unanimous, no question upon which they are more exigent and more acute than the prohibition by every possible means of the practice of polygamy in any State in the country. They are seeking to secure the adoption of a constitutional amendment so that the Government can reach polygamy in the States. Then why the discussion here? Simply because the moment that this Territory comes into the Union as a State, that moment the Edmunds law no longer is effective, that moment the Federal court no longer has jurisdiction.

The moment it is a State that whole question is remitted to the State, and it is free to act as it pleases; and where there is a consolidated minority who, by casting their votes according to the tenets of their church and the order of their spiritual superiors, they will threaten either party with destruction that goes against their wishes. That is the danger that the Senators who favor this bill are inviting, and that is what we who oppose it are endeavoring to prevent.

I do not agree with the Senator from Utah that the true way to meet polygamy is to let the State in, then let the people fight it out, and let civilization and education work their way. If you let in a community where one-fourth or one-fifth or one-sixth or one-twelfth, if you please, are solidly Mormon, where there is no prohibition which is sufficient to meet the case in the organic law, where the Edmunds law can no longer prevail, and the Federal power is weakened, I believe that that minority appealing to the ambitions of party leaders on either side will prevent any legislation or any penal statute which will deprive them of the right of carrying out the patriarchal tenets of the creed which they believe.

Mr. President, leaving that branch of the subject, I now come to New Mexico and to Arizona in reference to their future. Certainly there has been no presentation made here by anybody as to the present condition of the Territory which lines up either one of these Territories as now possessing every qualification for statehood. The question now is as to the future. It has been urged by advocates—not on this floor, because there have been none here—by advocates in the press and by citizens of New Mexico and

Arizona who have come here, that the real merit of Arizona and of New Mexico is in the future; that there is to flow into those Territories, as my eloquent friend from Nevada [Mr. STEWART] says, there is to flow into Nevada, large populations and manifold industries.

But we have, in regard to Arizona, this extraordinary position: She has only 122,000 people, of whom 27,000 are Indians. Of her 95,000 people, 20,000 are unmarried men. There is no such proportion of celibacy anywhere in the United States; and it is exceedingly refreshing, I will say to my friend from Utah, to proceed from the discussion of polygamy to the question of celibacy. Twenty thousand out of 95,000 inhabitants are single men. What does that mean? It means that Arizona is largely a mining camp; it means that a large proportion of its population are not genuine settlers; that they are not there to stay; that they are the active, adventurous young men proceeding from every neighborhood in the country seeking their fortunes in mines; that they are prospecting in the mountains, and they are abiding where they can discover a lode, which they may work or which they may take East and sell. They have no real interests in the Territory, and they are not and never will be part of its permanent population.

So the population of the Territory grows and diminishes according as they discover mines or as there is a rush when statements are made that, in this range of mountains or in that, tremendous opportunities for getting rich suddenly are in sight for those who have the courage to go to the wilderness to seek their fortunes.

But, sir, you can not build a State on a mining population and on a shifting crowd like this. The best evidence in the world that Arizona presents none of the features which will make her grow and all of the features which will align her alongside of Nevada for all time to come is that in forty years of settlement, in forty years of exploitation, and in forty years of Territorial condition there has been no population going there for the purpose of living upon agriculture and becoming permanent citizens.

In forty years Arizona, out of 73,000,000 acres, has only reduced to cultivation 254,520 acres. New Mexico, after sixty years of Territorial condition, has, out of 78,000,000 acres, only reduced to farming lands 326,873 acres, making the total in those two Territories of only 600,000 acres reduced to cultivation out of 150,000,000 acres, while in Oklahoma, which has only been ten years a Territory, 6,000,000 acres have been reduced to farms; and in the Indian Territory, where the difficulties are so great for the white settler, 400,000 Americans going in there have reduced 3,000,000 acres to farms. So you see in Oklahoma and you see in the Indian Territory all the elements that constitute a State—you see the soil, you see the opportunities, you see the invitation to the settler, and you see that he becomes a farmer and a citizen of the Territory.

Mr. President, on this subject I have here in the Cincinnati Enquirer of February 9 an interview with Judge D. A. Richardson, a prominent attorney and gold-mine president of Nogales, Ariz., and I ask the Secretary to read the interview.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

TALK OF THE TOWN.

Judge D. A. Richardson, a prominent attorney and gold-mine president, of Nogales, Ariz., is in the city, accompanied by Dr. A. L. Gustler, of Walnut Hills, this city, who went to Nogales a year ago to practice his profession. Mr. Richardson went to the Territory several years ago from Galveston, Tex. "None of the taxpayers or bona fide residents of Arizona—by bona fide I mean that class of men who are there to make it their permanent home, and not those ready to grab something and then hie away to better opportunities—desire statehood," remarked Mr. Richardson, "for out of the population of 140,000 the temporary residents constitute a large proportion, outside of Indians.

The white people do not exceed 75,000. Our tax rate is now \$4.10 on the \$100, and property is assessed at its full value. Our schools are maintained solely by license taxes collected from gamblers. These taxes are \$30 a month on each gambling table. It is a simple proposition of gambling and schools or no gambling and no schools.

If we had statehood, there would be no license, because there is none in any other State, though gambling does prevail, with an occasional raid of the houses. If we were given statehood, it would run 50 per cent of the people out on account of the taxes alone.

At present there are no taxes on unpatented mines; consequently the poor miners are enabled to work small prospects and ship the highest grades of ore, but if we had statehood it would be necessary to tax everything in the country to its full limit, including the output of unpatented mines, and that would drive half the small miners out of the business. I was surprised to see that the question of polygamy has not been raised by Senator BEVERIDGE, for if Arizona is admitted by the omnibus bill as it is now worded no one can say what would result as to what polygamy might be. There are three large counties where the Mormons have majorities. The Government now pays large sums for the support of the Territorial government which could not be forthcoming if we had statehood.

I can not see any advantage to be derived from statehood, and only a few politicians who are after office want it. I do not believe the Republican party will weaken its policies, indorsed by two national elections, by admitting two Democratic Territories, for the Democrats are undoubtedly in the large majority in the Territory. As to irrigation, if the Government were to spend \$100,000,000 on reservoirs there would not be enough water to furnish one-fifth of the Territory where the sands are 14 feet deep. Arizona is essentially a barren waste of mining camps, but after you have lived there for a time you would not give it up for any price, on account of its glorious climate and consequent healthful exhilaration.

Mr. DEPEW. In the same connection, Mr. President, and in another Cincinnati paper I find an interview with Dr. A. L. Gustetter, former City Hospital interne, who, this paper states, is at the Gibson House with D. A. Richardson, president of the Oneida Consolidated Gold and Copper Company, of Nogales, Ariz., of which Gustetter is secretary and part owner. Dr. Gustetter says they are elated over the wealth of the Territory's mining interests, but say that the lack of rain prevents agriculture and cattle raising. Of the 140,000 "inhabitants," Gustetter declares only 25,000 are "citizens," the rest being bent on making money and getting out to their homes in the "States."

Dr. Gustetter is practicing medicine in Nogales, but says that the climate is conducive to good health, so there is more money in mining. A small capital invested there, he says, and backed up by the same amount of business energy as in the States is bound to bring success.

The rainfall in these Territories, according to the Hydrographic Survey and the Geological Survey of the United States, is 1 inch per month, and two-thirds of that during the summer is absorbed by the sand as fast as it falls, while in New York it is 43 inches, in Massachusetts 43, in Georgia 44, and more in the agricultural States of the West.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Indiana?

Mr. DEPEW. Certainly.

Mr. BEVERIDGE. Will the Senator permit me to call his attention to the fact that the governor of New Mexico in his last report, and I think in every report for perhaps the last three or four years, has called attention very particularly to the fact that the Senator from New York has casually called attention to, that the rainfall in New Mexico—and of course the same is true in Arizona—within a very short time after it has fallen disappears, and the ground is as dry as it was before. It disappears by absorption.

Very frequently these rains fall in very heavy showers, sometimes called torrential showers, and when they do so fall, the water runs immediately off into arroyos or gullies and sinks into the ground or is absorbed into the atmosphere, so that the soil within two hours, I think the governor of New Mexico states in his report, is quite as dry as before the downpour. I have called attention to that because the governor of New Mexico himself calls attention to that fact in a very interesting page in his report upon the subject of the aridity of New Mexico and its causes and results.

Mr. DEPEW. Mr. President, another evidence that there is no future, so far as population is concerned, for these two Territories is that New Mexico and Arizona in forty years have gained only one and one-tenth to the square mile in population, while Oklahoma in ten years has gained fourteen to the square mile in population. In the one case you have stagnation and retrogression; in the other you have the elements that constitute a State.

But in considering what constitutes a State, when a Territory is to be admitted, we must have regard to the character of the population; we must have a regard for their literacy or illiteracy; to the educational systems which they have adopted, and to their conforming to those conditions which not only show American citizenship, but which permit American citizenship to be made in the coming generations.

On the question of illiteracy we have in the United States the lowest percentage of any country in the world. Owing to our magnificent common-school system in those States where there are the population and the wealth which permit the expense of the education of the people, there are in the schools of the country to-day 16,000,000 American boys and girls. The result of a school system so beneficent and so wise is that the average of illiteracy in the United States is only about six per cent; and you must remember that in getting at that six per cent the general average is increased by the illiteracy among the negroes in the South, by the illiteracy among the Indians, and by the illiteracy among the Mexicans in New Mexico. While the illiteracy of the whole country under those handicaps is only six per cent, while the illiteracy of Oklahoma, only ten years a Territory, is only six per cent, the illiteracy of Arizona is 27 and the illiteracy of New Mexico is 33 per cent.

In considering the attributes of statehood, I ask what would be the result in any one of our great States which constitute this Republic if, over the age of ten years, one of every three of the inhabitants could neither read nor write? I ask if before admitting Territories as States where one of every three of the inhabitants

can neither read nor write, if we ought not to apply to them the old Scriptural injunction, "Tarry at Jericho until your beards be grown?" I know of no handicap to good citizenship like ignorance—like illiteracy.

It has been urged here as an excuse for the illiteracy of these Territories, and as an argument that their citizens will be worthy of the citizenship of the United States, that every year we admit through our various ports from the different countries of Europe immigrants among whom the average of illiteracy is 33 per cent. I regret, as everybody else does, that the immigration of the country in the last ten years has fallen off from the high average of material for making good citizenship which prevailed during all the preceding part of our history. I have advocated and sustained here with all my might a bill which would restrict immigration into this country to those who are worthy of our citizenship by character, by equipment, and by education.

But because we have made a mistake heretofore by leaving the bars down for ignorance to come in, anarchy to come in, non-support to come in, pauperism and crime to come in, is no excuse to hold that up as a rule for our guidance for the future even on immigration. This Congress ought not adjourn until it has placed upon the statute books a law which will protect our citizenship against this degenerate or unworthy immigration into our country.

But, sir, there is a great difference even between these immigrants and the Mexican population of New Mexico. These immigrants, 500,000 of them, if you please, scattered about in the States among 75,000,000 people, are lost in the general average, and by contact, environment, and association are rapidly lifted up until by the time they get out their papers and are entitled to vote most of them are able to read, and they become good citizens. Then there is another difference between them and the Mexican population in New Mexico. In the second generation the racial differences disappear. In the second generation the boys and girls have gone to the common schools. They have an American education. They have become imbued with American ideas and American principles, and in the second generation they are just as good citizens as those whose ancestry has been for hundreds of years or more on this soil. But see the difference in New Mexico. We acquired New Mexico practically in 1846. To-day, according to the governor of New Mexico, there are 45,000 more Mexicans in New Mexico than there are Americans. Of the 195,000 inhabitants of New Mexico only 75,000 are Americans.

Mr. BEVERIDGE. Where does the Senator get those figures? I think that proportion of what are known as Americans, as shown by the analysis of the census returns, is extremely high.

Mr. DEPEW. I think it is. I think it is 10,000 too high.

Mr. BEVERIDGE. If the Senator will have a careful analysis made of the census figures, I think he will find that the proportion of those known down there as Mexicans and the proportion of those known down there as Americans are considerably different from the figures he has given; that is to say, a larger percentage are what are known as Mexicans than the Senator gets from the figures there. That is the reason why I asked the question where he got those figures.

Mr. DEPEW. I got them from the speech of one of the Senators in behalf of the statehood bill—

Mr. BEVERIDGE. Mr. President, I think that is hardly entirely reliable when subjected to careful and scientific test.

Mr. DEPEW. In which he admitted, as I thought, all that was necessary for the purpose of this argument.

Mr. BEVERIDGE. If the Senator says that is the statehood advocates' admission, that is all right. However, I hardly think the proportions he gives are accurate, according to the analysis of the census figures; certainly not according to the observations of the subcommittee. I think the Senator from Vermont [Mr. DILLINGHAM] will bear me out.

Mr. DEPEW. My impression is that the real figures would be a hundred and ninety-five thousand total population——

Mr. BEVERIDGE. Yes.

Mr. DEPEW. A hundred and twenty thousand Mexicans——

Mr. BEVERIDGE. More than that.

Mr. DEPEW. Twenty-seven thousand Indians and the rest Americans.

For sixty years, or two full generations, or if you count those who were past mature age when we acquired the Territory, three full generations, this enormous majority of the inhabitants of New Mexico have remained Mexicans. They have remained Mexicans in language, Mexicans in tradition, Mexicans in habits and associations, and Mexicans in their methods of life. They have resisted, until ten years ago, the introduction of any school system, and most of them are unable to read either the English or the Spanish language. Those of them who can read at all can read only the Spanish language and understand only the Spanish tongue.

Now, see the difference between them and your illiterate immigrants. Here is your Mexican father of 1846, a Mexican, speaking the Spanish language. He becomes a citizen of the United States and his son he brings up a Mexican, speaking the Spanish language. His grandson is brought up a Mexican, speaking the Spanish language, and his great grandson is brought up a Mexican, speaking the Spanish language. There is no testimony that there is any change as yet in this racial and lingual isolation from the other people of that Territory and the people of the United States.

These conditions produce results, so far as justice is concerned, which are a revelation and a reversal of all our ideas of courts and of juries and of the administration of justice. The interpreter is as much an officer of their courts as is the sheriff or the clerk. Even in the sacred precincts of the jury room the interpreter must go for the purpose of interpreting the testimony as he heard it and the argument of counsel on either side as he understood it to the Mexicans on the jury who did not understand it. This occurs both in civil and in criminal actions.

Not only that, but in political conventions there must always be an interpreter to interpret to the Spanish delegates the nominating speeches and the resolutions that are adopted. The interpreter is as much an officer of their legislature as are the clerks of their upper and their lower houses.

There has been testimony here, gathered by the committee, to the effect that when it comes to election, the vast majority of the Mexican voters can not read the ballot; that it has to be explained to them. They do not vote by names; they do not vote by party affiliations, because, being Spaniards, practically, they can not understand it, but they vote by emblems. The leader of the county goes among his constituents and says to them, "You must vote for the rooster," or "You must vote for the coyote," and,

understanding that, when the electorate come to the polls, they vote as the party leader has said—for the rooster or for the coyote.

Mr. President, if this Territory comes in as a State under these conditions what will be the result? The American population is concentrated in the towns. The agriculture is almost wholly in the hands of the Mexicans. Therefore in that apportionment which must necessarily come, according to territorial lines, the Mexicans will control the country districts all over the State. Their votes are cast by the party leaders for the man who has their confidence.

Generations of them in slavery for over two hundred years, down to 1865, has left a hereditary desire to be led. So one ambitious and one strong man in whom they have confidence casts the vote of the county, casts the vote of the town, casts the vote of the legislative district. Necessarily in the legislature, which will elect two United States Senators to this body, there will be a majority of Mexicans, and of Mexicans coming from the conditions which the testimony reveals.

In the antagonism that will then come up, which has been going on for a thousand years between the Latin and the Anglo-Saxon, does anybody believe that these Mexicans, controlling a majority of the legislative districts and a majority of the legislature, will surrender to the Anglo-Saxon the prize of the United States Senatorships? They may on the first election, for the first terms, divide between a Mexican and an American; but if I know anything of Latin characteristics and Latin ambitions, if I know anything of the Latin hanging together and acting in common and in concert, the whole future for a generation will be that in this Chamber will sit two Mexicans from New Mexico representing as Senators that State.

I myself have been almost thrilled at the pictures, presented in lurid language by my Democratic brethren, of the horrible condition which would prevail if there came into this Chamber Spaniards from Cuba, Porto Ricans from Porto Rico, citizens from Hawaii and Guam and Tutuila, and also representatives from the Malay Archipelago—the Philippines. And yet they are endeavoring to create a condition for party purposes to let in two Mexicans into this body for all time to come.

The history of New Mexico is one of the romances of American settlement. Twenty years before the Pilgrims landed on Plymouth Rock, and in the cabin of the *Mayflower* adopted that constitution which was an epoch in the history of the world, for the first time declaring that they were to form a government founded upon just and equal laws, there were a government and Spanish population in New Mexico.

There were a government and Spanish population in New Mexico before Pocahontas saved Capt. John Smith, or before immigrants were to be found in Charleston or anywhere along our Atlantic coast, and even before the Spaniards were in Florida there were a settlement and a government and a governor in New Mexico. So here we have a Territory which has been settled by Europeans and has had some form of government for over three hundred years.

How does that three hundred years, commencing twenty years before Plymouth Rock with its forty-one inhabitants, compare with Plymouth Rock? Seven hundred people settled in New Mexico twenty years before forty-one landed upon Plymouth Rock.

From those forty-one on Plymouth Rock have come, by the common consent of historians, the institutions of the United States; the liberties not only of the American people, but of mankind all over the world; the commonwealths which largely go to make up the American Union; and the principles which enacted into laws and permeating the population and taught in the schoolhouses, the academies, and the colleges, made the American nation and its people what they are to-day—principles which by virtue of their all-pervading and uplifting power have gone through every nation and have changed the form of government in every civilized nation on earth.

Now, compare what has come from those forty-one Pilgrims with what has come from these 700 Spaniards. They have remained during the whole of these three hundred years practically what they were when they first entered New Mexico. Compare these 700 Spaniards and the growth during the three hundred years of the country in which they settled with the settlement of Illinois. Practically the settlement of Illinois began in 1800, and New Mexico had two hundred years the start. And yet Illinois to-day in population, in cities, in industries, in manufactures, in agriculture, in schools, in colleges, in universities, in railroads, in telegraphs, in telephones, in newspapers, in magazines, and in the literary productions of its people would, if it stood alone among the nations of the world, be recognized as a great commonwealth, with every requisite of power and of majesty, of happiness for its people and of example for the world. It almost appalls the imagination to think of these people, who are to govern the State, existing as they have right upon this continent, bordering upon us, and for sixty years a part of us, in such a condition as they are to-day.

The settlement of the northern and the southern colonies went on without their knowledge. The great debate of the right to tax without representation, which preceded the Revolutionary war, shook the world—was a subject of discussion in every cabinet in Europe—but it was unknown, unheard of, in this New Mexican colony. The war of the Revolution dragged its bloody length along for seven years. The Declaration of Independence emancipated the world, but the colony of New Mexico never heard of the Revolution, never heard of the Declaration. Ninety per cent of its people were slaves to their own people. The territory was divided into great haciendas with one supreme family master of life, of limb, and of liberty, and all the rest were its peons or slaves, attached to the soil.

After the Revolution and the Declaration of Independence came the French Revolution, that mighty upheaval which overturned thrones and emancipated the whole Continent of Europe. But New Mexico never heard of it. Napoleon, who, whatever may be the charges as to his motives or his crimes or whatever may be said as to his achievements, did more than any man in Europe for civilization—Napoleon's great victories, his wonderful conquests, his dramatic defeat, his exile on a barren rock, all passed by. New Mexico never heard of them. New Mexico knew nothing of them.

And New Mexico would be sleeping to-day in the sleep of ignorance, which is the sleep of mental death, except that the great emancipator, Abraham Lincoln, whose birthday was celebrated all over the country yesterday, by his proclamation struck the bonds from the limbs of every bondman, black or white or of

whatever color, in this land. But the Mexican did not hear of it. The Mexican did not know it, and he would not have discovered it except that in 1865 a Colorado army swept through the country, driving back the Confederates who had almost captured it, and then the army said to the Mexicans, "You are free."

Now, my friends, I have been told that if I made a speech of this kind—in fact, I was told by a New Mexican politician—"If you make a speech of this kind, you will surely make New Mexico Democratic for all time to come. The orators will travel up and down New Mexico, and they will repeat this speech, and when they do we will be driven off the stump. We will have no opportunity to win. We will not be anywhere." But, my friends, the orator has to translate this speech into Spanish [laughter], and then he has to try to make somebody believe that I delivered it.

But when that interpreter interprets the Spanish there is only one question which will arise in the mind of that New Mexican audience. They were Democrats once. Their sole industry is wool and sheep. But along about 1894 and 1895 they found that the wool for which they had been getting thirty cents a pound was selling for seven, and the sheep for which they had been getting five dollars a piece were selling for a dollar and a half. Then these Mexican farmers, who had been peons or slaves up to 1865, rushed to the county leader and said, "Who has done this? We are ruined. We can not raise sheep for a dollar and a half and we starve on wool at less than twenty cents a pound."

That interpreter said (and if he did not say it there was a Republican there who understood Spanish who did say it), "There is a new party in power which has not had possession of this Government since you came into the Union, or since the civil war, and since you were free; that new party has been doing things to sheep and to wool by taking the tariff off; and if you do not understand what that means, it means that they have reduced the price in order that New Mexico shall clothe the people of this country with their wool and feed them with their sheep, to their own poverty and detriment."

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Mississippi?

Mr. DEPEW. Certainly.

Mr. McLAURIN of Mississippi. Does the Senator know that in 1893 there had been no repeal of the tariff or any tariff taken off by the Democratic party?

Mr. DEPEW. On wool?

Mr. McLAURIN of Mississippi. On anything.

Mr. DEPEW. In 1894.

Mr. McLAURIN of Mississippi. It was not until 1894, and the 28th of August at that.

Mr. LODGE. The threat was enough.

Mr. DEPEW. I may have got my date a little wrong, but the effect on wool and on sheep nobody denies. Cattle came in from Mexico and nearly ruined the cattle-producing countries of the West. The New Mexican farmer will go home after that meeting, having been down to Santa Fe or to Albuquerque, and having sold his sheep for four or five dollars, and having sold his wool anywhere from twenty to thirty cents, and he will hand the money over to the good woman—for the Mexican knows nothing about banks, and buries his money until it is needed—and she will say, "Alfonzo," or whatever may be his Spanish name, "they are going

to fool you about speeches made in the United States Senate in order to get you again to give away your sheep and give away your wool, but, Alfonso, stand by your family and your home;" and the Mexican will.

Mr. TILLMAN. Mr. President—

Mr. GALLINGER. Mr. President, will the Senator yield to me?

Mr. DEPEW. Certainly.

Mr. GALLINGER. I am very glad to hear this exposition on the part of the distinguished Senator from New York. A dispatch was sent to the Boston Journal early in the recent campaign saying that I had broken with the Administration on this question and was going back on the Republican party for the reason that all these Territories, if admitted as States, would send Democratic Senators to this body. In an interview in a New Hampshire paper I controverted that statement as best I could, and I am delighted to be reinforced in my view by the Senator from New York in his argument that New Mexico will be a Republican State, notwithstanding his speech. I am very glad to know that fact.

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from South Carolina?

Mr. DEPEW. Certainly.

Mr. TILLMAN. I was just going to ask the Senator from New York, if his speech was a joke, why he did not put in it that the Democrats would carry that State. The Senator now acknowledges that it is going to be represented by two Mexicans who will have no more sense than to remain Republicans the balance of their lives.

Mr. DEPEW. If what has been said by our Democratic friends is correct as to the growth of this State, the Mexicans can not save it. They say that populations are going in there from Texas, from Arkansas, and from Missouri, under this irrigation which is to make New Mexico as solidly Democratic, despite these Mexicans, as Arkansas, or Missouri, or Texas themselves.

Here is a joint resolution passed by the present legislature of New Mexico:

Resolved, That there shall be printed in the Spanish language such bills, rules, reports, and documents, and all other matter as may be ordered by either house of the thirty-fifth legislative assembly.

We all know what are the habits of Latin peoples. We know that until they get mixed with Americans and adopt American habits and get American ideas those conditions never change.

In view of the fact that Latin people with Latin ideas will probably control in the future as it does now the legislation of New Mexico, here is a bill which has just been introduced.

House bill No. 42. Introduced by Hon. Antonio D. Vargas, January 29, 1903.

Read first and second time by title, ordered translated and printed, and referred to committee on judiciary.

An act relative to the Sunday law.

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. That hereafter no saloon keeper, bartender, nor merchant of any kind or description shall be compelled to close his place of business on the first day of the week, called Sunday.

SEC. 2. That hereafter no fine shall be imposed upon any bartender, saloon keeper, or any merchant of any kind or description for selling liquors or any kind of goods or articles of any description on Sunday.

SEC. 3. That all laws and parts of laws in conflict with this act shall be repealed, and this act shall be in full force and take effect thirty days after the passage of the same.

Mr. TILLMAN. Is that a bill or a law?

Mr. DEPEW. It is a bill which has been introduced and moved upon its bounding passage through the legislature.

Mr. TILLMAN. Something like our trust legislation from the other end of the Capitol?

Mr. DEPEW. The difference is that the trust legislation from the other end of the Capitol, having passed the popular branch, is likely to be amended in the Senate.

We now come naturally to the wonderful results that are to be derived from irrigation. The amount of misinformation and ignorance that there is on the subject of irrigation in the Senate would fill a volume; it would fill a library. I voted for the irrigation bill. When my friends from these alkali and cactus States and Territories appealed to me as to what would be done by storing water and letting the little rivulets flow, it occurred to me that \$100,000,000, more or less, was nothing if that result would be attained. So I enthusiastically supported the bill for irrigation.

Now, my amazement is the testimony which has been delivered here on that behalf before this committee. Speaking of testimony, as my friend, the Senator from North Dakota [Mr. HANSBROUGH], is here, I want to say that in the discussion, when the able speech of the Senator from New Hampshire [Mr. BURNHAM] was being delivered, he showed that the testimony of one Martinez Amador, a Mexican, had been voluntarily given and that the testimony of Martinez Amador was to the effect, first, that the Mexican population did not know what statehood was, and, next, if they did know they would be against it. My friend, the Senator from North Dakota, sent up and had read by the Secretary a letter in which the value of the testimony of Martinez Amador was impeached. Attached to it there is no affidavit. In this letter the writer says:

Now, Martinez Amador is one of our old cranks here to whom no one pays any attention. I have heard him called the "Las Cruces anarchist" and also "the town fool."

Then, in the peculiar contradiction which characterizes everything that comes from the statehood side, the writer of this letter goes on to show that this crank, this anarchist, this town fool is the only rich man there is in the place, and that he made his own money. [Laughter.]

Now, coming—

Mr. TILLMAN. Before the Senator leaves that point, will he enlighten us as to whether he inherited his wealth.

Mr. DEPEW. He earned it himself. He started as a freighter. He is the only American Mexican there.

Mr. HANSBROUGH. The letter does not call attention to the fact that the objection of Mr. Amador to statehood was on account of the fact that he did not want his wealth taxed as it would be taxed under statehood.

Mr. DEPEW. Mr. President, I was only calling attention to the fact, no matter what may be the motive which this man had to oppose statehood, that in New Mexico a man who commences life as a freighter and then gets a farm, and then gets a ranch, and then gets so rich, as this letter says this man has, that he lives upon his income without labor, is in New Mexico regarded by advocates of statehood as a crank, an anarchist, a town fool.

Every American certainly wants this great desert to blossom as the rose. It is no pleasure for any Senator to stand here and de-

scribe the conditions which exist in this Territory. It is no pleasure for any Senator to produce the testimony which shows that the hopes which were held about irrigation will never be realized. Everybody here would be delighted beyond language if they could be. The Fourth of July oration which the Senator from Nevada has said I ought to make, I would make with all the power I possess if the expenditure of \$100,000,000 or \$500,000,000 would irrigate these arid plains and enable large populations to live there; would produce homes, villages, cities, industries, and add to the wealth and glory of our country. But I pause on the threshold of the introduction of a new State into the Union when the argument for that State is that its growth is to come from irrigation, when an examination shows that irrigation has about reached its limits.

New Mexico can be irrigated only by the Rio Grande and Pecos rivers. The testimony shows that these rivers have reached their full flood, and that the rivers in Arizona in many cases have fallen off.

There is the testimony taken at Phoenix, where the land irrigated is less to-day than it was forty years ago. There is the testimony that the Salt River of Arizona, upon which a large portion of that Territory depended for irrigation, has diminished in volume 70 per cent in the last five years. We also know that as population increases in Colorado and at the headwaters of the rivers upon which everything depends they are absorbing more and more water every year, and that the Rio Grande, which two hundred years ago had water its whole length, now two-thirds of the year and for two-thirds of its distance is absolutely dry. There are Mexican traditions that two hundred years ago——

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. Certainly.

Mr. TELLER. I think the Senator is referring to what is known as the Rio Grande River in that country and not the Colorado.

Mr. DEPEW. Yes; the Rio Grande and the Pecos.

Mr. TELLER. We call the Colorado the river running into the Gulf of California. You are speaking of the one that runs down through New Mexico.

Mr. DEPEW. Yes; through New Mexico. That is the Rio Grande, is it not?

Now, there is the testimony which shows that something over two hundred years ago there was a population of 400,000 people in New Mexico. Why is it that those 400,000 people in two hundred years have gotten down to less than 200,000? It is because the streams dry up or are dried up by artificial processes.

After forty years of irrigation in Arizona, with all the capital that has gone out there from New York and through Eastern cities, with all the effort made to develop that agriculture by irrigation, and with the land free for anybody, of the 73,000,000 acres there are only 186,000, in round numbers, which are irrigated. One-fourth of 1 per cent of the whole area of that vast Territory, after forty years of exploitation, is all that they have irrigated.

When you come to New Mexico, out of 78,000,000 acres there are only 205,000 irrigated. In other words, there only one-fourth of 1 per cent has been irrigated.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. Certainly.

Mr. PATTERSON. I think it is due to the Senate that the facts as to the figures given by the Senator from New York should be made known.

Mr. DEPEW. I will state that I got the figures from the testimony taken by the committee.

Mr. PATTERSON. The only witness upon that subject was Mr. Newell, connected with the Department here at Washington. While he was giving his testimony, before he concluded, I requested the committee to permit the Delegate from the Territory of New Mexico to be present, that he——

Mr. BEVERIDGE. I hope the Senator will allow me. I think the Senator will thank me for interrupting him as to what may have occurred in the committee room. I think that perhaps we have had two or three discussions here about that. Of course I have no objection to the Senator going on, if, after I call his attention, he wishes to do so.

Mr. PATTERSON. Mr. President, when a Territory such as New Mexico and Arizona are having their natural resources discredited, when the property and the interests of every citizen of such a Territory are being depreciated and their status in the industrial and commercial world is being assailed, I think it is common justice that the character of the testimony that is the basis of an attack of that character should accompany the assault. It is for that reason that I say the entire testimony is the testimony of one man, and the committee who had this investigation in charge brought that testimony in at the very close of the examination and gave to the other side no opportunity to combat it or to rebut it——

Mr. NELSON. Mr. President——

Mr. PATTERSON. And refused the common courtesy of having the Delegate from that Territory appear in the committee room to cross-examine the witness who was produced. I think it is but common justice to these two Territories that are thus assaulted to let these facts go with their defamation.

Mr. NELSON. Mr. President, I am surprised at the remarks of the Senator from Colorado. The committee called Professor Newell to testify in respect to the matter after they met here, and we were required to make a report by a given day. The suggestion was made that the Delegate from that Territory be brought here to examine Professor Newell. Attention was called to the fact that we were obliged instantly to report the bill back, and there was not the time, and the Senator from Colorado knows that he acquiesced in that——

Mr. PATTERSON. Mr. President——

Mr. NELSON. And the rest of the committee know it.

Mr. PATTERSON. It simply establishes the proposition that that witness was the last witness who was called, and that the representatives of the Territories assailed have had no opportunity to meet what I do not hesitate to say is a slander on the Territories, and that I withdrew my objection only when the chairman of the committee and other members of the committee opposed to the admission of these Territories made it perfectly plain that they would not permit the delegates to be called for the purpose of protecting the Territories they represented.

Mr. QUAY. Mr. President, if the Senator from New York has concluded his remarks, and no other Senator is ready to take the floor, I should be glad to have a vote on this bill.

Mr. BEVERIDGE. The Senator from New York has not concluded his remarks. He yielded the floor, as the Senator knows, for a moment.

Mr. QUAY. I did not know it. I only knew the Senator from New York had disappeared from the floor.

Mr. BEVERIDGE. The Senator from New York has not disappeared from the floor.

Mr. QUAY. I did not see the Senator here.

Mr. DEPEW. I will say to my friend from Pennsylvania that I was simply gathering more ammunition. [Laughter.]

Mr. QUAY. Very well; I hope the Senator from New York will proceed; and I trust that his next fire will be more effective than the last. [Laughter.]

* * * * *

Mr. PATTERSON. Mr. President, this line of attack upon New Mexico and Arizona is a grave wrong to every resident of those two Territories. It is an assault upon every dollar of capital that is invested in them. It is the most serious drawback that could be conceived of to the future advancement of the country involved. Usually, Mr. President, members of the Senate and others delight in picturing the glories, the grandeur, the greatness, and the prosperity of the country, but for some reason Senators who are opposed to the admission of these Territories as States, see nothing in them but evil, and have nothing but wrong in them to proclaim.

* * * * *

The Senator from Indiana speaks of Professor Newell as a scientist, and he wants Senators to read his testimony. Mr. President, the experience of the attorney is that the testimony of the scientist in matters of that character as against the testimony of the every-day man of affairs who lives there and has personal knowledge of the things of which he speaks is not to be compared in conclusiveness and satisfaction with the testimony of the latter. Those of us who have tried mining cases can appreciate this. If the Senator will but read the decisions of the Supreme Court of the United States he will find that the greatest legal tribunals in the country have declared that, as against the scientist, the testimony of the man of affairs—the common, practical miner—is infinitely superior, and carries much the greater weight with the court.

Mr. BEVERIDGE. Mr. President, will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Indiana?

Mr. PATTERSON. Yes.

Mr. BEVERIDGE. I call the Senator's attention to the fact, which no doubt for the moment he has forgotten, that it appears from the testimony of Professor Newell that not only is he a scientist, speaking as such, but as a man personally familiar with the whole subject, having made examination after examination on the ground, so that he combines both the scientist's information with that of the person who is on the ground.

Mr. PATTERSON. Yes, Mr. President, that is the peculiarity of scientists; they claim to know everything about every subject. A man whose education is in Washington—

Mr. BEVERIDGE. Permit me. Does the Senator deny that

it appears in the Record itself that Professor Newell testified that he had been over the ground. I call the Senator's attention to the fact that this is not a book scientist, but a man who testified before the committee that he had examined the subject on the ground, and thoroughly.

Mr. PATTERSON. Of course, that is the peculiarity of all such scientists. There is absolutely nothing with which they are not familiar—practically, theoretically, and in every other way. To confess their ignorance of any phase of any subject would, according to their standard of skill, be to write them down, not scientists, but common ordinary people.

But, Mr. President, Professor Newell is the head or is a high official of some Washington bureau. He has gone to this great Territory occasionally, up one stream and down another. To say that he is familiar with one one-thousandth part of the great Territories of Arizona and New Mexico is to declare that the age of miracles is yet with us and that men who seem to be, so far as effort is concerned, confined to the qualities and abilities of a human being, have the qualities and abilities of ethereal beings hovering over an entire Territory and enabled to take with one sweep of the eagle eye everything that is to be seen upon the surface and beneath the surface—wherever the spiritual eye could reach.

In reply to the Senator from Indiana, I simply meant to say, in defense of those two Territories, in defense of the people who live there, whose all is there, who have gone to the West for the purpose of building up great Territories and making them great States, that what is claimed as to the small amount of land that is subject to irrigation is the statement of one who knows substantially nothing whatever of the subject of which he speaks, and, if he does know, then, Mr. President, he is entirely mistaken in the claims that he makes.

Mr. NELSON. Mr. President, the Senator from Colorado [Mr. PATTERSON] seems to have become oblivious—

Mr. QUAY rose.

Mr. NELSON. I will yield to the Senator from Pennsylvania for a motion to adjourn, and reply to the Senator from Colorado in the morning.

Tuesday, February 17, 1903.

Mr. DEPEW. Mr. President, the debate closed while I had the floor at the last hearing upon the statehood bill with an eloquent speech on the part of the Senator from Colorado [Mr. PATTERSON] in reply to what I was saying at the time. He was taking exception to my remarks and giving to them an interpretation and a free expression of his own views. He took the broad ground that the position of the opponents of this omnibus statehood bill amounted, in the first place, to an attack upon the West, the great West; in the second place, that it was a tremendous injury to the investments and the population of these Territories to have the statements made here become a permanent record in regard to their condition with the testimony delivered before the Committee on Territories and the views of scientists upon their condition, and, lastly, he complained that the committee and the speakers had been guided in what had been said by the reports of a scientist when the testimony of practical men would be of more value.

Now, I yield to no one in my respect and admiration for the great West. I do not propose, however, to assent to Territories which are no part of the great West, which have none of the characteristics of that magnificent part of our imperial domain, coming into the Senate under the cloak of those great Commonwealths. The Middle West, formed out of the Territories ceded by Virginia, Maryland, New York, and other States, are to-day not only among the most prosperous of the States of the Union, but they have before them a wonderful future. The States formed out of the Louisiana Purchase, fifteen of them, are to celebrate next year the one hundredth anniversary of the purchase of that territory. Those fifteen States are centers of civilization, of population, and of wealth, which add enormously to the power of the Republic.

The Northwestern States, great and growing, and the State of my friend the Senator from Colorado, great and growing, are all parts of this Great West. This Great West has over 30,000,000 of the 76,000,000 of the people of the United States, and it can not be put in comparison with Arizona and New Mexico. That territory which came from Mexico to us, which is a part of Colorado (the poorest part), New Mexico, Arizona, Nevada, and Utah—that is not the Great West. It was known while the Great West was being built up as the Great American Desert on the maps which we had in the schoolrooms in our boyhood. That territory was settled long before the Great West had a white inhabitant. It was under territorial governments of Mexico two hundred years before the Great West had Territorial governments or populations. While that territory has remained stagnant, the Great West which I have alluded to, the States under the ordinance of 1787, the States of the Louisiana purchase, and the other States of the Northwest, have grown to be nearly one-half in population, in power, and in wealth of the Republic, and are advancing more rapidly than any other part of this great nation.

So I, sharing any enthusiasm which my friend the Senator from Colorado may have, will join in his most glowing periods of the Great West. But I can not stand here and permit him to hide behind this magnificent association of Commonwealths, of areas, of civilization, and of all that makes a great country, these alkali plains and arid wastes and these unpopulated districts, which in three hundred years have stood so far behind the Great West, and call them the Great West and equally deserving statehood.

Mr. President, as to the suppression of the truth or as to misstatements, I have seen no misstatements in regard to the present conditions which prevail in Arizona and New Mexico. They are not the vaporings of the platform; they are not anonymous communications to the press; they are not the mere statements of people which are unverified, but they are the testimony of witnesses on the ground, summoned and appearing and giving their testimony before one of the committees of the Senate.

Mr. BEVERIDGE. Under oath.

Mr. DEPEW. And giving that testimony under oath, each witness subject to all that brings out the truth in our courts and tests the veracity and credibility of witnesses by a cross-examination by those who are anxious to let in those Territories as States and who wanted as favorable testimony as possible. There has been no perversion of the truth and there has been no suppression of the truth.

It would be a great misfortune if in adding at this period of our history new Commonwealths to take their equal position through their United States Senators in this Chamber they should come in here under false pretenses, under a suppression of the truth, or under a keeping back of the facts which, if known, would prevent the American people justifying their arriving yet at statehood.

The suppression of the truth, Mr. President, is not in telling the exact facts about these States, and therefore preventing their immediate admission, but it is in admitting them. We all remember the old couplet, so often recited and never controverted:

Truth crushed to earth shall rise again;
The eternal years of God are hers;
But Error, wounded, writhes with pain,
And dies among its worshippers.

But, for the first time since that couplet was quoted in sermons, in orations, and in schoolbooks, the admission of these Territories, unless the truth were told, would bury truth so that it could never rise again, because if these Territories came in as States without our knowing all about them—no matter if the truth did injure property no matter if it did stop booms, no matter if it did interrupt speculations, no matter if it was hostile to promoters—if they came in because the truth was suppressed, on that account, then, as no State can ever be put out of the Union, truth would be buried under the Dome of this Capitol, and truth could never rise again until in the crack of doom and on the day of judgment there was a dissolution of the Union.

I was very much surprised at the position which my friend, the Senator from Colorado, took at this late day in reference to the superiority of the practical man to the scientist on a question like that of the possibilities of irrigation, of the possibilities of storing water, of the area that could be watered by storage, and of absorption and evaporation.

The old river Nile has flowed from its mythical source—mythical until our generation—for millions of years, making fertile by the overflow of its banks the territory through which it ran. As the headwaters became settled the flow ceased to be as great, and distress came to that country, which, during the whole classic period, was the granary of the world. “The man with the hoe” and the plow, and the men with the boat propelled by oar or sail or rope or pole, the men who traveled up and down, were all intent upon the relief of agriculture along this great river. Twenty odd dynasties came in the ancient period, and were unequal to the task. The highest civilization was succeeded by Mohammedanism, and the best brain of all civilization during historic and nonhistoric periods has given itself to this problem of the Nile.

The Nile differs from the Rio Grande and the Pecos and the Salt River of our Territories in the fact that it flows all the year round, but at the flood it overflowed its banks and made agriculture possible. It has been reserved for the last decade, for the engineer under the government established there by Great Britain, to solve the problem of old Nile and to harness her to industry. The great dam at Assuan, the most wonderful structure of ancient or modern times, has impounded those waters in such a way that hereafter there will be no more drought in Egypt and no more suffering among the farmers. Instead of relying upon the uncertainties of weather, of sunlight, of drought, and of flood, the river is controlled, and controlled by science.

A scientific gentleman, selected by the United States Government because he is at the head of his profession, is appointed the chief hydrographer of the United States Geological Survey, Prof. F. H. Newell. He has no private purposes to accomplish, he has no political or personal aims in view, but under his oath of office, knowing that this work is to be verified or disputed by all the selfish interests—and properly selfish interests—affected in those vast Territories, he is sent out there by the Government for the purpose of making investigation and report. He visits every part of those Territories with his assistants; he travels up and down those rivers; he goes to the mountains; he looks at the lakes; he estimates the rainfall, and he ascertains the storage capacity of the water there is in all that country.

Now, his conclusions are disputed, because it is said that the practical man knows more on this subject than the scientist possibly can. I will admit that the cowboy knows more about herding his cattle and taking care of them than a professor of the Geological Survey; I will admit that the farmer will know more as to the management of his crops and the miner as to the working of his mines, but it is simply absurd to say that the cowboy or the farmer or the miner or the prospector, in the limited area in which he works, with the limited information that he has on such subjects, can state what is the amount of the flow of the Rio Grande, of the Pecos, and of the Salt River; that he can tell what is the amount of water which is gathered and which may be stored in the mountains and at the sources of these rivers; that he can tell how much acreage of water is necessary for the purpose of irrigating an acre of land. His testimony would be absolutely worthless. But here is an expert of the Government, a distinguished scientist, whose object in testifying is simply to tell the truth.

Mr. BEVERIDGE. Before the Senator from New York reads the testimony of Professor Newell, I wish to say that Professor Newell is not only the hydrographer of the United States Geological Survey, and a scientist of great eminence, as the Senator from New York says, but also that he has personally and practically familiar knowledge of the section of country of which he testifies. That appears, as I think the Senator from Colorado [Mr. PATTERSON] will remember, on the face of the testimony itself. So that the testimony of Professor Newell is not only the testimony of a scientist such as the Senator from New York has described, but also the testimony of a practical man, who has examined the situation on the ground. Therefore the value of his scientific testimony is reenforced and emphasized by his practical and personal examination of the subject-matter.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. Certainly.

Mr. PATTERSON. It is not my purpose to interrupt the Senator from New York at all in his speech to-day, as I understood him to say on yesterday that he was anxious to conclude this afternoon, as he was obliged to leave the city, so I shall not now indulge in any interruption, except to say that if an opportunity is offered, without trenching too much upon the Senator or taking too much of the time of the Senate, I shall be able to demonstrate from official documents in the Department and on the testimony of the Department itself that Professor Newell is

sadly mistaken about the capabilities of New Mexico as to the amount of water and everything that pertains to the agricultural possibilities of the Territory.

I think I shall also be able to demonstrate in the most conclusive way that the suggestion of the Senator from New York [Mr. DEPEW] that New Mexico is standing still and is not progressing with the West, that the new life and new blood which is now coursing in this country from one end of it to the other is not flowing into New Mexico—I think I shall be able to demonstrate that the Senator is sadly mistaken in that respect also. But I do not think it would be fair to him, in view of the matter of time, to interrupt him to do so now.

Mr. BEVERIDGE. The Senator from New York had all day and the Senator from Colorado has plenty of time.

Mr. PATTERSON. The Senator from Indiana suggests that the Senator from New York has all day and that I have plenty of time. If the Senator from New York will say that, I will give him a few facts and figures now, which I think will change his views upon the subject.

Mr. DEPEW. If the Senator thinks he has any facts which can change my views I want to hear him now.

Mr. BEVERIDGE. Mr. President, that was a sotto voce remark of mine, such as frequently passes between my very good and honorable friend the Senator from Colorado and myself.

Mr. DEPEW. Professor Newell says that it has been his duty to examine from a scientific standpoint the physical conditions of New Mexico and Arizona, and that since 1888 he has spent considerable time in those Territories and in the adjoining States. I read the following from his testimony:

The CHAIRMAN. Will you state to the committee, in your own way, the situation in the Territory of New Mexico with reference to the question of aridity?

Mr. NEWELL. The Territory is well within the arid region, and agriculture there is dependent almost entirely upon the artificial application of water.

The CHAIRMAN. By the artificial application of water you mean irrigation?

Mr. NEWELL. Yes, sir; irrigation. The principal source of supply is the Rio Grande and its largest tributary, the Pecos River. The United States Geological Survey has been measuring the flow of the Rio Grande where it enters New Mexico, and at various points along its course. We have also measured some of its tributaries, and have measured where it leaves the Territory to form the boundary line between Texas and the Republic of Mexico. We have been making studies of the extent to which that water can be used for irrigation purposes in the future.

Now, where is the man of the rule of the thumb, the practical man, who has made investigations of that kind? And where is the man who has made investigations of that kind who had the scientific knowledge to make his investigations of any earthly value?

The CHAIRMAN. Will you state to the committee the extent to which that water is used at present?

Mr. NEWELL. The usual summer supply is entirely employed, and there is now a considerable acreage under cultivation for which there is not a sufficient supply of water in all seasons.

That is now.

The spring flow—the floods—in large part go to waste, and water storage is absolutely essential to the future development of the Territory.

He then goes on to state that there is some water storage, but that it could be greatly improved. Then Senator PATTERSON takes up the cross-examination in regard to this water storage:

Senator PATTERSON. Tremendous volumes of water come down those rivers during certain seasons of the year, do they not?

Mr. NEWELL. They are very large.

Senator PATTERSON. If the waters could be conserved a very heavy percentage of land could be put under irrigation, could it not?

Mr. NEWELL. We have been measuring the amount of water, and if it could all be saved several hundred thousand acres could be irrigated.

“Several hundred thousand acres,” and you must remember, Mr. President, that in these two Territories are 151,000,000 acres. This scientist says that if the water which is available is stored, several hundred thousand acres more can be irrigated.

Senator PATTERSON. Is that the limit—several hundred thousand?

Mr. NEWELL. I think so. The limit is the total amount of water which comes down the Rio Grande and Pecos. The measurements at various points on the Rio Grande give the actual amount of water which has passed that point during various years in succession. Those figures I can insert in the testimony if you wish.

Mr. TELLER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. Certainly.

Mr. TELLER. I simply want to call the Senator's attention to the fact that Professor Newell was not speaking of the two Territories, but of New Mexico alone. That statement has no relation to Arizona at all.

Mr. DEPEW. But the testimony that is here in regard to Arizona is substantially to the effect that the condition of Arizona is worse than that of New Mexico.

Mr. TELLER. Mr. President, however that may be, it has no relation to the Pecos River, but only to the Rio Grande. No part of Arizona would be watered by the Rio Grande.

Mr. DEPEW. I understand.

Mr. BEVERIDGE. But, Mr. President, Professor Newell does also testify concerning Arizona quite as fully as he does concerning New Mexico.

Mr. DEPEW. Here is what he says:

The CHAIRMAN. You may state to the committee what portions of this Territory may be used—whether there is a possibility of agriculture in this Territory except by irrigation.

Mr. NEWELL. It is not possible excepting on the northern portion of the Territory. There, at an elevation of about 7,000 feet, settlers are raising small areas of potatoes without irrigation, and some cereals, cut green, for feeding cattle.

The CHAIRMAN. Aside from that, the occupation of agriculture is not possible there, except by irrigation from streams. Is that true?

Mr. NEWELL. Yes.

The CHAIRMAN. In order to make this brief, I will state that the committee understands that the irrigated area is about Phoenix, some on the Gila River, and some near Yuma.

Mr. NEWELL. Yes.

The CHAIRMAN. What can you state about the sufficiency or the insufficiency of the water supply for the irrigation canals about Phoenix?

Phoenix, we must remember, Mr. President, is the most important, as well as the most promising, part of the Territory of Arizona.

Mr. NEWELL. The condition at Phoenix is extremely serious, as the land under cultivation exceeds in area the available supply of water.

Remember, that is now.

For the last two or three years there has not been sufficient water for more than half or two-thirds of the land which has been normally under cultivation.

The CHAIRMAN. Is that because there is not enough water in the river?

Mr. NEWELL. It is because of the shrinkage of the river during the past few years.

The CHAIRMAN. Is there any other source of water supply for irrigation, except that water from the river?

Mr. NEWELL. That is the only source excepting a small amount of water to be obtained from deep or artesian wells, and from shallow wells in the gravels near the river channel.

The CHAIRMAN. Could any appreciable quantity of water be obtained in that way, taking into consideration the whole area?

Mr. NEWELL. That would probably not represent more than 1, 2, or 3 per cent of the entire area that is irrigable.

There you have——

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. I will yield in a moment if the Senator will allow me to conclude just one statement.

Mr. PATTERSON. Very well.

Mr. DEPEW. The testimony is here that the rivers about Phoenix, especially the Salt River, have diminished seventy per cent in volume in the last five or six years.

Mr. PATTERSON. Mr. President, upon the theory that I will not interfere with the Senator's movements after to-day, I will venture to interrupt him at this time for the purpose of making some suggestions upon the area of irrigable land in New Mexico as we find the subject treated by the Department of the Interior, and especially now with reference to New Mexico. Professor Newell summed up his statement with reference to the amount of lands subject to irrigation in New Mexico as follows:

Mr. NEWELL. We have been measuring the amount of water, and if it could all be saved several hundred thousand acres could be irrigated.

Senator PATTERSON. Is that the limit—several hundred thousand?

Mr. NEWELL. I think so. The limit is the total amount of water which comes down the Rio Grande and Pecos.

So that Professor Newell took into consideration the two rivers in this part of his testimony—the Rio Grande and the Pecos. He furnished the committee later, and it is inserted in the testimony, with a table of the amount of water that comes down the Rio Grande according to measurements at two different points.

* * * * *

Based upon these facts and these data, and based upon the experiences of men who have lived in the Territory, with the possibilities for the economical use of water in view, the opinion of the best and the most practical men in the Territory of New Mexico is that, instead of 200,000 or 300,000 acres being the limit of land that may be reclaimed in the course of a comparatively few years, at least 10,000,000 acres of land in the Territory of New Mexico will be made to bloom and blossom as the rose.

Having those facts in mind, I suggested the other night that very great injustice was being done both to the Territory of New Mexico and to the Territory of Arizona by taking the testimony of a single man, Professor Newell, who is a scientist and a theorist and is not a practical man, with a practical knowledge of the possibilities of the economical use of water in irrigating districts. If these Territories are admitted as States into this Union, I believe, so strong is the love of justice in the heart of the Senator from New York, that within ten years, if he is then a member of this body—and I trust he will be—he will rise in his seat and apologize to the people of New Mexico and Arizona for having given credence to some of the statements that were made before the committee.

Mr. DEPEW. Mr. President, I appreciate the compliment of the Senator from Colorado, but I think the great difference between the Senator from Colorado and me is that the statements which have been given him and from which he reads are those of the promoter, of the speculator, of the local man who is interested

in booming the Territory, while mine are from a cold-blooded, clear-headed, thoroughly trained scientist who knows what he is talking about.

* * * * *

I am not disputing the word from his standpoint of a promoter or a speculator. I fall in with them all the while. So many of them come to New York with mining propositions that I have become acquainted with every inhabitant of both Territories. Philanthropically alive to my welfare, regardless of cost to themselves, they present to me every week the opportunity to secure fortunes that would make those now talked of all over the world pale into insignificance. My distrust is not of their sincerity, honesty, or truthfulness, but it is of the basis upon which they build those tremendous statements.

I was induced some years ago, under statements in regard to irrigation, artesian wells, stored waters, and canals, with the wonderful production which would surpass that of any fields in the world, to make an investment in an irrigating company, primarily to make money, secondarily to develop the Territory, so that before ten years elapsed I might view the millions settled upon the reclaimed land coming here and demanding statehood—the owners of millions of acres yielding three crops a year by irrigation. The voice of the siren sounded in my ear, the siren being moved by stored water. [Laughter.] That irrigating proposition is still working. The lands are still there; the canals are there; the storage reservoir is up in the mountains. Sometimes water comes into it; sometimes it does not. It takes a large part of the revenue to get the silt out which is the inevitable adjunct of waters coming down from the mountains.

Mr. SPOONER (to Mr. DEPEW). But your money does not come out of it.

Mr. DEPEW. And everything else comes out of it, as the promoter said, except my money. [Laughter.]

Now, here is a letter addressed to the Senator from Wisconsin [Mr. SPOONER] by the educational association of New Mexico. I presume on this question the Senator from Colorado and I will agree that the educational association must necessarily be composed of the best informed people of that Territory, unless he carries his criticism of scientists also against the board of education of the Territory of New Mexico.

The board states:

The statehood bill, now in the hands of the Committee on Territories, provides for granting more lands to New Mexico when she becomes a State, but the bill makes no restrictions as to the price or method of selling these lands. It permits immense speculation to occur to the sacrifice of our school interests. No State was ever admitted into the Union which needed more assistance in the establishment and support of a system of education than does New Mexico to-day.

Now, I read further from the communication of the board of education:

From Governor Otero's report for 1899 (page 6) it will be seen that out of about 79,000,000 acres in the Territory about 24,000,000 acres are already included in lands and railroad grants, Indian and military reservations, and Government entries. It may be readily concluded and easily proven by observation that very little good agricultural land remains from which to select the lands already given or yet to be given to New Mexico for educational and other purposes. Large tracts of the Government land still remaining are worth but little, on an agricultural basis, even for grazing. A very considerable part has no value whatever, unless it be for the minerals it may contain.

By the Congressional act of June 21, 1898, the Territory is not allowed any land declared to contain minerals. A very considerable part of the wealth

of New Mexico is in its mineral deposits. Its future prosperity will come largely from the development of these resources.

This statement seems to negative and ignore those millions of agriculturists whom the hopeful imagination of my friend the Senator from Colorado sees gathering and cultivating lands around these mythical streams and marvelous springs.

Mr. PATTERSON. The theory of the Senator from New York is based upon a lack of knowledge of what the paper he reads contains. It may be true that there is relatively a small amount of agricultural land yet subject to be taken up by private individuals, but if he will examine the map furnished by Professor Newell he will discover that probably a third of the 70,000,000 acres have already been taken up and are now controlled by private ownership, and presumably the best of the New Mexico land is embraced within those areas.

The Territory was covered with Spanish grants, with hardly a grant for less than a hundred thousand acres, and some of them for four and five and six million. I presume there are 40,000,000 acres of the best land in the Territory of New Mexico now held in private ownership either by private individuals or corporations, the origin of the title being a grant. So the statement from this educational body in no wise conflicts with what the Senator from New York is pleased to term a glowing picture portrayed by myself.

May I in this connection show the Senator how New Mexico is growing in the matter of manufactures, because I know he wants enlightenment? I have here some figures taken from the census of 1900. Let me show the Senator from New York how New Mexico is growing in the matter of manufactures alone.

In 1870 the manufactures in New Mexico amounted to \$1,489,868; in 1880 to \$1,284,846; in 1890 to \$1,516,195; in 1900, in a period of ten years, the manufactured products of New Mexico increased from a million five hundred thousand dollars to \$5,605,795.

Mr. BEVERIDGE. What were they?

Mr. PATTERSON. I have not the manufactures. I have the figures of the manufactures of the Territory of New Mexico, and am giving the totals as taken from the last census. As to the number of manufacturing establishments, in 1870 there were 182; in 1880 144; in 1890, 127, and in 1900 they grew to 420. In the matter of wages, which is some index of the growth of a State or Territory, in 1870 the total wages paid in New Mexico were \$167,281; in 1880, \$218,731; in 1890, \$470,361, and in 1900, \$1,350,586, a growth of 300 per cent in the amount of wages paid in the Territory of New Mexico during the past ten years.

In the cost of material used let us see what the growth has been. In 1870 the material used amounted to \$880,957; in 1880, to \$871,352; in 1890, to \$691,420, and in 1900, to \$2,914,138, showing that the new blood of the West had reached New Mexico and is circulating in New Mexico and is bearing the fruits of which the Senator from New York is so justly proud when applicable to his own State, but which possess no virtue of when displayed in the Territories of New Mexico and Arizona.

Mr. DEPEW. Mr. President, I am very glad to hear those figures in regard to New Mexico. I am afraid there are none of a similar kind for Arizona. But during that period see how the country has grown. It is said that the barometer of national wealth is iron. In the United States there were produced of pig iron in 1870 1,700,000 tons and in 1900 14,000,000 tons. There

were produced of steel in 1870 69,000 tons and in 1900 10,000,000 tons. The production of cotton in this country has grown in that time from 3,000,000 to 9,500,000 bales, and the value of our manufactures from four billions of dollars to thirteen billions; and so I might go on indefinitely.

Mr. President, in one of the ablest speeches made on the side of statehood in the Senate, by a Senator who is always very careful and exceedingly studious in his researches—I refer to the Senator from North Dakota [Mr. McCUMBER]—he estimated that ten per cent of Arizona and New Mexico could by one process and another be brought under irrigation. That was his hopeful view as a statehood man. From that he estimated that in time to come there would be a million people in each of those two Territories.

But there are a hundred and fifty-one million acres in those two Territories, and if only ten per cent can be brought under cultivation, that is only 15,000,000 acres. It leaves a hundred and thirty-seven million acres of desert or arid land, of cactus and of alkali, to be represented in the United States Senate by four Senators as against the States which came in under the Northwest Ordinance, possessing all together little more territory, and those four Senators from the arid lands would neutralize Ohio and Illinois or Indiana and Michigan in the Senate of the United States.

Mr. President, reverting again to the number of years of settlement, I find that New Mexico, with three hundred years of settlement and fifty-odd years of a Territory, has \$5,605,000 of manufactures, while Oklahoma and Indian Territory, with twelve or thirteen years of settlement, have \$11,000,000 of manufactures; that New Mexico after three hundred years of settlement has \$7,000,000 of live stock, while Indian Territory and Oklahoma have \$30,000,000 after twelve years of settlement; that the farm crops of New Mexico after three hundred years are \$3,000,000 in value, while Oklahoma and Indian Territory are \$43,000,000.

I am not without some personal knowledge of this water question in New Mexico. Having been born on the banks of the Hudson and believing that to be the most beautiful stream in the world, my attention has been called from early boyhood to the great rivers of the globe. I read all about the Amazon with its 3,000 miles of navigation. I took great pride in the Mississippi, the father of waters, with its affluents furnishing 4,000 miles of navigation. I studied the story of old Nile and of the Tiber, and then I would come every now and then to the Rio Grande. Every now and then I would find a glowing description of the Rio Grande, of the immense territory that it drained and fertilized, and the statement that it received its name from its Spanish discoverers of the grand river. I saw many of these other rivers, comparing them with the Hudson, and wondering at their size and their commerce, but it was only about five years ago when I had the opportunity of gratifying the desire of a lifetime to see the Grand River of New Mexico. When we arrived at El Paso, without stopping for anything else, I immediately left the train and walked on and on to see this Rio Grande, to witness the commerce floating upon its bosom, to see its river craft for the carriage of freight, and its palaces, like we have on the Hudson, for the carriage of passengers, to view the wharves with their busy warehouses, and their thousands engaged in the traffic of the great river. After walking for more than an hour and not hearing the thunder of its flood nor the noise of commerce I turned and walked back. I saw an

aged man who looked like the oldest inhabitant, and therefore likely to give me the truth. I said, "My friend, I am looking for the Rio Grande, the grand river of New Mexico. Can you tell me where to find it?" Said he, "Sir, you have already crossed it twice on foot." [Laughter.] And then, sir, I found that possibly the reason why it was called the Rio Grande is the peculiarity which those New Mexican rivers have, which belongs to no other streams in the world—their bottoms are on top. [Laughter.]

There is something about a contact on the affirmative side with this effort to let these arid regions into the Senate with United States Senators to remain here forever that fires the imagination of the gentlemen who favor it. Every little while we see in the newspapers an account of explorers across those great deserts discovering the bones of prospectors. The position of the dead and the location of the camp tell the story. In that rainless region the brazen sky, the torrid sand, and the clear atmosphere produce what is known as a mirage. There rises up before the vision of those thirsty travelers a lake, and they see the water and the trees; and the stock sees the water and trees; and the men and the women and the cattle and the horses go forward on their remaining strength in eager search for those visionary lakes, with their overhanging trees along the banks, which recede as they advance.

I am surprised if the Senator from Colorado did not find in the mirage the waters that were to produce those marvelous results which I am to wonder at and make apologies for ten years from now, after the four Senators from those States have been for ten years casting twice as many votes in the Senate as the two Senators from New York.

When my friend the Senator from Ohio [Mr. FORAKER] one of the most eloquent men in the United States, whether upon the platform or in the Senate, was discussing this question in the best contribution that has been made so far on the statehood side, he drew a picture of the conditions which would prevail in Arizona and New Mexico when the irrigation scheme had been fully developed.

In that picture the streams were let over these alkali plains, and we saw crop after crop every year of alfalfa grass coming up, and we saw the herds of cattle and of sheep increasing until the beef problem was solved, until the prophecies of those who say that the increase of population of the world is greater than the growth of the beef supply were negated, until we saw that the best cuts of beef and the best quarters of lamb and of mutton had been brought within the reach of the poorest people in the United States for their daily food, until we had the surplus which would go abroad to feed the world and make up the deficiencies of old Europe, where the population increases so much more rapidly than the meat supply that a large proportion of the people now never know what meat is.

But the difficulty with the statement, when you come down to science again, is that cattle can only live when within five miles of a watering place, or what they call out there a sink hole, and that it takes thirty acres of grass to feed one cow. Now, these sink holes are wide apart. They have all been discovered. There is not one of them that has not been exploited, and there is no possibility of creating more. I had not then studied this question, and so it seemed to me as I was carried along by the eloquence of my friend that I saw in reality the old sacred description of the

“cattle upon a thousand hills” and a thousand cattle upon a hill. But in the case of New Mexico and Arizona there are no hills, and so it was the cattle around a thousand sink holes, only there are not a thousand sink holes around which the cattle can gather.

Mr. ELKINS. Allow me to interrupt the Senator. How does he know about the sink holes? Has he ever been in New Mexico and looked at them carefully? Has he ever personally herded cattle there?

Mr. DEPEW. I would state to the Senator from West Virginia that I have not herded cattle there, but if he had heard my description of the Rio Grande, which I saw and crossed on foot, he would have known that I had been there and have some knowledge about water in New Mexico.

Mr. ELKINS. No; I would have said you thought you had.

Mr. DEPEW. Now, Mr. President, all of us would wish that these optimistic views were true. We wish they were realities and no pictures. Everybody who visits the Netherlands and goes through the Holland galleries and sees those superb paintings of the Flemish masters—those pastoral scenes—would like to have those scenes repeated, not in pictures, but upon the soil all over Arizona and New Mexico.

There is in The Hague a picture by Paul Potter of a bull under a tree with his herdsman, which was taken by Napoleon when he overran Europe and looted the art galleries of their masterpieces to enrich the Louvre. Holland bought back that picture for \$50,000. It is valued at \$500,000, and Holland would not take a million dollars for it. I wish that instead of its being a million-dollar picture with a solitary bull under a tree in The Hague that kind of cattle might be scattered all over Arizona and all over New Mexico. But at present they only exist in the imagination of Senators who draw these beautiful pastoral pictures to try and pass a bill—the omnibus statehood—by creating water where little does or can exist.

Something has been said here, in fact a great deal, comparing the conditions of the Northwest Territories after the ordinance of 1787 and the conditions which exist in Arizona and New Mexico. Sir, there is no one single possible parallel between the two cases. The one subject which was pressing the Union under the old Confederation was the conflicting titles of Virginia, Maryland, New York, Connecticut, and other States to that great Northwest Territory. Maryland did a noble part in leading the way by ceding her title to the General Government, and then all the other State owners followed. General Washington and the Congress of the United States wanted to settle that wilderness.

The conditions were not then what they are now; they knew that it was fertile and they wanted people to go there. So in the invitations which were extended and in the discussions which prevailed it occurred to the son of Gen. Israel Putnam, himself a general in the Continental Army, to settle this Northwest Territory for the purposes of patriotism by the veterans of the Continental Army, by the soldiers who had won the independence of the United States.

No such immigration ever before went anywhere. No such embodiment of gallantry, courage, and patriotism ever formed the foundations of great States as this of the veterans of the Continental Army in the Northwest Territory. They demanded peremptorily that slavery should not be permitted on that free soil. The ordinance of 1787, creating the Territory, had before

failed in Congress because it had a prohibition of slavery in it; but these soldiers of freedom demanded as the price of their settlement that the prohibition of slavery should be put into the ordinance, into the fundamental law, and that then the law should be passed, and they had their way.

They did not accept these lands as gifts. They paid into the Treasury of the United States a million and a half dollars, which, judging between the value of money then and now, was an enormous price for the wilderness. But they stood there as a barrier against the savage Indians along the Miami, who were threatening western New York. They took possession of the disputed lands when the title had not been settled between Great Britain and the United States, and they built up those communities into States which have become the five great Commonwealths of the Middle West.

You can not compare those conditions and those Continental soldiers with their families, those patriots, all Americans, going there on the urgent request of the Congress of the United States, going there because Washington urged that it was their duty to do so in order to build up the country, with the populations scattered over this vast Territory of Arizona and New Mexico, at the rate, after hundreds of years, of about one to a square mile.

Senators, the Senate is now on trial before the people as it never before has been since the organization of the Government.

In one of the leading magazines for the current month a well-known writer on public questions has an article upon the overshadowing power of the Senate. In all representative Governments there is an upper house, but none like this one. In the British House of Lords the membership is hereditary, but it can act only as a check upon the House of Commons. It will defeat a radical measure once. The second time it rejects it there will be an appeal to the country, and then if a House of Commons is returned favorable to the measure, the House of Lords dare not offer any further opposition. If it did its abolition would be certain.

The English seem to like this check upon hasty action on important questions on the part of the popular branch.

In France the Senate they elect has no functions except in legislation. One of the most distinguished of public men in France told me that the Senate had been the salvation of the Republic. He said—and he was one of those who assisted in perfecting the framing of the government of the Republic—that after studying the legislatures of all countries the conservative men came to the conclusion that the best form was an upper house upon the lines of the United States Senate. So, while their House of Deputies is elected like our House of Representatives, the Senate is a delegated body.

France did not possess independent States as we have them, but the country was divided into large districts, and the boards of aldermen, the councilmen, and the members of the various cities and municipalities in the district and the members of the lower house from its subdivisions formed a legislature which elected the senator. He said there had been several times in the thirty years of the existence of the French Republic when in the stress of intense political excitement the House of Deputies had been swept off its feet, and except for the Senate there would have been a revolution—a revolution in which the country would have turned to a strong man and a military one, and in the overthrow

of the Republic there would have been socialism succeeded by anarchy and followed by a dictator.

But in our Senate sovereign States are represented by two Senators elected by the members of the two branches of the legislatures of the several States, who are themselves the selected representatives of the smaller and larger constituencies which constitute the senatorial and assembly districts of the several Commonwealths. But our Senate differs from the upper house, either in Great Britain or in any of the countries of the Continent, in the vastness of its power. We not only have our legislative functions, but we are, with the Executive, the appointing power and the real treaty-making power.

The Senate does not assert itself in any offensive way. It does take an independent attitude on legislation, especially revenues measures, which would not be permitted anywhere else. This is submitted to because, as the limit of a Senatorial term is six years, one-third of the Senate goes back for instructions from the States every two years.

I remember in Senator Sumner's time that he insisted upon it that the Senate should not surrender, even on the social side, its prerogatives of precedence which count so much in the social life of every capital. He said that the judges of the Supreme Court and of all the Federal courts, the Cabinet ministers, the ambassadors and representatives abroad of the United States in every capacity, the whole military and civil force of the Government, receive their appointment by the joint action of the President and the Senate: that the creator is always superior to the creature, and that, therefore, the officers who thus owed their existence to the action of the Senate must necessarily be subordinated to the appointing power. Sumner was logically correct, but the Senate, which cares little for social matters, has surrendered or suspended its rights and permits judges of the Supreme Court to outrank it in the social world.

The Senate has been called upon many times in recent years, and has fearlessly responded to the call, to amend, check, defeat, or originate legislation. The fact that it holds the rein upon law-making and the estoppel upon the Executive is producing every day a closer scrutiny of the powers of the Senate, of its make-up, and of its representative character. By the admission, under one excuse and another, but always because of a temporary emergency for votes to carry the measures of the dominant party, of States with sparse populations and little prospect of growth the people have grown more distant from the Senate.

This is not a question of the election of Senators by the people or by the legislatures, for that would not change the result so long as each State, whether it has 7,000,000 of inhabitants or 40,000, has two, and only two, Senators. As the Senate is constituted to-day, sixteen States having a population of 6,000,000 people can, under the two-thirds rule required for the ratification of a treaty, defeat an international arrangement agreed upon by the President and the Secretary of State, and the rest of the Cabinet, and desired by the other 70,000,000 of the American people. As the Senate is constituted to-day, twenty-three States, with a total population of 13,755,364, and casting 2,363,285 votes, have a majority in this Chamber, while twenty-two States, with a population of 60,851,857 people, are in a minority.

The proposition before us is to give six Senators to a population of 800,000 in communities which possess little possibilities of growth in the future, thus adding tremendously to the discrepancy between the power in this branch of Congress and the people who are represented here. We make one Mexican in New Mexico and one Mormon in Arizona equal in political power to twenty-one citizens of New York and eighteen of Pennsylvania. Ours is a Government by majorities. Every year the sentiment becomes stronger for majority rule, and more and more impatient of minority dictation. It is possible to conceive of conditions where Senators representing a very small minority of the people might defeat legislation which the great majority not only demanded, but which was for the larger interests of the country.

I call the attention especially of the smaller States to the peril which they are inviting. Their sole protection now against a popular movement to make the Senate represent the people is the clause in the Constitution which says that no State can be deprived of equal representation in the Senate without its consent. But if for partisan purposes or to gratify ambitious friends in the Territories who are seeking national distinction, or for neighborly feeling, or for indifference, the Senate becomes more and more, year by year, with the introduction of areas as against populations, of farms as against people, of mines as against citizens, the stronghold of the minority, the people will find a way to remedy the difficulty and to control both branches.

If two-thirds of the larger States, impelled by political considerations to take care of the increasing number of ambitious and aspiring statesmen within their borders, should pass a constitutional amendment making the representation in this body based upon population instead of upon sovereign States, and three-fourths of the States, each having a grievance against the minority, should adopt that amendment, it may happen that in the refinements possible in the judicial mind "equal representation" could be so explained away by the Supreme Court of the United States as to hold that such an amendment was not a violation of the Constitution, or if a convention should be called by two-thirds of the States to amend the Constitution, in that convention the process would be simpler. That convention would be based upon the representation in the House of Representatives and be a popular body. The largely populated States would have an immense majority and could do as they pleased. From such a body would certainly come amendments to the Constitution little short of revolutionary against this minority representation.

Before Senators whose experience here has shown them the value of this branch of our Government invite an attack upon it, and encourage the hostile criticism which is growing so rapidly, they should give to the subject more consideration than this proposition has received and should hesitate long before increasing the distance of the United States Senate from the voter, the power and the principles of the majority of the American people.

Mr. DUBOIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. DEPEW. Certainly.

Mr. DUBOIS. I should like to ask the Senator from New York if he supposes he can get the support of the other end of the

country, Delaware, for instance, which compares favorably with some of the Western States, and Rhode Island and New Hampshire and Vermont, to that proposition? All the small populations do not happen to be located in these new states.

Mr. DEPEW. They were the original States, Mr. President, without which the country could not have been formed.

Mr. BATE. Vermont was not one of the original States.

Mr. TELLER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. I yield.

Mr. TELLER. Mr. President, I do not wish to interrupt the Senator, and yet I must confess that after a quarter of a century's service, most of the time in this body, I can not hear with much patience the threat of revolution in this country; that the Government organized by our fathers is to be destroyed because the original plan by which the small States were to have in this body the same power that the large States have is now objectionable to the Senator from New York. It is not any small thing to talk about changing the political conditions in this country, changing the form of this Government under which we have lived and grown so great and so strong. You can not maintain in this country a Government upon the theory upon which this Government was established if you concentrate all the power in the hands of the great States.

The United States Senate was organized by the wisest men who ever lived on this continent, at least, and I think I should not exaggerate if I said upon any other. They organized it wisely. They provided that the smaller States should have in this body the power that the great States have, and now, after more than one hundred years, is there any reason for any man to stand in this Chamber and condemn that system of government?

New England, with its twelve Senators in this body, has not as many people as has the State of New York. Has this Government ever suffered, Mr. President, by the small States of New England being represented in this body? I say here, and I want to say it to the Senator, that he does not represent anybody in this country when he talks about breaking up the form of government which our fathers established, and which the experience of more than a hundred years has shown to be the wisest of any government ever established under the sun.

I have listened to a good deal of nonsense, and I have listened without protest during this debate to a good deal that I considered beneath the dignity of the Senate; but I could not listen to what the Senator from New York has said without saying here, as a Senator from one of the sovereign States of this Union and as a citizen of the United States, that I resent the insult, and I think the American people will resent this insult from the Senator from New York.

Mr. DEPEW. Mr. President, I regret that the Senator from Colorado feels insulted by what I said. I am not advocating this revolution; I am not in favor of it; I would be against it; but when we add to the minority representation in this Senate and take it still farther away from the people; when we make the vote of one Mexican in New Mexico equal in this Senate to twenty-one votes in New York and eighteen in Pennsylvania we are call-

ing attention to a condition where we can not tell what the people may do in the discussions of the future.

The legislatures of several States have voted to ask Congress to call a convention for the purpose of making amendments to the Constitution which are specified. But a constitutional convention can not be limited. It has the power to make a new Constitution and substitute it for the immortal instrument under which we have marvelously developed for over a hundred years. In that convention, where New York will have thirty-nine delegates, Pennsylvania thirty-four, Illinois twenty-seven, Ohio twenty-three, Massachusetts sixteen, Texas eighteen, Colorado five, Idaho three, North Dakota four, South Dakota four, Wyoming three, Nevada three, Delaware three, and Utah three, and so on, this discrepancy existing and increasing in representation in the Senate will be among the acute questions certain to be brought forward. There will be others radical and revolutionary enough to halt prosperity and progress until the country knows the amendments adopted and their fate when submitted to the States. I deem it my duty to warn the smaller States, who are favoring this statehood proposition of Senators without adequate constituencies, of possibilities which we all may deplore.

Mr. TELLER. Mr. President, I wish to say further, if he will permit me for a moment—

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

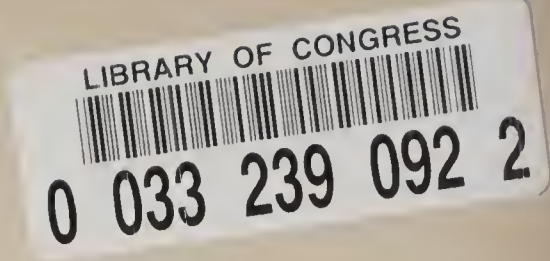
Mr. DEPEW. Certainly.

Mr. TELLER. For many years a number of Senators from some of the New England States have represented constituencies whose numbers were eighteen to twenty times smaller than the constituency represented by the Senators from the State of New York, but this is the first time I have ever heard any complaint on that account. I know the public service has not suffered by that representation, and I am sure it will not suffer if it shall continue.

Mr. DEPEW. The only difference between the Senator and myself, Mr. President, is that to his imagination—for the imagination seems to affect somewhat the discussion of this subject—Arizona and New Mexico are placed upon a plane with New England. The situations are not the same. New England is in the Union, and these other States are in the Union. The question is now, Shall we dilute the majority still further and call more acute attention to the conditions now existing where one-tenth of the people of the United States govern them through this body; that fourteen millions of people have greater power than sixty-one millions, and two and a half millions of voters can defeat the wishes of eleven and a half millions.

Except candidates for United States Senators or promoters who are anxious to secure for their enterprises the additional credit which comes from statehood, corporations who wish State or municipal aid and are barred by the provision of the Harrison Act which prevents Territories and their counties and municipalities from bonding themselves for more than four per cent of their assessed value, there is no interest to be served by haste in the admission of these Territories to statehood.

New Mexico has been applying here for fifty years and Arizona for a score, and there will be no harm done in waiting until Congress meets next December. The merits of these Territories for



statehood have never been discussed before, and the country ought to have an opportunity of examination before we pass judgment upon their admission.

Oklahoma and Indian Territory united to-day possess the requisites of statehood in population and prospect for their future. If Arizona and New Mexico are admitted they should be united into one State. Even then they would have but little more than the number requisite for a Representative in Congress. It would be wise to make a permanent settlement of this question by thus creating one State out of Oklahoma and Indian Territory, and one State of New Mexico and Arizona, to be admitted after the next Presidential election in 1905.

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