

4-1-1940

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### Recommended Citation

Dargan, Marion. "New Mexico's Fight for Statehood (1895–1912)." *New Mexico Historical Review* 15, 2 (). <https://digitalrepository.unm.edu/nmhr/vol15/iss2/3>

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## NEW MEXICO'S FIGHT FOR STATEHOOD (1895-1912)

*By* MARION DARGAN

### III. THE OPPOSITION WITHIN THE TERRITORY (1888-1890)\*

**T**HE GREAT MAJORITY of the politicians and of the newspapers of New Mexico in the late nineties enthusiastically championed the immediate admission of the territory to the union. What, however, was the attitude of the people? Did they have the same enthusiasm as their leaders? How much popular opposition was there, and why?

It is easy for the historical worker to find the opinions of those who supported statehood forty or fifty years ago. The fight was taken up by the most articulate groups in the territory. Countless editorials, reports of speeches, letters—all advocating immediate admission—are found in the newspaper files available today. But it is unnatural for human minds to agree so unanimously. Hence, one suspects that there was considerable opposition among the people of New Mexico to the program outlined by the leaders. When, however, we attempt to determine the extent of this feeling and to determine the reasons for it, we run into difficulties. The statehood movement became more and more a popular crusade which it was dangerous to oppose. It was felt that men who expected to get along in New Mexico and to prosper

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\*The first two articles in this series, which appeared in the *Review* for January and April, 1939, deal with the attitude of the political leaders and that of the territorial press in the latter half of the 1890's. However, on turning my attention to the attitude of the people, I have chosen the year 1888 as the best starting point, in view of the material available. As considerable opposition was evoked by the statehood efforts of 1890, this article will close with the vote against the constitution in October. The fourth article will then trace the story of popular opposition through the decade.

I am indebted to Mr. Archie M. McDowell for assistance in collecting newspaper sources for this study and the one to follow. His thesis, "The Opposition to Statehood within the Territory of New Mexico, 1888-1903," may be found in the University of New Mexico library.—M.D.

must have faith in their fellow citizens and in the future of the territory. To express doubts of either was unpatriotic, and might even be disastrous for the individual. Under such circumstances it is naturally difficult today to find much evidence of opposition within the territory. Men "hollared" for statehood, even though they did not believe it would attract the immigration and capital predicted by enthusiasts. Their real opinions were rarely expressed except in private. Occasionally, however, one finds signs of dissent and opposition. Later, the politicians and newspapers combined to silence the opposition. Even then, one finds occasional proof that some independent thinkers refused to go along with the leaders on the statehood question.

The fullest expression of opinion from the citizens of New Mexico throughout the entire struggle for admission came toward the close of the 1880's. This was not spontaneous, however, so we must first consider the legislation pending in congress which evoked it.

The oldest of the territories, New Mexico had been subject to remote control from Washington for almost forty years. For four years she had had a Democratic governor, Edmund G. Ross, who had been appointed by President Cleveland in 1885. A native of Ohio, Ross became a journeyman printer at an early age and edited half a dozen newspapers in the middle west, Kansas and New Mexico during his career. In the fifties he led an armed party of "free-staters" to Kansas and took part in the border wars of the time. A union officer during the Civil War, he is said to have had three horses shot from under him and his shoulder straps shot away in one battle. While serving as a United States senator, he was repudiated by the people of Kansas as a "traitor" and a "skunk" when he voted—in spite of tremendous pressure—for the acquittal of Andrew Johnson. Defeated for the governorship of Kansas in 1880, he had moved to Albuquerque two years later. After three years as a journeyman printer, he was appointed governor of the territory. His administration was marked by struggle with

what he asserted was a corrupt ring, and he antagonized Democrats as well as the Republican legislature. Able, honest and fearless, Ross was headstrong and brusque and seemed to rejoice in opposition. Fortunately so, since he was in hot water throughout life. Possibly his most bitter enemy in New Mexico was Col. Max Frost, who showed his hatred and contempt in almost every issue of the *New Mexican*.<sup>1</sup>

Shortly after the inauguration of President Harrison, Ross was replaced by the appointment of Le Baron Bradford Prince. A member of an old Long Island family, and a descendant of Governor Bradford of Plymouth, the young New Yorker had studied law at Columbia and then served in the state legislature. His break with Roscoe Conkling in 1876 led President Hayes to offer him the governorship of Idaho. Declining this post, Prince had accepted that of chief justice of New Mexico in 1879. Here he readily adjusted himself to frontier conditions, a circuit as large as his native state, primitive means of transportation and the use of the Spanish language. In spite of long hours in the court room, he published a compilation of the laws of the territory in 1880. Having resigned from the bench two years later, he devoted the next five years to the practice of law, yet found time for historical research and for writing for the press. He helped to establish the bureau of immigration of the territory and the Historical Society of New Mexico. A keen politician and an ardent Republican, he was closely associated with the bitter enemies of Governor Ross. His own administration, like that of his predecessor, was a stormy one, especially since his advocacy of bimetallism for a time split the Republican party in New Mexico. No one was a more persistent champion of statehood for the territory than Governor Prince. He never ceased to work for the cause until the goal had been reached. He then published a brief sketch of the movement which closed with the triumphant note:

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1. *Dictionary of American Biography* (20 vols., New York, 1928-37), vol. XVI, pp. 175-76; Twitchell, Ralph Emerson, *The Leading Facts of New Mexican History* (Cedar Rapids, Iowa, 1912), vol. II, pp. 496-97.

“The people of New Mexico were no longer serfs but Freemen; no longer subjects but Citizens; no longer to be treated as aliens but as Americans. HALLELUJAH!”<sup>2</sup>

The delegate to congress from New Mexico from 1885 to 1895 was Antonio Joseph. One of the ablest political leaders in the history of the territory, Joseph had a remarkable career. His father, Antonio Joseph Treviz, was Portuguese—a native of the Azores who had been shipwrecked on the gulf coast. Making his way to New Mexico in 1840, he had opened the first general store in Taos. He married a woman from New Orleans and their son, Antonio Joseph, was born in August, 1846, a week after Colonel Kearny entered Santa Fé. Two years later, the father's store was destroyed by the Indians, and Antonio and his mother were carried into captivity and held for several months until rescued by Col. Sterling Price and his troops. The boy received a good education, attending Bishop Lamy's school in Santa Fé and a business college in St. Louis. After his father's death in 1862, Joseph took charge of the mercantile establishment which he continued as long as he lived. In 1880 he moved to Ojo Caliente, long famous as a health resort, where he established a hotel and sanitarium. He was never wealthy, but came to own considerable property in land, hotels, and stores.

A popular man, who had a real sympathy for the people, Joseph naturally turned his attention to politics. After fighting a losing battle with the Republicans for some years, he finally experienced a streak of luck. The Republicans of the territory having split, Joseph was elected delegate to congress in 1884. Furthermore he went into office just when the Democrats were taking over the national government. This gave him control of the patronage in the territory from post offices to the governorship. He was soon so well entrenched that he continued to win elections even after the

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2. Prince, L. Bradford, *New Mexico's Struggle for Statehood* (Santa Fé, 1910), pp. 127-28. For Prince, see the article by Paul A. F. Walter in *Dictionary of American Biography*, vol. XV, pp. 229-30; *New Mexican*, Dec. 9, 1922.

Republicans had secured control of the patronage with the inauguration of Harrison in 1889.<sup>3</sup>

Joseph was not as persistent a champion of statehood as Governor Prince. Apparently indifferent to the cause during his early years in congress, he gave it his support for a time—only to withdraw it when it appeared that the Republicans might win a partisan advantage if the territory were admitted immediately.

When Ross was in the middle of his term as governor of New Mexico, almost one-third of the total area of the United States was still under the rule of congress.<sup>4</sup> For twelve years there had been no chance for a successful statehood movement for any of the territories. After their mistake in admitting Colorado in time to cast three decisive votes against their candidate for the presidency in 1876, the Democrats had little disposition to admit any more new states. It was not until March, 1889, that the Republicans gained full control of the government. Meanwhile, Dakota, the largest of the territories and the nearest to the east, clamored for admission as two states. The Democrats offered single-statehood only, refusing to believe that the majority of the people wanted a division of the territory. The people of Montana and Washington had formerly been indifferent, but were beginning to show signs of statehood life.<sup>5</sup>

A number of statehood bills were introduced in congress in the 1880's without success: several to divide Dakota, others to admit that territory as one state or to confer statehood upon Washington or Montana. Doubtless the first "omnibus bill" presented in the Fiftieth Congress was drawn up on instructions from the Democratic caucus for party reasons. At the same time, Daniel W. Voorhees, the Demo-

3. Twitchell, *op. cit.*, p. 464, vol. IV, p. 453; *Albuquerque Morning Journal*, April 19, 1910; *Albuquerque Tribune Citizen*, April 19, 1910; *New Mexican*, April 19, 1910; interview with B. C. Hernández.

4. Frederick Logan Paxson, "The Admission of the 'Omnibus' States, 1889-90," *Proceedings of the State Historical Society of Wisconsin at its Fifty-Ninth Meeting Held October 26, 1911* (Madison, 1912), pp. 77-96.

5. Utah persisted in its struggle for statehood, but need not be considered here, as it was not included in the "omnibus" bill.

cratic leader of the senate who sponsored the bill,<sup>6</sup> had a personal reason for being interested in the outcome. "The Tall Sycamore of the Wabash,"<sup>7</sup> as he was sometimes called, has been described by James G. Blaine as "a Democrat of the most pronounced partisan type."<sup>8</sup> His son, Charles Stewart Voorhees, sat in the house as a delegate from the territory of Washington.<sup>9</sup> The father, who held his seat in the senate for twenty years, attaining "the eminence attached to long service and oratorical ability,"<sup>10</sup> may have entertained hopes of Washington's becoming a Democratic state and sending son Charles to sit by his side in the senate. At any rate, on Dec. 12, 1887, Senator Voorhees being absent, a bill to admit Washington, Dakota, Montana, and New Mexico to the union was introduced at his request by a colleague.<sup>11</sup> A similar bill was presented to the house by Delegate Voorhees on the tenth of the following month.<sup>12</sup>

On studying the four bills referred to it, the house committee found itself divided strictly along party lines. Accordingly on March 13, 1888, it brought in a majority and a minority report, each of which went into conditions in the territories in considerable detail.<sup>13</sup> The former, presented by the chairman, William M. Springer of Illinois, introduced, as a substitute for the Voorhees bill, another "omnibus bill" which provided for the admission of the same four territories.<sup>14</sup> The author of this bill was described by the *Silver City Enterprise* some months later as "a true friend of New

6. James A. Barnes, *John G. Carlisle, Financial Statesman* (New York, 1931), p. 276.

7. *Dictionary of American Biography*, vol. XIX, p. 291.

8. James G. Blaine, *Twenty Years in Congress*, vol. II, p. 600. See also I, 329; II, 138, 436. Voorhees, who was an outspoken critic of Lincoln during the Civil War, was accused of being a "Copperhead," but the evidence is inconclusive. *Dictionary of American Biography*, vol. XIX, p. 291.

9. *Dictionary of the American Congress, 1774-1926* (Washington: Government Printing Office, 1927), p. 1652.

10. *Dictionary of American Biography*, vol. XIX, p. 291.

11. *Congressional Record*, vol. 19, part 1, p. 29.

12. *Ibid.*, p. 362.

13. *Congressional Record*, vol. 19, part 3, p. 2021.

14. *House Reports, Fiftieth Congress, First Session*, vol. 4, Report no. 1025, pp. 1-18, esp. 13-17.

Mexico.”<sup>15</sup> The *Enterprise* added: “Mr. Springer has frequently visited New Mexico, and is perfectly familiar with our resources, our people and our needs.”

The minority report was presented by Representative I. S. Strubble of Iowa. It recommended that each territory stand on its own merits: that Montana, Washington and South Dakota be admitted to statehood; that North Dakota be organized as a territory and New Mexico be continued in that status. This report aroused great indignation in New Mexico, especially because it included very uncomplimentary and out-of-date quotations regarding the customs, morals, superstitions, education and agricultural methods of its people.<sup>16</sup>

Several of the concluding paragraphs of this report are quite pertinent to the present discussion. The report said:

Finally, we submit that the people of New Mexico are not now seeking admission into the Union, and have not since 1875. No agitation of the question in late years has been noticeable. Neither the Delegate from that Territory nor any one has for years, in so far as we are advised, introduced a bill looking to its admission. Neither he nor Governor Ross, now and for months at the capital, has urged action by Congress, and it can truthfully be said, so far as the minority of your committee have information, that the only person responsible for the suggestion that New Mexico should come in with the other three Territories named in the substitute is the honorable chairman of the Committee on the Territories, who introduced the bill a few weeks ago.

It seems to the minority of your committee somewhat remarkable that, with an intelligent and able Delegate in Congress from New Mexico, and an experienced legislator and ex-Senator of the United States in the person of her governor, himself present during most of the pending session, it should remain for the chairman of the Committee

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15. *Silver City Enterprise*, Jan. 18, 1889.

16. *House Reports, Fiftieth Congress, First Session*, vol. 4, Report no. 1025, pp. 27-54.



on the Territories to decide upon the time and qualifications of New Mexico for admission into the Union. If her people were as fully prepared for statehood as are those of Dakota, Montana, and Washington, the minority of your committee would regard it a matter of solicitude if they were not desirous of joining our great and beneficent Union of States, for we conceive it wise to enlarge this Union to the extent of all the Territories as soon as the people thereof become entitled in all those respects relating to qualifications of statehood, to be members thereof.

The majority of the statehood committee while conceding that no official action by the legislative assembly of New Mexico, looking to admission of the Territory, has been taken since 1874, and while knowing full well that of recent years no bill has been introduced in Congress except that one introduced recently by the honorable Mr. Springer, and that no convention has been held by the people on this subject, attempt to maintain and to show that they do in fact desire admission into the Union.

This claim has its sole foundation upon a newspaper article quoted by the majority. While all reliable expressions of the people of New Mexico on the subject of admission should receive due consideration, the minority do not feel that such action as the correspondence of a single paper in the Territory with certain other papers and persons should be accepted as conclusive of the desire of the people for admission in the face of non-official or convention-action, and also in the face of the silence of the various Delegates from the Territory since 1874.

It would seem, if a general desire for admission existed, it would be made to appear from the action of the people of the Territory through their legislative assembly, or by a convention held for the purpose of memorializing Congress.<sup>17</sup>

The bill introduced by Delegate Voorhees was the only one mentioning New Mexico before the committee when Representative Springer decided to include it in his "omni-

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17. *Ibid.*, p. 53.

bus bill." New Mexico had not asked for admission. Apparently its people were indifferent. The conclusion is therefore obvious that the proposal to admit the territory at this time was a bit of strategy on the part of Democratic leaders in congress who hoped to slip in a territory that seemed to be Democratic to offset others which promised to be Republican.

On February 14, 1889, when the Fiftieth Congress was discussing the Springer bill, Representative G. G. Syme of Colorado pointed out that during the preceding congress neither Delegate Joseph nor Governor Ross had ever appeared before the committee to ask for the admission of New Mexico.<sup>18</sup> He stated that in concurring with the minority report of March 13, 1888, he had put his opposition "to the admission of New Mexico on the ground that her governor, delegate to Congress, or her people have not in any way asked for admission at this time."<sup>19</sup> The gentleman continued:

When the Fiftieth Congress met it appeared that the matter of admission to statehood had been worked up in New Mexico. How it had been worked up I do not know and I do not care. Suffice it to say that the people of New Mexico did then come before the territorial committee of the Fiftieth Congress and ask for an enabling act.<sup>20</sup>

The Springer report had raised the question: "Does New Mexico desire admission?" In reply, the report cited two documents. The first of these was a memorial to congress adopted by the legislative assembly in 1874. Arguing that the population of the territory entitled it to statehood, the memorial claimed that the legislaure "being able to know and understand the wishes and views of the people on this subject, which has been so long and so fully discussed

18. *Congressional Record*, vol. 20, part 2, p. 1909.

19. *Ibid.*; *House Reports, Fiftieth Congress, First Session*, vol. 4, report no. 1025, p. 54.

20. *Congressional Record*, vol. 20, part 2, p. 1909.

among them, speak for and in their behalf" in urging the immediate admission of the territory.<sup>21</sup>

After citing failure of the statehood efforts in the middle seventies, the report stated:

Since the failure of New Mexico to secure admission during the Forty-third and Forty-fourth Congresses, there has been no authoritative expression of the people of that Territory on that subject. Since the introduction, during this session, of a bill to provide for the admission of New Mexico, there has been considerable discussion of the question of admission in the newspapers of the Territory. The daily *New Mexican*, published at Santa Fé, has given special prominence to the subject, having addressed circular letters to prominent citizens and the press of the Territory on the subject, soliciting opinions. A recent editorial in that paper is as follows:

"To the *New Mexican's* circular, calling on prominent citizens of New Mexico to give their views regarding statehood and the advisability of the Territory's admission into the sisterhood of states, 122 replies were received. Every county in the Territory is represented therein. There were 91 in favor and 31 against the admission of the Territory. Of the 91 in favor there were 41 Republicans, 33 Democrats, and 17 of no particular party affiliations, or whose politics were not known. Of the 31 opposed there were 11 Democrats, 10 Republicans, 6 of no particular politics, and 4 who professed to be independent.

"The 91 in favor contained 26 lawyers, 16 merchants, 15 stockmen, 3 bankers, 6 mine owners, 4 real-estate agents, 2 clergymen, 7 farmers, 2 surveyors, 2 Federal officials, 1 school-teacher, and 7 newspaper men, who wrote individual opinions. Amongst the 31 opposed there were 12 merchants, 11 stockmen, 2 bankers, 1 lawyer, 1 dentist, 1 Federal official, and 3 farmers.

"Of the newspapers in the Territory the following are in favor of statehood: *The Citizen*

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21. *House Reports, Fiftieth Congress, First Session*, vol. 4, report no. 1025, pp. 15-16.

(daily), at Albuquerque, Republican; the *Chieftain* (daily), Republican, at Socorro; the *Sentinel* (daily), at Silver City, Democratic; *Headlight* (weekly), Republican, at Deming; *Leader*, Republican (weekly), at White Oaks; the *Stockman*, Republican (weekly), at Springer; the *N. W. New Mexican*, at Chama, Republican (weekly); *Rio Grande Republican*, Republican (weekly), at Las Cruces. Opposed to statehood there are the *Enterprise*, Republican (weekly), at Silver City; the *Democrat*, Democratic (daily), at Albuquerque; *Independent* (weekly), at Lincoln, Democratic. The other papers published in the Territory, and there are a good many of them, have hardly expressed sufficient of an opinion to be classed either for or against statehood; furthermore, the opinions of one or two of these are not worth repeating or considering.

"From the above and from communications and interviews with prominent Republicans and Democrats other than those published (because permission to publish could not be had), and from its knowledge of the affairs of the Territory and the people of New Mexico, the *New Mexican* is of the opinion that a large majority of the people of New Mexico desire statehood, and that the proposition would be carried by a large majority if submitted to the people.

"The newspaper accounts sent out by certain interested parties, that only politicians desired the admission of New Mexico as a State, are untrue in every particular. The classification above shows this to be quite the reverse. Some of the very best citizens and largest tax-payers in the Territory desire statehood. The *New Mexican* believes the Territory is in every respect fitted for statehood, and that its citizens are as good to-day as those of any other State or Territory."<sup>22</sup>

The replies to its circular filled column after column of the *New Mexican* during the early months of 1888. Unfortunately we cannot assume that these letters were truly representative of the people of the territory. In announcing

22. *Ibid.*, pp. 16-17.

the results of its enquiry, the Santa Fé paper stated that it had received a letter from "a member of Congress, a Democrat in politics and a man of great prominence in his party" who wished to know "how the people of New Mexico feel in regard to the admission of the territory."<sup>23</sup> We scarcely need to say that this enquiring statesman was Representative Springer, and that he thus secured the hearty coöperation of the cleverest master of propaganda in New Mexico. Col. Max Frost, editor of the *New Mexican* was by nature a strong partisan who possessed few scruples. As he fought consistently for statehood for years, it is natural to assume that he eagerly undertook the task of furnishing the evidence needed. With a congressional committee anxious to recommend the admission of the territory, there was not a chance in a thousand that the wily editor would report that the people of New Mexico were indifferent to, or opposed to, statehood.

Since the most articulate groups in the territory and the manager of the survey were likeminded, we can be sure that the dice were loaded from the start. It is probable that a good proportion of the enquiries sent out were addressed to politicians, newspapers and others known to favor statehood. Nor can we be certain that those selected for publication are truly representative of all received. Some writers stipulated that their replies were not for publication. Very likely these opposed statehood; at any rate all of the replies appearing in the later issues of the *New Mexican* were favorable. The headlines used in the issue of February 16 were significant: "Swinging into Line. And Still the People Continue to Clamour for Admission to the Union."<sup>24</sup> Two weeks later it was announced: "The *New Mexican* has sifted the question well and is able to say to the world that the people of New Mexico are ready and anxious to be admitted to the union of states. If called upon formally to express this

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23. *New Mexican*, March 8, 1888.

24. *Ibid.*

desire at the polls, they will vote for the state of New Mexico."<sup>25</sup>

The effect of the publication of these letters on statehood varied with the individual. D. P. Carr of Georgetown, N. M., wrote the editor of the Silver City *Enterprise* as follows:

I have, as you know, been an opponent of the immediate admission of New Mexico as a state. One objection was that made by Congressman Symes of Colorado . . . that there was no demand for it by the people. Until recently I was not satisfied that any but the scheming leaders of both parties, who could see visions of congressional halls, the governor's office and the judicial bench graced by their presence, was desirous of the admission of the territory as a state. The recent expression of public opinion in conventions throughout the territory and through the press, convinces me that a majority of the people are in favor of statehood. This disposes of one principal objection. Other objections relating to the expense of maintaining a state government are disposed of by the donation of public lands for state institutions, and the proud privilege of home rule.<sup>26</sup>

Other readers, however, came to quite different conclusions. One of these was Numa Reymond of Las Cruces, a native of Switzerland who had come to New Mexico in the fifties and made a fortune from his stage coaches and star route contracts to carry the mail. The survivor of many fierce encounters with Indians and outlaws, he became a merchant and a cattleman after the coming of the railroad. He was a short stocky man with shrewd, blue eyes and a hot temper. While he never lost his European mannerisms entirely, he was a leader in politics as well as in business, and one of the best known men in the southern part of the ter-

25. *Ibid.*, March 1, 1888.

26. Silver City *Enterprise*, Jan. 25, 1889. Apparently Carr changed his mind again during the year. The *Morning Democrat* for Dec. 3, 1889, stated that Carr, "although a republican, opposes statehood under the constitution drawn up by the convention dominated by republicans."

ritory. He is said to have been largely responsible for the location of the agricultural college at Las Cruces, and served on the first board of regents of that institution. In his reply to the *New Mexican*, Mr. Reymond said: "I notice all the politicians on both sides favor statehood, and all the business men and tax payers are not in favor; so I am not in favor of statehood at this time."<sup>27</sup>

Miguel A. Otero, the future governor of New Mexico, was at that time a young business man of twenty-nine. He tells us that he "was greatly interested in reading" the letters in the *New Mexican*, and that he "rather favored" the answer made by Mr. Reymond. After quoting the gentleman mentioned, Otero adds:

In checking up the different answers I found the situation just as stated by Mr. Reymond, and as a whole the opinions were about equally divided. For a great many reasons I did not think that New Mexico was ready for statehood at this time. The taxes, I thought, would be much too heavy for our citizens to carry, and, as we were without a system of public schools in the territory, I believed that this condition would prove unsatisfactory to the people, generally, throughout the United States.<sup>28</sup>

In order to avoid repetition, the reasons which other citizens gave in their replies to the *New Mexican* for their opposition to the admission of the territory to the union may be summarized as follows:

The native people—which comprise three-fourths of the population—cannot be easily moulded into a free, self-governing commonwealth.

Race prejudice, fostered by the existence of two different languages, prevents the voters from selecting the best men for public office.

The backwardness of the state of Nevada and the rapid development of the Territory of Dakota show that it is a fallacy to expect statehood to bring

27. *Rio Grande Republican*, Nov. 9, 1889; *History of New Mexico* (Pacific States Publishing Co., Los Angeles, 1907), vol. II, p. 564.

28. Otero, Miguel Antonio, *My Life on the Frontier, 1882-1897*, vol. II, pp. 222-23.

any great increase in population or wealth to New Mexico.

The increased cost of state government would make taxes so high that people would be driven from New Mexico.

Getting the land titles of the territory settled is more important and would bring an increase of population and wealth, state or no state.

Statehood should be delayed until the laws and finances of the Territory have been put in good shape and the people have been educated to think and act independently.<sup>29</sup>

According to the *New Mexican*, "By far the most frequent and perhaps the strongest objection urged is the supposed increase of expenses and consequently of taxes.<sup>30</sup> Apparently "the danger of the native people controlling the new state" came second.<sup>31</sup> The two or three editors who opposed statehood at this time were charged with "trying to make the outside world believe that 'the level of intelligence is lower' in New Mexico than in any other state or territory of the United States . . . ."<sup>32</sup> While the *New Mexican* admitted that some good men were opposed to statehood, it declared that the arguments of the two or three territorial editors who opposed statehood "show very plainly that they are sorely afflicted with race prejudice and are the very worst enemies to society in the territory."<sup>33</sup> Moreover, it announced that New Mexico would soon be a state, "much to the chagrin of the non-progressive element and the Mexican haters."<sup>34</sup>

The *Las Vegas Stock-Grower* noted that "various news-

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29. Santa Fé *New Mexican*, Jan. 19, and 26, 1888.

30. *Ibid.*, Feb. 9, 1888. The *New Mexican* stated that this argument had been used for years to keep Colorado out of the union. "And with what result? The rate of taxes was not raised a mill on the dollar (when the territory was admitted) but rather lowered. The increased valuation of all property all over the state, the exemption from carpetbag rules that governed, or mis-governed as the whim suited them, increased values so much that the percentage of taxation was rather decreased than otherwise."

31. *Ibid.*, March 22, 1888.

32. *Ibid.*, March 15, 1888.

33. *Ibid.*, March 1, 1888.

34. *Ibid.*, March 8, 1888.



papers of New Mexico" were "whooping up the question of statehood for the territory." Admitting that there was a "very faint possibility" of congress passing an enabling act, the *Stock-Grower* said:

The cattlemen do not wish to gratify the ambitions of politicians and grabbers and have the territory become a state at present and of this same opinion is the great majority of good tax-paying citizens. To the tax payers statehood means doubling of the tax assessment, to say nothing of elevating to power a host of petty officers, many of whom are wholly inefficient by reason of the preferences and prejudices of the heavy end of the population.

It may be said that the cattlemen are few and their wishes in the matter are not worth consultation—but remember that the cattle industry pays nearly one-half of the entire tax of the territory and would be called on to do the same for the state of New Mexico.

In conclusion, the *Stock-Grower* declared that it would be better if the cattlemen paid more attention to politics, and that it was "time that this statehood farce was dropped—New Mexico is not yet ready for statehood—explanations are not necessary—there are many reasons and we know the most of them."<sup>34a</sup>

It will be interesting to cite editorials from some of the newspapers which the *New Mexican* so scorchingly denounced. The *Las Vegas Optic* suggested that there were two sides to the question. It said:

At least some of our best citizens so think. They say in general that the advantages of statehood cannot be denied, but that ours is a peculiar case—in fact, so peculiar that it cannot be estimated by general rule. According to the census of 1880, out of a population of 119,565, nearly one-half, or 57,156, are set down as unable to write their names, a very large proportion cannot write, read

<sup>34a.</sup> *Las Vegas Stock-Grower*, quoted by *Santa Fé Herald*, March 24, 1888.

or speak the English language, they are no more Americanized than they were the day the country was wrested from Old Mexico. They know not the independence of thought and action common to the American voter. They are led by a few old and wealthy families, and any movement these leaders may agree upon will be sure of securing a majority of the votes cast. These few leaders will have the destinies of New Mexico in their hands; and should they be actuated by a dislike of the present regime and a desire for the return of affairs which existed before the American came into the country, a feeling with which some of them are charged, they could easily manage affairs so that the anticipated influx of men and money would never be realized.<sup>35</sup>

The *Deming Headlight*—so the *Silver City Enterprise* for Jan. 28, 1888, declared—

admits that there is a vast amount of ignorance among the native population but draws consolation from the fact that they are always controlled by a few intelligent leaders. This is all true, but the *Headlight* should be careful in using such an argument in favor of a state, as it is apt to prove a boomerang with intelligent people. A people that is controlled by a "few intelligent leaders" can hardly be considered competent to govern themselves. When the few intelligent leaders are deposed as rulers, then it will be high time to ask for admission.

Several weeks later the *Enterprise* published an interesting commentary on the forces for and against statehood. It said:

New Mexico had never sought entrance. Her people do not ask it. Some of the papers are in favor of the measure, but the papers generally speak the opinion of the politicians. Letters pro and con have been published, but the majority of business men and the masses have not spoken. Perhaps three out of five have not weighed the

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35. Quoted in the *Silver City Enterprise*, March 16, 1888.

question enough to have a decided opinion. In the lead in this movement has been the *New Mexican*, which has ever been the organ of parties willing to be senators. In opposition there are two of the best dailies, the *Las Vegas Optic* and the *Albuquerque Democrat*. The bill provides that the chestnutty name "Montezuma" shall be hung like a millstone around this territory. The Washington politicians evidently think that the admission of New Mexico will give more senators to the Democratic party. But we believe that the territory would be a Republican state if each of the nominees should be of Mexican descent, and if neither were. The wish of the Democratic party in regard to the wool-tariff being removed would be one great influence, as is proved by the haste with which Delegate Joseph has avowed his opposition. As to the political result of admission it looks as if the rings at Santa Fe have agreed to pull in support of the bill and each take a senate plum for the first term. The capital city is also desirous of having a long drawn out constitutional convention and an annual legislative session. We believe statehood will help politicians and newspapers but will burden the people at present.<sup>36</sup>

Late in January, 1889, the president pro tempore of the senate, John J. Ingalls of Kansas, presented an unusual document to that body.<sup>37</sup> This was referred to the committee on territories and ordered printed. It read as follows:

PROTEST OF CITIZENS OF NEW MEXICO AGAINST  
THE ADMISSION OF THAT TERRITORY INTO  
THE UNION OF STATES

The honorable Senate and House of Representatives of the United States:

The undersigned, your petitioners, would respectfully represent that it is not to the business interests, nor is it the desire of a great majority of New Mexico's citizens who are engaged in commercial pursuits, that New Mexico should at the present time be admitted into the Union as a State.

36. *Ibid.*, March 2, 1888.

37. *Congressional Record*, vol. 20, part 2, p. 1233.

Your petitioners would further represent that New Mexico is at present totally unfitted for the responsibilities of statehood, because first, the greater part of her population are unfamiliar with the English language, and, though honest and of good intentions, are a class of people over whom the designing, dishonest, and untruthful politicians readily acquire a power that enables the latter to sway the former almost without limit; second, because up to the present time it has been demonstrated that political power in our Territory has been controlled and held by those whose movements and whose apparent aims are inimical to an honest, upright, and intelligent administration of public affairs, and that the average character of our legislatures has been such as causes the gravest fears that if left to enact laws, which the people could not take to your honorable bodies to have annulled, that our code of statute laws would become a disgrace to us as a State and to our sister States, with whom we would be associated in the National Government, and would bring ridicule upon us from the entire civilized world; third, that our political leaders have been politicians for revenue only; the only limit to their rapacity has been the amount of money raised by taxation, and the amount of indebtedness they could heap upon the Territory at a profit to themselves, and the only check to their unconscionable schemes has been a realization of the fact that our governors and judges have been appointed by the different Presidents, and were not subject to the whims and caprices of these political vampires.

Your petitioners would further respectfully represent that they are not office-holders, but are, and for a long time have been, residents of the city of Albuquerque, and are all personally engaged in business pursuits in Albuquerque, which is now the commercial center of New Mexico; and that it is your petitioners' earnest belief that before our Territory should be admitted to statehood, your honorable bodies should provide some convenient, speedy, inexpensive, and certain method to settle the present anomalous condition of title to the vast area of our most valuable lands, which are

now claimed largely by unscrupulous and designing persons as grants from the Mexican and Spanish Governments; and that your honorable bodies should enact such laws as would compel our territorial officers to transact all public business and keep all public records in the English language, and require the English language to be taught in our public schools, and make it a qualification of teachers, jurymen, and officials of all kinds that they should be able to speak and write the English language. When you have done this, when the masses of citizens come to thoroughly understand the true responsibilities and privileges that are theirs, as voters and citizens of the United States, and would be theirs, as citizens of a State, when our wonderful agricultural, timber, and mineral lands have the present clouds, in the shape of land grants, removed from their title, so that an intelligent immigration will come among us to take advantage of our productive soil, unsurpassed resources, and salubrious climate, and when we can be assured that the spoilsman and the political mountebank no longer has the masses fettered, bound, and under his control, and we know that honesty, economy, and virtue will prevail in the administration of public affairs, then will your petitioners be most urgent in the claim that New Mexico should be admitted to statehood, and to assume the duties and responsibilities of State government; but until then we will ever most earnestly protest against our Territory being admitted to the Union as a State.

Ernest Meyers, of the firm of Lowenthal & Meyers, wholesale merchants.

Joshua S. Reynolds, president First National Bank of Albuquerque.

T. M. Folsom, vice-president Albuquerque National Bank of Albuquerque.

F. M. Rose, general machinery merchant.

Solon E. Rose & Bro., plumbers.

S. Neustadt, clerk.

J. W. Malette, of the firm of Malette & Weiller, general merchandise.

D. Weiller, of the firm of Malette & Weiller.

## NEW MEXICO'S FIGHT FOR STATEHOOD 153

Howard J. Clark, clerk.  
M. Mandell, of Mandell Bros. & Co.  
F. Mandell, of Mandell Bros. & Co.  
D. Mandell, of K. Mandell & Co., of New York.  
M. Mammoth, book-keeper.  
J. A. Weinman, of Goldstein & Weinman,  
wholesale and retail dry goods.  
F. Lowenthal, of firm Lowenthal & Meyers,  
wholesale merchants.  
W. Y. Walton, druggist.  
John F. Pearce, M. D., physician and surgeon.  
A. W. Culano, jr., wholesale grocer.  
W. S. Burke, editor.

And thousands of others if necessary.

Approximately half of the signers of this protest were Jewish business men of Albuquerque. Two of special interest were Gentiles. Joshua S. Reynolds was one of the most prominent bankers in the territory. A native of Canton, Ohio, he had known William McKinley from boyhood, so we may be sure that his name must have carried a good deal of weight, not only with the popular congressman from Ohio, but with the many friends of the latter as well. The name of W. S. Burke<sup>38</sup> also attracts attention, since the editors usually favored statehood.

An indignation meeting was held in Old Albuquerque, and several counter petitions were sent to the territorial legislature and to congress. One signed by 178 citizens of Albuquerque denounced the original protest as "misleading and false," declaring that it did not "represent the sentiment of one per cent of the actual residents" of that city.<sup>39</sup> These were not printed in the *Congressional Record*, however, and were probably lost in the files of the committee on territories. There can be little doubt that the unusual protest against statehood attracted much attention. Shortly before, Chairman Springer had written Governor Ross that "the greatest

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38. See my article on the attitude of the territorial press in the REVIEW for April, 1939, esp. p. 127.

39. *Proceedings of the Legislative Council of the Territory of New Mexico. Twenty-eighth Session* (Santa Fé, 1889), p. 257. See also pp. 259, 260, 262; *Congressional Record*, vol. 20, part 3, p. 1999.

impediment in the way of New Mexico's becoming a state is the impression that the people do not desire the change."<sup>40</sup> Consequently when a printed copy of this petition lay on the desk of every member of congress, we can be sure that this impression was greatly strengthened.

Appearing when the rivalry between various towns of New Mexico had been intensified by competition to secure the location of projected territorial institutions, this petition did nothing to increase good feeling in the territory. When Albuquerque sent a large delegation to Santa Fé to try to secure the agricultural college, the *Las Cruces Rio Grande Republican* queried: "Wonder if it contained any of the signers of the petition against statehood."<sup>41</sup>

During the second session of the Fiftieth Congress, certain New Mexico leaders exerted themselves to work up a statehood movement in the territory. Apparently L. Bradford Prince, who was to serve as governor of the territory from the spring of 1889 to 1893, started things off. He issued an appeal from New York on Dec. 15, 1888, declaring that a number of territories were to be admitted, and that if New Mexico were not among them, it would be taken as proof of her backwardness and lack of progress. He said:

Every acre of our land would lose value and every industry be injured by such an event. Dispatches appear every day from Dakota, Montana, and Washington on the subject. Scarcely a day passes that I am not asked whether New Mexico will not have population enough before a great while to make application! My answer that we have had population enough for years, and are far more ready in every respect than either Montana or Washington, is received in surprise and perhaps a little incredulity, and they say, "Why, I haven't noted any movement there on the subject."<sup>42</sup>

Developments came fast during the closing days of the

40. *Las Vegas Optic*, Jan. 2, 1889.

41. *Rio Grande Republican*, Feb. 9, 1889.

42. Quoted by Delegate Joseph during the debate on the omnibus bill, January 16, 1889.

session. Delegate Joseph spoke on January 16 and again on February 14, demanding statehood for New Mexico.<sup>43</sup> Representative Samuel S. Cox of New York,<sup>44</sup> widely known as a ready and witty speaker, took part in the debate on the last named day, showing that he was interested in the development of the west, as well as in tariff reform and civil service. Reference had been made to rumors that efforts would be made to get the house to recede on the omnibus bill, and that several members, including Cox, were going to recede. That gentleman then stated that he favored the bill, but that "it was temporary and was so intended."<sup>45</sup> He said plainly that the effort to bring in the bill was in pursuance of caucus instructions, that personally he would have preferred that each of the territories should come in on her own merits. Furthermore, he despaired of securing the consent of the Republican senate. Consequently he proposed new instructions for the conferees with that body. The first of these, "That the Territory of New Mexico be excluded from the bill," was adopted by a vote of 134 yeas and 105 nays, with 84 not voting.<sup>46</sup> The next day Delegate Joseph introduced a separate bill for the admission of New Mexico, and on the following day Chairman Springer reported it favorably.

A well advertised movement was soon under way in New Mexico, and a decided effort was made to secure immediate statehood. These efforts were doomed to defeat by opposition within the territory, which manifested itself in lack of coöperation among the leaders and an adverse vote of the people of the territory.

It had been suggested from Washington that New Mexico was handicapped because she did not have a constitution to present for the inspection of congress, hence the territorial council on February 28, 1889, authorized a convention to supply this lack. The bill, which had been introduced by Col. George W. Prichard, a Republican member

43. *Congressional Record*, vol. 20, part I, pp. 862-67. *Ibid.*, part II, p. 1911.

44. *D. A. B.*, vol. IV, pp. 482-83.

45. *Congressional Record*, vol. 20, part 2, p. 1905.

46. *Ibid.*, p. 1912.



from San Miguel County; provided for 73 delegates apportioned among the various counties. The Albuquerque *Morning Democrat* declared that the apportionment designated would give the Republicans control, which would be unfair, since the last three elections had shown that New Mexico was Democratic by a majority of 1,500 to 2,000. Although Governor Ross allowed the bill to become a law without his signature, other Democratic leaders refused to accept it as fair to their party. L. Bradford Prince confessed twenty years later "perhaps there was some merit in their objection."<sup>47</sup> Committees of both parties sought to effect a compromise.<sup>48</sup> The Democrats offered to allow the Republicans 37 delegates in the convention to their 36—giving warning that the rejection of this proposal would mean the failure of statehood.<sup>49</sup> As their opponents refused to agree, the Democrats, acting on instructions from W. B. Childers, chairman of their central committee, declined to take any part in the election. The result was that only one Democrat was elected as a member of the convention. This strongly partisan body, however, went to work and in nineteen days produced a constitution. English and Spanish copies of the document were then widely circulated throughout New Mexico, but it was not voted upon by the people.

The Albuquerque *Morning Democrat* may be taken as representative of newspapers which strove to belittle the whole movement for a constitution. Commenting on the small vote cast for delegates to the convention, the *Democrat* remarked that "the people have shown M. S. Otero and his gang that they would prefer smallpox to statehood under the control of the republican gang bosses . . ." <sup>50</sup> The constitution was "designed to perpetuate boss rule in New Mexico,"<sup>51</sup> but the election showed that "the people are opposed to statehood as promulgated by the bosses Perea, Catron, Chaves,

47. Prince, *op. cit.*, p. 48.

48. Albuquerque *Morning Democrat*, June 2, 1889.

49. *Ibid.*, June 25, 1889.

50. *Ibid.*, Aug. 8, 1889.

51. *Ibid.*, July 14, 1889.

Pritchard, &c."<sup>52</sup> Finally the *Democrat* declared that the document was "three times as long as the constitution of the United States, including all amendments. It re-enacts that document," the editorial critic declared, "the bill of rights, the declaration of Independence, and the moral law and enlarges and improves upon all of them in the estimation of the constitution carpenters. The fact that the conventioners attempted legislation so largely, shows their want of confidence in subsequent legislatures, and is a strong argument vs. statehood."<sup>53</sup>

About the time of the adjournment of the convention the Hillsboro *Advocate* asserted that "everybody in southern New Mexico, with the exception of a few self-seeking politicians, is dead opposed to statehood at the present time."<sup>54</sup> This conclusion was immediately discounted by the Republican press, and during the following months various groups and sections of the territory were claimed in support of the new state constitution. "The majority of the native population of New Mexico" were said "to favor statehood and free schools."<sup>55</sup> "The leading stockmen of northeastern New Mexico favor statehood pretty generally." It was predicted that the central and the northwest portions of the territory would give large majorities for the constitution when a vote was taken. It was claimed that the counties of Lincoln, Chaves, Eddy, Socorro, Sierra, and Grant would favor the constitution by majorities of 500 or 1,000. In the late spring of 1890 the Silver City *Enterprise* summed matters up by saying, "The sentiment in favor of statehood is growing rapidly throughout the territory," while the *New Mexican* announced "The statehood movement is crystalizing despite the Democratic sorehead politicians, who hope to ride into popularity opposing it." The Clayton *Enterprise* rejoiced that statehood was gaining friends even in northeast New Mexico and that Colfax County was "the only county in the

52. *Ibid.*, Aug. 11, 1889.

53. *Ibid.*, Oct. 30, 1889.

54. Quoted in the *Rio Grande Republican*, Sept. 28, 1889.

55. *Daily Citizen*, Nov. 30, 1889.

territory where the non-progressive newspapers are in the majority.”

During her sixty years as a territory, New Mexico sent a number of delegations of her citizens to the national capital to work for her interests. Without doubt, the strongest of these and the most successful was the group sent in the spring of 1890. The suggestion apparently came from Col. William L. Rynerson of Las Cruces, one of the most prominent men in the southern part of the territory. Born only a few miles from Lincoln's birthplace, the young Kentuckian had walked over a part of the Oregon trail, arriving in California in time to do some mining before enlisting in the union army in the sixties.<sup>56</sup> Settling in New Mexico after the war, he had taken up the practice of law and had been promptly elected to the territorial legislature. Aroused by the bitter, slurring criticism of John P. Slough, chief justice of New Mexico, Rynerson had killed the latter in 1867 and been acquitted on a plea of self defense. District attorney and member of the territorial council for a number of years, Rynerson was also a member of the constitutional convention. When he and Catron visited Washington early in 1890, they carried a letter of introduction to President Harrison which identified them as “the two leading Republicans in New Mexico.”

It was at this time that the Las Cruces leader penned the following letter which appeared in the *New Mexican* under the headlines “Statehood and Rynerson. Wake Up, Fellow Citizens.”

To the Editor of the *New Mexican*, Santa Fé, N. M.  
Washington D. C., February 10, 1890.

As you are aware I have been here some time and while here I have taken notes of the prospects of New Mexico's admission as a state. I believe we have a good prospect if we make the proper effort. *The delegation* of the leading citizens of the territory should at once be sent here in the interest of

56. Twitchell, *op. cit.*, p. 412.

statehood. Such delegation should include such men as the Hon. M. S. Otero, Col. J. F. Chavez, Judge Trimble, John H. Riley, Gov. Prince and Major Llewellyn. Others who could come should do so. Their earnest and united effort would gain us admission. The senate committee have unanimously agreed to report in favor of the admission of Idaho. Wyoming and Idaho will be promptly admitted, and we might have been admitted if we had voted and adopted our constitution as those two territories did. We should convince our Republican friends in congress that our territory is certainly Republican and furnish them with statistics and proof to wipe out the many slanders that have been and are now being used against the people of the territory.

I hope that our people will wake up to the importance of action and at once go to work.

Yours, etc.,

W. L. Rynerson.<sup>57</sup>

Commenting on this communication, the editor stated that he had received "similar information from other sources and from members of congress." Furthermore, he pointed out that Rynerson was "a keen observer," and an excellent judge of the situation. Accordingly the *New Mexican* strongly advocated acting on these suggestions. The matter was taken up by the bureau of immigration, which was controlled by Editor Frost, its secretary, and Governor Prince was formally requested to appoint the delegation.<sup>58</sup>

Thoroughly in accord with the idea, that official appointed a large committee, headed by himself and three former chief justices of the territory. Of the fifty-four named, only twenty-nine actually went to Washington. The group was acclaimed by the press as a representative one, but it is interesting to note that only one Spanish-American made

57. *New Mexican*, Feb. 15, 1890.

58. *San Marcial Reporter*, quoted by *New Mexican*, May 13, 1890; Prince, *op. cit.*, p. 74.

the trip.<sup>59</sup> The press made a variety of comments regarding the personnel of the delegation. The *Daily Citizen* described it as "well supplied with facts and figures relating to the resources of New Mexico."<sup>60</sup> The unsympathetic *Morning Democrat* quoted Senator Edmunds of Vermont as follows: "Since seeing that delegation from New Mexico I am more than ever convinced of the necessity of public schools in that territory."<sup>61</sup> The *Industrial Advertiser* thought that "if the Governor would have Congress understand the true situation of affairs he should appoint a few anti-statehooders."<sup>62</sup> As Governor Prince was a strong champion of statehood, we may be sure that he did not intend to act on this suggestion, but time was to show that he did so unwittingly.

Of course, establishing a lobby for statehood was only one of several purposes behind the appointment of the delegation. Congress was also to be urged to provide for the settlement of the vexatious question of Spanish and Mexican land grants in New Mexico, and to grant the territory lands to support schools and institutions of higher education. In fact, it was along these lines that the delegation won its greatest success. Its work led almost immediately to the creation of the special land court and, after several years, to the donation of lands for educational purposes. A correspondent writing to the *Denver News* from Santa Fé county at this time opposed the admission of the territory to statehood "until the titles to these lands are settled and the territory is more largely filled with Americans."<sup>63</sup> It is not

59. Trinidad Alarid of Santa Fé, who was territorial auditor at the time. See Twitchell, *op. cit.*, p. 513. The names of all who actually went to Washington are given by Prince, *op. cit.*, p. 75.

60. *Daily Citizen*, April 21, 1890.

61. *Morning Democrat*, May 20, 1890.

62. *Industrial Advertiser*, March 29, 1890. This paper evidently thought that there was little chance of an enacting bill being passed by congress. In the same issue, it said: "It is painful to see a few papers struggling to make people believe that New Mexico is about to be admitted as a state. . . . New Mexico stands about as much show of being admitted as Max Frost has of becoming an angel."

63. *Denver News*, as quoted by *New Mexican*, May 9, 1890. The *News* added: "He speaks of a Santa Fé ring which seeks admission with a view to electing two Republican United States senators and officers of the proposed new state."

unlikely that some members of the delegation entertained the same sentiments.

Contemporary press accounts of the objects of the delegation differ widely. After discussing the other aims, the *Chicago Tribune* gave only a single disparaging sentence to the statehood aspect of the matter. It said: "There appears to be no haste on the part of the New Mexicans to assume the expensive responsibilities of statehood and to get from under the protecting wing of the federal government."<sup>64</sup>

On the other hand, the *Denver Republican* said:

It is probable that while in Washington some of the delegates will take occasion to say something in favor of the admission of New Mexico into the union. There is a possibility that congress will pass an act at this session allowing New Mexico to enter the union under the constitution framed by the convention which met in Santa Fé last fall. There is a considerable element in congress in favor of such action; but it is rendered inactive by the opposition of a large number of the inhabitants of New Mexico. If the delegation which is now on the way to Washington should urge the passage of a bill permitting the people to adopt a state constitution, a bill of that sort might be passed.

Naturally the appearance of a large delegation to voice the needs of a remote territory attracted considerable attention in congress and in the national press. Calls were made upon the president and other federal officials, there were hearings before seven congressional committees, and many conversations were held with prominent members of congress.

Max Frost rejoiced that the *New Mexican's* fight for statehood was "assuming grand proportions," and that the territory was getting lots of "free advertising."<sup>65</sup> This was quite true, but, unfortunately from the standpoint of the editor of the *New Mexican*, differences of opinion among the

64. *Chicago Tribune*, quoted in *New Mexican*, April 29, 1890.

65. *New Mexican*, April 24, 1890.

citizens of the territory on the subject of statehood were given wider publicity at the same time. The *Denver News* suggested that not all of the delegation favored statehood, and evidence was soon forthcoming that this was correct.

Before the delegation arrived in Washington the *Kansas City Journal* published an interview with one of the delegates who threw discretion to the winds and boldly opposed statehood. This gentleman, Mr. A J. Bahney, the Democratic postmaster of Socorro, was quoted as follows:

We are going to Washington to present our claims to congress. We want a public school law that will allow us to levy taxes, issue bonds and build school houses. We want an endowment for our school of mines at Socorro, and an allotment of school lands, as has been made to most of the states. We also want an appropriation for a national park. The site chosen, in the mountains north of Santa Fé, is the most captivating in the world and should be taken advantage of by the government. If the government allows us these requests there is no doubt but that New Mexico would gladly become a state. The trouble has been that we were afraid to trust such legislation to the state legislature we were certain to get. The Mexicans can outvote us and will elect their class to make the laws to govern the state when the territory is admitted, and by their past life we are assured that they will not urge the cause of public education as it would be. Unless we have such laws as we ask from Congress it would only retard our progress to make a state of New Mexico.<sup>66</sup>

66. Quoted from the *Kansas City Journal* by the *New Mexican*, April 25, 1890.

The *New Mexican* reproved Mr. Bahney for his indiscretion in its issue of April 25, 1890., and A. L. Morrison contributed a letter to the *New Mexican* for April 28, in which he further criticized the Socorro man. In defense of the native people, he said: "As I understand the case these 'Mexicans' and their fathers have inhabited these mountains for nearly four centuries, and have earned the proud title of Americans if any people on the continent have. I don't know when the first Bahneys honored the world with their presence, but I do know that if they landed at Plymouth Rock from the *Mayflower* the heroic sires of these 'Mexicans' were in New Mexico half a century or more before them, and if the men of today are worthy sons of the men of that day they will not permit themselves to be insulted in their own land by Mr. Bahney, nor the party he represents. . . . One thing is certain, and that is that the *New Mexican* voiced the feelings of the Republicans of New Mexico when it condemned so

We may be fairly certain that other members of the delegation had doubts about the advisability of immediate statehood, even though they avoided discussing them with newspaper men. Thus Henry L. Waldo, the general solicitor of the Atkinson, Topeka and Santa Fé railroad in New Mexico, had the reputation of being a difficult man to interview. He evidently kept his usual reserve, when a reporter for the *New Mexican* found him on his return from Washington. After stating that the principal object for which Judge Waldo worked was the settlement of land titles in the territory, and praising the excellent work being done by other members of the delegation, the interview concluded:

Judge Waldo took no particular interest in the statehood matter, representing only the interests of the Santa Fé railroad company, more particularly in the matter of the settlement of the land grant question, and did not think it proper to have anything to do with any matters political.<sup>67</sup>

Many of the delegation were strongly in favor of statehood, and felt that they were getting in some effective work for the cause. One of these was W. C. Hazledine of Albuquerque, general solicitor for the Atlantic and Pacific railroad, whose attitude toward the cause had been shown by an interview which he had released early in January. "The speaker said he had travelled through the territory," so the *New Mexican* reported,

and discussed the state movement with a large number of citizens, and he felt certain that interest in the subject was constantly growing. In his travels east and west throughout the country he

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67. *New Mexican*, May 12, 1890.

promptly and emphatically the insults flung in the faces of the native citizens of New Mexico. The Republican party . . . will trample down any and every attempt to draw a line of demarkation between the ancient race whose forefathers landed with Cortez at Vera Cruz, and the other race or races who arrived here yesterday. Any man who holds opposite views to this is not worthy to become a citizen of the state of New Mexico, and should depart for some more congenial clime as rapidly as possible. In the meantime we commend Mr. Bahney to the 'Mexicans' of Socorro and hope they will be able to convince him that 'their class,' as Mr. Bahney calls them, is worthy 'to make the laws to govern the state when the territory is admitted.' "



found New Mexico a topic of great interest to public men, and many who have for years opposed, through a misapprehension of facts, state government for this territory are today our friends, ready and anxious to help us if we only display an earnest effort to help ourselves. At Washington city our cause has made rapid advancement since the last session of congress; many of the leading newspapers there have displayed the most friendly interest and will say a kindly word when the proper time comes.<sup>68</sup>

Hazledine returned to New Mexico some time before the other members of the delegation. The *New Mexican* reported that he had "been very successful in greatly modifying the views of persons hitherto strongly opposed to our admission, and has secured many strong and ardent supporters to statehood."<sup>69</sup> Catron wrote Hazledine, congratulating him upon the good work he had done in Washington, but expressing the fear that "the cosmopolitan delegation which went on, may undo what you have done."<sup>70</sup> Whatever their private fears, however, statehood supporters continued to express confidence in the work of the delegation. In describing the hearing before the house committee, the *New Mexican* said: "The visitors made a good impression and manifested no trace of bickerings which have heretofore hindered the progress of the statehood movement."<sup>71</sup> Having stated that "The whole matter is now in the hands of the sub-committee," the paper added: "When this committee was appointed several weeks ago, a majority was hostile to the admission of New Mexico, but since receiving further information on the subject, it is now quite probable the matter will be considered favorably." A few days later, the *New Mexican* reported that the New Mexico people in Washington had "made a formidable showing before the senate committee on territories, and the questions which the com-

68. *New Mexican*, Jan. 9, 1890.

69. *New Mexican*, April 26, 1890.

70. Catron to W. C. Hazledine, April 26, 1890.

71. *New Mexican*, May 2, 1890.

mitteemen put were answered in such a frank and satisfactory manner as to make it certain New Mexico is making friends for her statehood movement."<sup>72</sup> In reviewing the labors of the delegation after their return to the territory, Governor Prince said "many opponents of statehood have been transferred into friends. . . ." He concluded: "I had a long talk just before leaving with Judge Struble, of Iowa, who is chairman of the house committee and has hitherto been much prejudiced against us, and his views are greatly changed."<sup>73</sup>

Meanwhile, however, all hopes of immediate action on the part of congress had been blasted by the attitude of Delegate Joseph. On May 1, the *New Mexican* had reported that he "was working in harmony with the good citizens of this territory in the matter of the admission of New Mexico." The following day the same paper said: "The Democratic would-be bosses and Ross *et al.* are hot under the collar at Delegate Antonio Joseph because he has come out openly in favor of statehood." It appeared later that, when the question of a united push for statehood was discussed by the delegation in Washington, Mr. Joseph had written several prominent Democrats in New Mexico as to whether the constitution drawn up by the Santa Fé convention was acceptable, and that most of the replies he received were unfavorable. Hence he felt it necessary to oppose the movement, although personally he had been willing to cooperate to gain admission. C. H. Gildersleeve stood with him. Headlines screaming "Democracy Afraid to Face the Music—A Clean Back Down" announced that New Mexicans were still divided on statehood matters, and all hopes that the lobby would push an enabling act through the Fifty-first Congress were gone.

Several months earlier, the *New Mexican* had printed a Washington despatch under the headlines: "The New States. Bright for Two, but Sad for New Mexico." After referring

72. *New Mexican*, May 10, 1890.

73. *New Mexican*, May 22, 1890.

to favorable committee reports which led to the admission of Wyoming and Idaho, the despatch said:

It is thought that if the New Mexico people had come forward united in support of a good constitution they would have had a better chance of favorable action. The disagreement among the politicians there has operated to keep the territory out of the union. It is probable that congress will take no favorable action on the question of the admission of New Mexico until the people of that territory succeed in healing their differences.<sup>74</sup>

The fact that the constitution of Wyoming had been adopted by popular vote, and that this action was approved in the committee report did not escape the attention of the New Mexico delegation in Washington. Ex-Governor Axtell, a member of the group, said later in a speech in the campaign that the delegates were told in so many words to submit the constitution to the people for their ratification, after which New Mexico would be admitted if the people approved the constitution. Consequently, the leaders reassembled the constitutional convention in Santa Fé for two days in August, 1890. After making a few minor changes in the document, the convention resolved to submit it to a popular vote on October 7.

During the campaign that followed the leading Republican politicians of New Mexico held meetings in all parts of the territory and urged the voters to support the constitution. They were assisted by the one Democratic member of the constitutional convention—Lawrence S. Trimble, a former congressman from Kentucky who was practicing law in

74. *New Mexican*, Feb. 22, 1890. Cf. the following editorial comment from the *Denver Republican*: "The people of the territory have themselves largely to blame for their failure to obtain a favorable answer to the petition for admission. All the objections based upon the alleged ignorance of many of the inhabitants and the use by a large number of them of a language foreign to the English could, in all probability, have been done away with if the people had been united among themselves, and if they had earnestly asked that they be let into the union. But local differences and a trivial question of party representation in the constitutional convention were allowed to interfere, and as a result the New Mexicans see themselves left out while Wyoming and Idaho are about to be admitted." Quoted from *New Mexican*, Feb. 22, 1890.

## NEW MEXICO'S FIGHT FOR STATEHOOD 167

Albuquerque.<sup>75</sup> Opposition speakers included W. B. Childers, H. B. Fergusson, Felix Martinez, N. B. Field, C. H. Gilderleeve, J. H. Crist, N. B. Laughlin, Ex-Governor Ross and others. Republican papers attacked them with vigor. The *San Marcial Reporter* said:

The gentlemen who are now travelling through the territory opposing statehood, two years ago were howling for it. Then they thought they would secure the loaves and fishes; now it's the "other fellow" who stands the best show. Great patriots these!<sup>76</sup>

Though few in number, results were to show that this group were effective. In his report to the Secretary of the Interior for 1891, Governor Prince said:

Public speakers traversed the territory in opposition, and easily excited prejudices among the large portion of the people who had never lived in a State, knew but little of the results of State Government, and whose fears of the unknown were thus aroused against any change from the system with which they were familiar.<sup>77</sup>

Considering the high percentage of illiteracy in the territory, printer's ink was poured out very generously in the campaign that followed. Copies of the constitution, a defense of the same by a committee of fifteen, an appeal from the Democratic convention at Silver City to reject the document, and Republican circulars—all printed in English and in Spanish—were distributed in large editions. The opposition professed to believe that every copy of the constitution "placed in the hands of an intelligent man makes a vote against it," but they were accused of distributing "bogus constitutions" instead of the genuine article.<sup>78</sup> The

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75. Trimble was a member of congress from 1865 to 1871. Having moved to Albuquerque in 1879, he practiced law there until his death in 1904. *Biographical Dictionary of the American Congress*, p. 1628.

76. *San Marcial Reporter*, Oct. 4, 1890.

77. *Report of the Governor of New Mexico to the Secretary of the Interior, 1891* (Washington, Government Printing Office, 1891), pp. 9-10.

78. *Socorro Industrial Advertiser*, Sept. 13, 1890; *Optic*, Sept. 30, 1890.

"tons of literary documents against the constitution,"<sup>79</sup> circulated throughout the territory were denounced as "Sheer waste of printer's ink."<sup>80</sup>

Special efforts were made to reach the Spanish-American vote. While ten thousand copies of the constitution in English were being distributed, the *New Mexican* stated that twenty thousand in Spanish would be put into the hands of the people the following week.<sup>81</sup> J. Francisco Chaves, one of the most prominent leaders among the native people, who had presided over the convention, served as the chairman of the committee which issued "An Address to the People of New Mexico." While T. B. Catron drafted it himself, he wrote Chaves:

I have prepared it, as you will observe, more for the Mexican people than for the Americans. They know less about the question of State than the Americans, and I thought that it ought to be more particularly directed to them.<sup>82</sup>

He asked his correspondent to translate the manifesto into Spanish, so that Max Frost could "strike off copies enough to enable us to send it to every voter in the territory." Catron supplemented his broadside by sending checks to some of the native people who were to work for statehood. In writing to Nestor Montoya he added the argument:

If we are admitted, you will see good times. Immigration and capital will come into New Mexico, and everyone will receive good wages. As long as we are kept in the condition of a territory, foreign money will be excluded under the law of the United States, and money from the States not having any competition, will not be brought here. We will be forced to sell our property at a sacrifice, and people will be without wages or with insufficient wages. There is nothing in the world which

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79. *Albuquerque Daily Citizen*, Sept. 27, 1890.

80. *Optic*, Sept. 13, 1890.

81. *New Mexican*, Sept. 17, 1890.

82. T. B. Catron to J. Francisco Chaves, July 7, 1890.

will be of such benefit to the laboring classes as an influx of immigration and foreign capital. The immigrants who will come to this country will all bring some means. Foreign capital is compelled to employ labor in the mines and on the lands in order to make it productive. You can readily see the advantages and place them before the people. See that every vote for the state is turned out and votes.<sup>83</sup>

Statehood papers warned their readers that if a large popular majority voted against the constitution, the nineteenth century would close on New Mexico as a territory, and that immigration would go elsewhere.<sup>84</sup> This would mean "business stagnation and retrogression . . ."<sup>85</sup> They were confident, however, that the cause was gaining strength daily and that the constitution would be ratified. Every effort was made to belittle the "anti's." Their meeting was described as "a flat failure" or "a fizzle," conducted by "would-be statesmen" who drew small crowds and little applause. A meeting in Albuquerque was said to have been "a disgrace to the town," while in Las Vegas Governor Prince was said to have "wiped the floor" with Childers. "The gang," said to be "fighting the best interests of New Mexico," was accused of all sorts of tricks to win the election. It was said that Democratic county commissioners had been secretly instructed to send out none but anti-constitution ballots, and to send them out "in the ballot boxes wherever possible, and to instruct the judges of election in safely Democratic precincts to roll up a good vote against the constitution, no matter if any such vote is cast or not."<sup>86</sup> Three weeks before the election the *New Mexican* said:

The dark tricks, the buying up of votes, slandering the people, abusing political adversaries, stuffing ballot boxes and the like shall and will be left to the gang, that now runs the Democratic

83. Catron to Nestor Montoya, Sept. 20, 1890.

84. *Citizen*, Oct. 4, 1890.

85. *Optic*, Sept. 22, 1890.

86. *New Mexican*, Oct. 2, 1890.

machine, the Joseph campaign and the anti-statehood fight. They are adepts in that line, but their tricks will not succeed this time.<sup>87</sup>

Opposition speeches were constantly ridiculed as "the veriest bosh." Only occasional references by pro-statehood speakers revealed the arguments which they were attempting to refute. Thus at a meeting in Santa Fé Major J. D. Sena is reported to have said: "It is an insult to the descendants of Hidalgo, Morelos and Iturbide when the opponents of statehood say 'we' are not fit to govern ourselves."<sup>88</sup>

The *New Mexican*, which was practically closed to the reasonings of "the blatant anti-state soreheads" who "talk of the pending constitution as if it were a cast-iron document"<sup>89</sup> impossible to amend, could hardly refer to Childers without speaking of "his hot southern blood" and "his intense partisanship which left him angry and disgusted because forced to defend a losing cause."<sup>90</sup> Fortunately, a much fairer picture of the Democratic leader and of his line of thought is found in a letter contributed to the *Optic* for October 3, 1890. Its author, Frank Springer, who was one of the most brilliant lawyers in New Mexico and the president of the bar association at the time, had been a member of the constitutional convention. He now undertook to answer the arguments presented by Childers at a meeting in Las Vegas. He described his opponent, who had come to New Mexico about the same time that he had, as "one of the ablest men in the democratic party in the southwest." He said: "He is of keen and subtle mind, clear and incisive in speech, full of resource in argument, and skillful in debate; in short, a trained and sagacious lawyer . . . ." Passing on from the man to his address, Springer said:

He spoke upwards of an hour, and rapidly, as is his habit. We learned at the outset that he was not opposed to statehood, but that he and his party

87. *New Mexican*, Sept. 17, 1890.

88. *New Mexican*, Sept. 23, 1890.

89. Quoted from the *New Mexican* by Las Vegas *Optic*, Oct. 2, 1890.

90. *New Mexican*, Sept. 18, 1890.

were in favor of it on general principles, and he would not consume time arguing about it, but would proceed at once to expose the iniquities of the constitution, which he declared to be so "vicious" that he was not willing to enter the union under it.

These objections were as follows:

First, That the constitution was compiled from other constitutions.

Second, That state taxation is limited to one per cent, and state debts to \$500,000.

Third, That the provisions regarding taxation are framed to enable land grants to escape taxation.

Fourth, That the judges of the supreme court are to be appointed.

Fifth, That the constitution requires mines to be taxed upon their gross output.

The Democratic convention, held at Silver City, had advised its adherents to vote against the constitution on about the same grounds. Two other objections, mentioned in the platform adopted, may be summarized as follows:

The governor may be suspended from office during impeachment. The apportionment for the election of members of the legislature practically disfranchises opponents of the Republican party.<sup>91</sup>

Springer criticized Childers' objections as "the veriest bosh." Denouncing the third one as "humbug," the Republican leader added that its author knew that the members of the convention were not "ready to commit political suicide," which, he said, they would surely do, if they attempted "to foist such a scheme of boundless stupidity upon the people of this Territory."<sup>92</sup> He declared that the Democratic speaker "would have us believe that the constitutional convention was a nest of conspirators, from which all honest men had been excluded and who counseled harmoniously together in

91. *To the People*, broadside issued by S. B. Axtell, chairman of the Territorial Republican central committee. Copy found among the Catron Papers.

92. *Las Vegas Optic*, Oct. 3, 1890.



some dark scheme to defraud the people of their liberties." Expressing regret that a man whose friendship he valued should allow "partisan heat to carry him so far," Springer concluded by declaring that the truth was

that the constitutional convention was the most independent body of men ever assembled in New Mexico. There were no bosses nor room for any. Men who were together today on one proposition would be found next day fighting each other most energetically on another. Many of the most important provisions were adopted only after long and earnest debate in which opposing theories were thoroughly presented and advocated.<sup>93</sup>

If there is only scanty evidence for the arguments of the speakers for the opposition, it is much more abundant for the position taken by the editors who opposed the constitution. It is interesting to note that their editorials seemed to feature economic reason for opposing the constitution. Possibly we may more easily introduce their point of view by first referring to a speech which Delegate Joseph made in congress on February 14, 1889.

A congressman from Iowa had just asked why he had not introduced a bill providing for statehood for New Mexico "until nearly the close of the session."<sup>94</sup> Joseph replied: "It was not because our people did not want admission. There has been every manifestation by the people of New Mexico, thoroughly irrespective of politics, favoring the admission of New Mexico."<sup>95</sup> He cited, however, only one piece of evidence for this change of mind on the part of "the people"—a memorial unanimously adopted by the territorial legislature in favor of statehood. He suggested, however, that certain economic problems helped to bring about the change. He said:

New Mexico has more than 10,000,000 acres of the best land in the world, the titles to which are

93. *Ibid.*

94. *Congressional Record*, vol. 20, part 2, p. 1911.

95. *Ibid.*

now clouded by either Spanish or Mexican land grants. We have tried repeatedly upon the floor of this House to get legislation to adjudicate these titles, but have failed. We also have upwards of \$5,000,000 in the way of Indian depredation claims. My people are getting overly anxious on seeing that Congress has failed for more than forty years to provide a remedy for those defective titles and to grant an adjudication of these Indian depredation claims, and they have come to the conclusion that statehood is the only solution of our present difficulties. They now come and ask for admission into the Union.<sup>96</sup>

Joseph was one of the largest grant holders in New Mexico himself.<sup>97</sup> Did he mean that certain "interests" in the territory were behind the current "agitation" for statehood? Students of American history have been told that the famous Philadelphia convention of 1787 which framed our federal constitution was a rich man's convention, that its members represented various kinds of wealth, and that in providing for a strong central government, they were creating conditions which would cause their slaves, western lands and government securities to appreciate in value.<sup>98</sup> Were the leaders who drew up a constitution for the proposed state of New Mexico in 1890 likeminded with the "fathers" who had met in Philadelphia one hundred and three years earlier? Must one call in the economic interpretation of history in order to understand the statehood movement of 1890?

The territorial editors who opposed the constitution of 1890 had never read *An Economic Interpretation of the Constitution of the United States*, but they had the point of view which Charles A. Beard was to set forth twenty-three years later. They declared that money was being used to promote "the statehood boom," and they were convinced that they

96. *Congressional Record*, vol. 20, part 2, p. 1911.

97. *New Mexican*, Oct. 6, 1890.

98. Beard, Charles A., *An Economic Interpretation of the Constitution of the United States*. (N. Y., 1913.)

knew where it came from.<sup>99</sup> Their analysis of the economic interests of the members of the convention was not as thorough as Beard's, but it is very suggestive. They pointed out that the fourteen most prominent men in the convention were interested, either as owners or attorneys, in large land grants, which amounted, all told, to 9,457,106 acres.

These leaders were named, with the grants in which they were interested, and the acreage of each. The article, which appeared under the title "Land Grants and the Constitution," concluded as follows:

The 14 gentlemen whose names are given virtually embrace the prominence, power, intelligence and practicability of the convention framing the constitution. The other fellows were in the roll call, but in these 14 is found the convention. Take out Catron, Otero, Springer, Clancy, Hazeldine and Rynerson and what of brains or force would you have left? Now let some Diogenes with his lantern look for the clause in that constitution that would hurt a land grant.<sup>100</sup>

The opposition press also pointed out that the territory was heavily in debt and that the expenses of a state government would materially increase the rate of taxation. Furthermore the burden would not be borne by all classes of property and people alike. Through unscrupulous manipulation assessments on large land grants would be kept down to one-tenth of their value. Furthermore, the constitution provided that the rate should not exceed one per cent on taxable property, but there was no limit as to "particular articles" and occupations. Accordingly it was claimed that the tax burden would be shifted to the shoulders of the poor to such an extent that even steadfast Republicans were denouncing the constitution "as for the few and against the interests of the mass of the people of New Mexico."<sup>101</sup>

99. Socorro *Industrial Advertiser*, Sept. 13, 1890.

100. *Morning Democrat*, quoted in *Industrial Advertiser*, Sept. 27, 1890.

101. Socorro *Industrial Advertiser*, Sept. 20, 1890.

One way in which this aim would be achieved was described by the Socorro *Industrial Advertiser* as follows:

The clause in the constitution empowering the legislature to levy a tax upon unpatented mines was inserted for the especial benefit of a few large land grant holders. Just at present Catron is worrying over the miners who have settled on grants in Santa Fé county. The mineral is not reserved for the grants and therefore is open for location, so several mining towns are now in existence on Catron's grants. As these mines cannot be patented he has conceived the idea of running off the miners by taxing the gross output of all unpatented mines, which would work ruination to the poor miner and clear the grants of miners. If the mining men of New Mexico vote for the constitution they vote an unlimited tax upon themselves in order that a few land grabbers may clear all the grants of miners, which cannot be done in any other way. The mineral belongs to the men who uncover it not to the grant owners and the taxing of the output of unpatented mines is a scheme to defeat the objects of the laws of the land by making it impossible to work a mine on a grant by taxing it heavily.

It was charged that certain men who had bought up hundreds of thousands of dollars' worth of fraudulent militia warrants for almost nothing were scheming to get them paid. Eastern capitalists had openly predicted that when New Mexico was admitted to the union, these warrants would be paid by the first state legislature. Mariano S. Otero was said to hold several hundred thousand dollars' worth of these warrants, while those held by T. B. Catron, A. A. Staab and others "will more than make a million dollars." The first state legislature was sure to be Republican under the apportionment made by the constitution adopted by the convention at Santa Fé, and therefore under the control of "the ring." The new state having assumed the indebtedness of the territory, statehood would mean prosperity for the men who held these warrants.<sup>102</sup>

102. *Ibid.*, Sept. 13, 1890.

While the opposition press laid great emphasis upon economic objections to the constitution, it of course did not ignore party objections. Thus *La Voz del Pueblo* declared that anyone who had the interest of New Mexico at heart should vote against the proposed constitution, as it was designed to further the political ambitions of Catron, Otero and Chaves. The *Morning Democrat* agreed, though it said that the Las Vegas paper had omitted the name of the worst one—"that mongrel, Max Frost."<sup>103</sup> Some months earlier the *Democrat* had commented bitterly on the political ambitions of Col. Chaves. "As for his going to congress," it said, "a good deal depends on who controls the new state—the Catron-Chaves-Perea gang or the decent people—whether he goes to congress or the penitentiary."<sup>104</sup>

While Democratic speakers and editors elaborated on the political and economic objections to the constitution, religious and educational objections were being used effectively by the Catholic clergy. Early in September, 1889, while the constitutional convention was in session, the Most Rev. J. B. Salpointe, Archbishop of Santa Fé, contributed a letter to the territorial press, which attracted wide attention. The core of this communication was as follows:

. . . the Catholics of the territory demand of the constitutional convention a fundamental school law which shall be truly liberal, in the right sense of this word, by recognizing the right of the parent to educate his child according to the dictates of his conscience. We demand a system of elementary schools which will give the citizens of the territory, of every shade of belief, equal facility to educate their children in a manner they believe will conduce to bring about their happiness.<sup>105</sup>

The *Rio Grande Republican* admitted editorially that the archbishop's letter was "an adept argument in favor of denominational schools, that is to say that the public school

103. *Morning Democrat*, Sept. 1, 1890.

104. *Ibid.*, Oct. 15, 1889.

105. *Rio Grande Republican*, Sept. 7, 1889.

funds be divided between the different religious denominations, or that the dominant church be permitted to select the teacher."<sup>106</sup> The editor, however, declared that this idea had already been "the subject of frequent contentions in the States," and had been "overwhelmingly rejected by the American people." In conclusion, he predicted that any constitution which embodied "the ideas contained in this letter, will be overwhelmingly rejected by both the people of New Mexico and the Congress of the United States."

The answer of the convention to Archbishop Salpointe's appeal was given in the first section of article IX of the constitution, which is as follows:

Provision shall be made by law for the establishment and maintenance of a uniform system of public schools, which shall be open to, and sufficient for, the education of all the children in the state, and shall be under the absolute control of the state, and free from sectarian or church control; and no other or different schools shall ever receive any aid or support from public funds. No sectarian tenet, creed or church doctrine shall be taught in the public schools.<sup>107</sup>

The *Rio Grande Republican* for Oct. 26, 1889, said:

We understand that Father Groom preached a sermon last Sunday at Parkview, denouncing the action of the constitutional convention in supporting non-sectarian schools, and abusing the members of the convention in the roundest terms.

The *New Mexican* declared seven months later that . . . the article, as adopted, passed without a dissenting vote, after full discussion, and that not one of the thirty or more members of the constitutional convention, natives of New Mexico, of Spanish blood and Roman Catholics in religion, opposed the

106. *Ibid.*

107. *The Constitution of the State of New Mexico Adopted by the Constitutional Convention, Held at Santa Fe, N. M., September 3-21, 1889; and Amended August 18-20, 1890 (Santa Fé), p. 28.*

provisions contained in the article or voted against it.<sup>108</sup>

The editorial alleged that the cry against the school provisions in the constitution was being made by the "Democratic would-be bosses and boodle sheets" with the hope of setting "the people against the constitution, if possible."

Early in July a secret circular was mailed to Catholics all over the territory. It was marked "confidential" and bore no signature, but was supposed to have come from high authorities in the church. This interesting document is as follows:<sup>109</sup>

#### IN CONFIDENCE

All faithful members of the Holy Catholic Church, and especially all of our people of Mexican blood, to whom this sign shall come, are invoked to read with much care and to weigh well its contents.

We ask of you to respect all that is contained in this paper as something told in strict confidence. You are called on by this because we believe you are a faithful son of the church and we know that you are a man of considerable influence. A convention to make a constitution of the new state of New Mexico will be held in the town of Santa Fé, September 3rd. next. It is the declared intention of the enemies of our religion to send delegates to that convention, who will so form the organic law as to force you to deny your children all kinds of education excepting that of the world. The plan is to provide in that constitution that *you be obliged to pay taxes to sustain public schools*, notwithstanding you cannot on account of conscientious scruples permit your children to be educated in said places. No faithful son of the church, nor any man of the Mexican caste, who understands what he owes to himself and to the tradition of his fathers will submit to this. The struggle in our last legislature proved that so great is the danger that this execrable, wicked education will be forced upon us. The escape then was barely an escape on a board.

108. *New Mexican*, April 23, 1890.

109. *Rio Grande Republican*, July 13, 1889. The circular appeared in part only in the *New York Tribune*, July 14, 1889.

Now we have it in our power to avoid this calamity, taking the matter in good time and working well and hard for the right.

The election for delegate is ordered for the 5th of August. We have to organize and work together and untiringly so that our own people and men of our faith shall govern in that convention. We solicit you to join other friends who are in sympathy with our sentiments. Show them, in confidence one with another, this invocation: Work In Silence! Choose faithful men to be nominated as delegates—men on whom we can depend and who will agree in secret to defend our church and our people always against the spirit of sacrilege and arrogance which now is threatening us. It is well to do it at once but with care, keep the secret of our own intentions. Do not permit personal ambition, or preference to cause difficulties one with another. Ever have in view the design to defend our religion and our people from the declared intention to swindle and subject us.

What they call progress is progress to perdition. The boastful energy is what they are relying on to take our houses and professions from us.

But by means of a united effort now, we can secure the adoption of a constitution recognizing our most holy religion and having safegurrds [sic] against the usurpations of these adventurers. Again we say, keep all in secret, and work with vigilance. Manage well your primary meetings and see that the delegates to this convention are men who will recognize the demands of their religion and of the Mexican caste.

Pro-statehood papers denied that the Catholic authorities had anything to do with this secret circular. They declared that it was "a cowardly move" on the part of the Democratic leaders. They admitted, however, that it and the Democratic "pronunciamento" could "be depended upon to do their work, and do it effectually, as they appeal to the race prejudices of the ignorant masses."<sup>110</sup>

T. B. Catron, who was said by some of the newspapers

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110. *Silver City Enterprise*, July 19, 1889; *Albuquerque Citizen*, July 19, 1891.



to have been responsible for the defeat of the school bill by the council early in 1889, was much concerned about the line of attack taken by the opposition. He wrote Senator W. M. Stewart of Nevada: "Many of the priests of the Catholic church have been delivering sermons against it [the constitution] on account of the school clause which is made irrevokable."<sup>111</sup> Always full of bright ideas, he induced his friend to introduce a bill which would require jurors in the territories to read and write. He argued that if the Associated Press sent out prompt word of this proposed law it would furnish a practical argument for education which would save "many thousand votes." He added: "I fear we may lose the election if you do not help us; if we can get in, I am sure of going to the Senate, and you will surely have another friend to assist in our common measures to aid the West." Stewart accordingly introduced the bill "by request" on the last day of the session and it was referred to the committee on territories.<sup>112</sup> Catron was evidently disappointed with the results of this strategy. On the eve of the election he wrote Stewart: "The Bill you introduced has raised considerable fuss! I fear it was introduced too late to do us much good as our election comes off tomorrow." He added: "If it should be known that I requested it, it might hurt me very seriously particularly as the whole Catholic church would jump on me, and all the Mexicans who cannot read and write also—I hope you will keep my name *entirely secret*."<sup>113</sup>

The Democrats, however seem to have guessed the truth. After Childers, chairman of the Democratic central committee, had received a telegram from the secretary of the senate confirming the fact that Senator Stewart had introduced the bill by request, the *Morning Democrat* stated that it was not certain for whom the Nevada senator was acting but that he and T. B. Catron were "fast political and per-

111. Catron to Wm. M. Stewart, Sept. 24, 1890.

112. *Congressional Record*, vol. 21, part 11, p. 10764.

113. Catron to Stewart, Oct. 6, 1890.

sonal friends."<sup>114</sup> The editorial denounced the bill itself as "a mere trick to deceive voters. . . . Every intelligent man knows that it has no chance of passing and was not intended to. It was introduced for the sole purpose of affecting the election next Tuesday. Our Mexican fellow citizens will not be deceived by so shallow a trick. The voters generally should rebuke these schemes by an overwhelming vote against the land grant constitution."<sup>115</sup>

Some of the Catholics of New Mexico gave strong support to the cause of statehood. Of the thirteen men listed by Prince as having taken a prominent part in the speaking campaign throughout the territory in favor of the constitution, no less than four were Catholics. All of these were uncompromising Republicans and were widely known throughout the territory. Three were native sons who had been born under the Mexican flag. Three were veteran soldiers, two having fought bravely against the Confederate invasion at Valverde. Doubtless a word or two regarding these leaders will give the reader a better appreciation of the value of their adherence to the statehood cause.

The oldest of the three Spanish-Americans and the most powerful politically was Col. J. Francisco Chaves. He has already been mentioned as the president of the constitutional convention and chairman of a committee to disseminate literature in favor of the constitution. Five years prior to the Mexican War, his father had told him: "The heretics are going to overrun all this country. Go and learn their language and come back prepared to defend your people."<sup>116</sup> Thus admonished, the young Mexican had entered St. Louis University. Later he had studied medicine in New York. A very versatile man, after his return to New Mexico, he made

114. Albuquerque *Morning Democrat*, Oct. 5, 1890.

115. The authorship of the unpopular bill continued to be discussed after the election. The *New Mexican* for October 11, 1890, said: "Mr. Joseph's supporters are very busy telling the Spanish speaking voters that he, Joseph, if re-elected will defeat the Stewart bill; they are equally as busy telling the English speaking voters that he, Joseph, secretly and through personal friends induced Senator Stewart, to introduce the bill and if he, Joseph, is elected he will do his utmost to defeat it."

116. Twitchell, *op. cit.*, p. 400.

overland trips to California, fought the Navajos and Confederates, and took up the practice of law. An able politician, the colonel represented the territory in congress for three terms following the Civil War.<sup>117</sup> He was also president of the territorial council for eight sessions. A farmer and stock-raiser, as well as a political leader, Chaves was a man of many contacts and a wide influence. His home was in Valencia County, and the results of the election suggest that he must have done some good work with his own people.<sup>118</sup>

Major José D. Sena of Santa Fé was four years younger than Chaves. During the battle of Valverde, while other companies refused to cross the Rio Grande, he had bravely led his men across the river through a shower of bullets. At the close of the war, he had been in charge of the rebuilding of Ft. Marcy. After serving as sheriff of Santa Fé County for a dozen years, he had been a skillful interpreter in the courts for many years and then a successful criminal lawyer. Major Sena not only spoke in favor of the constitution of 1890, but also published a manifesto in Spanish, summarizing the reasons for statehood.<sup>119</sup>

The youngest of the three native leaders, Mariano S. Otero had scarcely learned to walk before the land of his birth was ceded to the United States. He was a member of one of the most prominent families in the territory, and was educated at St. Louis University. Possessed of a natural gift for politics, he served New Mexico as delegate to congress from 1879 to 1881.<sup>120</sup> He received the Republican nomination for that office in 1888 and again in 1890, but was defeated by Antonio Joseph due to the fact that the schism in the party had not yet healed. He was a large land grant holder—a fact which did not escape the opposition editors, as we have seen. One grant which he held contained 100,000

117. *Biographical Dictionary of the American Congress*, p. 805.

118. See election returns, below.

119. *History of New Mexico* (Pacific States Publishing Co., Los Angeles, 1907), vol. I, p. 295; Prince, *op. cit.*, p. 54.

120. *Biographical Dictionary of the American Congress*, p. 1375.

acres. He and his uncle, Miguel A. Otero I, together owned the Jemez Hot Springs.<sup>121</sup> A stock raiser on a large scale, Mariano Otero was usually present when "the cattle barons" of southern Colorado and northern New Mexico met in Las Vegas and staged the famous poker games described by his cousin, Miguel A. Otero, II, in *My Life on the Frontier*.<sup>122</sup> Otero traded in wool and finally became a banker. "He wielded great influence during his career," says Col. Twitchell, "was shrewd in business affairs, of progressive ideas and in every sense a representative New Mexican."<sup>123</sup>

The remaining Catholic among these leaders was Alexander A. Morrison who had been born in Ireland a year earlier than Chaves. Arriving in New York during the Mexican War, he volunteered for military service, only to arrive in New Mexico when the fighting was practically over. While this was undoubtedly a supreme disappointment for an Irishman, he apparently harbored no prejudices against the Southwest. After thirty odd years in the East and Middle West—during a part of which time he served in the Illinois legislature, he returned to New Mexico as a "carpetbag politician." Through the goodwill of three Republican presidents, he served the territory in various capacities for fourteen years. All good posts, too: U. S. marshall for New Mexico, register of the land office in Santa Fé, and collector of internal revenue. Furthermore, Morrison proved a good administrator, winning high praise in official reports.<sup>124</sup>

Some old timers speak of Colonel Chaves as an "abandoned Catholic," and are doubtful as to whether Otero could be considered a very good representative of the church. Sena and Morrison, however, were strong churchmen. In November, 1905, after the latter had left public office, he

121. Otero, *My Life on the Frontier*, vol. I, p. 237.

122. *Ibid.*, I, pp. 156-57.

123. Twitchell, *op. cit.*, vol. II, p. 407, note 332.

124. *History of New Mexico* (Pacific States Publishing Co., Los Angeles, 1907), vol. II, p. 643.

became one of the founders of the *Western Catholic Review*, a monthly published in Prescott, Arizona.<sup>125</sup>

These Catholic laymen took as prominent a part as any of the leaders in the pro-statehood campaign. A few priests also assisted, addressing their congregations in favor of the constitution. There were also other priests who did not attempt to influence the voting, one way or another.<sup>126</sup>

There can be no doubt, however, that the strength of the church was thrown against the constitution. On the day before the election the *New Mexican* referred to reports that "at the Catholic cathedral and San Miguel chapel yesterday and at several other points throughout the territory strong sermons were preached advising the people to vote against the constitution and against statehood."<sup>127</sup> Prominent laymen were bitterly opposed to the school clause. Pedro Perea was one of the leading Republicans in New Mexico.<sup>128</sup> Three times a member of the territorial council, he was twice (1889 and 1897) a candidate for the governorship of the territory, yet he did not support the constitution endorsed by his party. His attitude was, however, not surprising. The *Council Journal* shows that during the twenty-eighth legislative session he had persistently opposed the Kistler school bill.<sup>129</sup> According to the press he had declared "I would rather see all legislation fall to the ground than to have the word 'non-sectarian' go into that school bill."<sup>130</sup> Nor was Perea the only Catholic leader whose legislative record furnished the key to his opposition the following year. During the same session Juan José Baca, a member of the council from Socorro County, was also credited "with announcing in the strongest possible language that he was opposed to any measure that favored a non-sectarian school."<sup>131</sup>

125. *Ibid.*

126. *Silver City Enterprise*, Oct. 10, 1890; *San Marcial Reporter*, Oct. 18, 1890.

127. *New Mexican*, Oct. 6, 1890. See also *Rio Grande Republican*, Oct. 26, 1889.

128. *Biographical Dictionary of the American Congress*, p. 1401.

129. *Proceedings of the Legislative Council of the Territory of New Mexico, Twenty-eighth Session* (Santa Fé, 1889) pp. 337, 377, 378, 393, 413, 414, 423.

130. *Rio Grande Republican*, March 9, 1889.

131. *Silver City Enterprise*, March 3, 1889.

NEW MEXICO'S FIGHT FOR STATEHOOD 185

Possibly the church had other grounds for opposing statehood. The higher officials may have feared the unsettling effects of the predicted influx of settlers and capital into the territory. Such changes might mean a diminution of the influence which they exerted over the faithful. This, of course, is mere conjecture. Even if the leaders entertained such thoughts at times, we could hardly expect them to record them for posterity.

As every student of New Mexico history knows, the constitution was voted down on Oct. 7, 1890, by a vote of 16,180 to 7,493. Grant and Valencia were the only counties to return a majority in favor of the constitution. The vote by counties was as follows:<sup>132</sup>

Counties	For	Against
Bernalillo -----	870	2,073
Colfax -----	234	651
Doña Ana -----	669	1,010
Grant -----	699	544
Lincoln -----	379	710
Mora -----	265	1,536
Rio Arriba -----	428	1,272
San Juan -----	87	182
San Miguel -----	790	3,211
Santa Fé -----	1,068	1,549
Sierra -----	227	717
Socorro -----	447	1,068
Taos -----	212	1,227
Valencia -----	1,118	430
Total -----	7,493	16,180

It is, of course, impossible to say how many of the 16,180 voters who opposed the admission of New Mexico to the union under the constitution of 1890 were opposed to statehood itself. In his report to the Secretary of the Interior for 1891, Governor Prince, who was an ardent champion of statehood, confessed that "At first sight" the vote against the constitution "might appear to indicate a disin-

132. *Report of the Governor of New Mexico to the Secretary of the Interior, 1891* (Washington: Government Printing Office, 1891), p. 9.

clination on the part of the people to assume the condition of statehood. This, however, is not the case," he explained. "The circumstances were peculiar." In fact, the circumstances were so peculiar, that the governor discreetly mentioned only one of them: the determined opposition of the Democrats on the ground that the apportionment of delegates to the convention was unjust to their party. He suggests, however, that prejudices were excited, and that "All interests opposed to statehood, or to any particular provision of the constitution in question" worked through the Democratic machine. What these "interests" were is quite clear from our study of contemporary newspapers. Common people who owned little or no property felt that large grant owners had cleverly drawn a constitution which would throw the weight of taxation upon the shoulders of those least able to pay. Catholics felt it their religious duty to fight against the establishment of non-sectarian public schools.

Dispatches from New Mexico to Eastern newspapers after the election attempted "to lay the whole blame on the Catholic Church." The Albuquerque *Daily Citizen*, however, declared that this was "not just."<sup>133</sup> As evidence, it declared that 90 per cent of the whole population of Valencia County were Catholics, although it had given "the constitution the largest majority it received in any portion of the territory." There can be little doubt that the role of the Catholics in the election has been exaggerated, and that political and economic objections to the constitution did much to swell the adverse majority.

Gov. Prince concludes his analysis of the election results as follows:

It should be noted, however, that the political orators and party leaders most active in their opposition all repudiated the idea that they were opposed to statehood itself, and asserted that their opposition was solely to the proposed constitution

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133. Albuquerque *Daily Citizen*, Oct. 13, 1890.

and the method of its formation, and that on the main question they were as progressive as those they opposed.

This, of course, was the easiest course for opponents of statehood to take. With a constitution open to criticism from several angles, it was safer to concentrate on objections to the document before the people. The newspapers available that were published during the campaign give practically no hint of any opposition to statehood itself. Yet Governor Prince refers to "interests opposed to statehood," and T. B. Catron has left convincing evidence of the existence of such opposition. Referring to statehood in a letter to Nestor Montoya, Sept. 20, 1890, he said: "The great opposition amongst many is, that they are afraid of the Mexican people, and that they would control the State to the injury of the Americans." He continued:

This you and I know is not true. The Mexicans have always divided up the offices fairer with the Americans, and they are divided in politics just the same as the Americans, it would be impossible for them to get together to control the State exclusively in their own interest and against the interests of the Americans. Besides, they have no disposition to do so.

Evidently fear of "Mexican" domination was a factor in the vote on the constitution of 1890. This of course meant opposition to statehood itself, and not simply to certain provisions of the instrument of government.