

Sec. 3. And be it further enacted, That the locations authorized by the preceding section shall be entered with the register of the proper land-office, who shall, on application for that purpose made out for such claimant, or his legal representatives, (as the case may be,) a certificate of location, which shall be transmitted to the Commissioner of the General Land-Office; and if it shall appear to the satisfaction of the said commissioner that said certificate has been fairly obtained, according to the true intent and meaning of this act, then, and in that case, patents shall be issued for the land so located as in other cases; and for each and every certificate as aforesaid, issued by the register of any land-office, he shall receive the sum of one dollar; that in all cases of confirmation by this act, or where any private land claim has been confirmed by Congress, and the same, in whole or in part, has not been located or satisfied, either for want of a specific location prior to such confirmation, or for any reason whatsoever, other than a discovery of fraud in such claim subsequent to such confirmation, it shall be the duty of the surveyor general of the district in which such claim was situated, upon satisfactory proof that such claim has been so confirmed, and that the same, in whole or in part, remains unsatisfied, to issue to the claimant, or his legal representatives, a certificate of location for a quantity of land equal to that so confirmed and unsatisfied; which certificate may be located upon any of the public lands of the United States subject to sale at private entry, at a price not exceeding one dollar and twenty-five cents per acre: Provided, That such location shall conform to legal divisions and subdivisions.

Sec. 4. And be it further enacted, That the register of the proper land-office, upon the location of such certificate, shall issue to the person entitled thereto a certificate of entry, upon which, if it shall appear to the satisfaction of the Commissioner of the General Land-Office that such certificate has been fairly obtained, according to the true intent and meaning of this act, a patent shall issue as in other cases.

Approved, June 2, 1858.

SANTA FE WEEKLY GAZETTE
INDEPENDENT IN ALL THINGS; NEUTRAL IN NOTHING
SAMUEL M. YOST, EDITOR.

SATURDAY, DECEMBER 25, 1858.

TERMS OF THE PAPER.
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On account of the incoming week being Christmas week, with all the world a time of general exemption from labor, the Gazette will not be issued next Saturday. All hands, from the devil up have declared for a week of rest—and they are certainly entitled to it, for they have been constantly and faithfully at work in the office for the entire year now about to close. In view of the Christmas and New Year holidays, we wish all our readers and the rest of mankind a happy time of it. For ourselves we intend to have a very pleasant one—if we can't make it pleasant we'll make it as pleasant as we can.

On Wednesday evening last Lieutenant Craig, U. S. A., and lady, gave a party to the ladies and gentlemen of our city at their residence at the military quarters. The beauty and intelligence of Santa Fe were present, and altogether it was the most pleasant occasion of the kind that has occurred for some time in our city.

The Legislature in joint session on Tuesday last, elected Augustus De Marie, Esq., as Public Printer, and he has since qualified by giving bond in \$20,000. We are pleased with this selection of the Public Printer. Mr. De Marie is a practical printer, which, aside from his being a gentleman and a scholar, is a consideration of importance in view of the public work that will be done under his responsibility.

We are indebted to Mr. Otero, our Delegate at Washington, for the speeches of Senator Douglas and Mr. Lincoln at Alton, Illinois.

We see in the latest received Texas papers that the Postmaster General has authorized a *Weekly Mail* on the San Antonio and San Diego Overland route. The new arrangement will go into effect on the 1st of January. Messrs. Gliddings and Doyle will carry the mail weekly between San Antonio and El Paso—from the latter point California-bound the contractors on the St. Louis Overland route will transport it to Fort Yuma; thence to San Diego the contractors between San Antonio and El Paso will again take it in charge. This arrangement seems to us rather a singular one, but it is so stated by the Herald. So far as we in New Mexico are interested this improvement will be a decided and important advantage to the Southern branch of the mail service in this Territory. All matter to and from the South should be forwarded henceforth via San Antonio, Texas.

We received by the last Southern mail the Los Angeles (Cal.) Star of the 27th ultimo, with a request to "X." Our handsome and valuable cotemporary is informed that we shall comply with pleasure. The Star came through in very good time—twenty one days.

To the Editor of the Santa Fe Gazette:

On Saturday evening last, I had the pleasure of calling on Gen. William Pelham, the Surveyor General of New Mexico, on the occasion of his farewell entertainment to his friends at the Surveyor General's Office, on the eve of his departure for the city of Washington, whither he is called, I understand, to attend to important business connected with his office. I was gratified to see the very large gathering of our people present on the occasion, but especially so to observe the unanimity of fine feeling evinced towards him by both the Americans and Mexicans present. No Federal appointee ever sent to New Mexico more eminently deserves, as certainly none more fully receives, the respect and esteem of the New Mexicans than General Pelham. By his able and courteous administration of the Surveyor General's Office since its establishment and organization in 1854-5, he has secured the respect and confidence of all our people. On the occasion of Saturday evening all the members of the two Houses of the Legislative Assembly now in session in this city paid their respects personally to Gen. Pelham. Champagne flowed in bumpers copiously and fast, and speeches were frequent and happy and eloquent—among them I may mention those of President of the Senate Hemi, Speaker of the House Gallegos, Senators Connelly and Chacon, Representatives Hovey and Valdez, chief Justice Benedict, ex-Gov. Vigil, U. S. Register Davidson, U. S. Marshal Clever, Lieutenant Craig of the Army, Prefect Ortiz, Colonel Clements of Texas, and numerous others. The occasion was one very complimentary indeed to Surveyor General Pelham—one that he said should be treasured up through future life as one of the greenest spots in his memory, and one that will be remembered by all who participated as among the most pleasant recollections in our community.

SPECIAL MESSAGE OF GOVERNOR RENCHER.
EXECUTIVE DEPARTMENT,
SANTA FE, DEC. 17th, 1858.

To the Legislative Assembly of the Territory of New Mexico.

I have received the Resolution of the Legislative Assembly requesting me to inform them "what is the present state of the war with the Navajos, how many have been the victims among the soldiers and other citizens of the United States, how much property belonging to the Government and to private citizens has been destroyed during the war, and what are the measures taken to make a Treaty of peace with said tribe of Indians."

In reply to said resolution, I have the honor to state to the Legislative Assembly, that since the separation of the duties of Superintendent of Indian Affairs from those of the Executive Department the Governor of the Territory has had nothing to do, officially, with our Indian relations, either in peace or in war. When, therefore, complaints have been made to him of murders committed by the Indians, or depredations upon the property of our citizens, all he could do was to refer them to the Superintendent of Indian Affairs, or to the Officer Commanding the Military Department of New Mexico, that the property destroyed by the Indians might be paid for under the laws of the United States, or the Indians punished by the military force sent here for our protection. Since the commencement of the war, it has not been thought necessary to call on the Governor for volunteers. As soon as Col. Bonneville, who had recently been put in Command of this Military Department, found that the war had been rendered inevitable by the premature attack at Bear Spring, he exerted himself, with commendable zeal and diligence, to throw all the necessary force into the Navajo country; and he assures me, that at the time the armistice was concluded by Mr. Yost, our Indian Agent, and Col Miles, who was in command of the army, there were a thousand men in the field, quite as many as he considered necessary or as could well be supplied with provisions at so inclement a season.

Having, therefore, no official connection with the war, and no official information on the subject, I did not think it my duty to say any thing to you, in my annual message, upon the Navajo war. Your Resolution makes it my duty to submit to you whatever knowledge I have on the subject, although I have no information except such as has been made public, but which, I think, may be relied upon, and such as I have obtained from my intercourse with the Heads of the Indian and Military Departments in the Territory. From these sources of information, it appears that the war thus far has not been very disastrous on either side. The Indians have not dared, in any considerable number, to encounter our troops, so as to risk the fate of the war upon a single battle. A few of the Indians have been killed by our troops, in small scouting parties, and some of their stock taken or killed; while the Indians have killed a less number of our soldiers, but have shown their well known character by stealing and carrying off

stock belonging to the United States, and to the people of the Territory. I have no means of knowing the exact amount of property so taken, but suppose, that when the account comes to be settled there will not be found to be much advantage on either side in this respect. If, therefore, the Indians have been castigated and humbled, as our Indian Agent says they have, we ought to be glad of it, because it is what ought to be done, and if true, has certainly been done without the effusion of much blood, and shows an humble and submissive spirit on the part of the Navajos, which has not been thought heretofore a part of their character.

At present the war is suspended. The Indians sued for peace, and the Indian Agent and Military Commander, believing the Indians sufficiently castigated and humbled, agreed to an armistice for thirty days. The Armistice provided only for the surrender, by the Indians, of property taken from the Fort and which belonged to the United States, but did not provide for the surrender of private property taken by the Indians during the war from the citizens of the Territory. The Armistice did not provide for the surrender of the murderer, which was the cause of the war, nor even for the payment of the negro boy who was murdered, although the Indians, before the war, agreed to pay any price for him, however extravagant. If therefore the Navajos have been castigated and humbled, the armistice unfortunately affords no evidence of it.

The Superintendent of Indian Affairs and the Commander of the Military Department left Santa Fe a few days ago, for the seat of war. I have been assured by them, that they will consent to a peace upon the terms of the armistice. They will require at least the surrender of private as well as public property taken by the Indians during the war, and a meridian line shall be established, east of which the Navajos shall neither plant, nor graze their stock. A peace less favorable to us would be unjust, a mere delusion, and could not last. If the Navajos are humbled as it is said they are, they must give some better proof of it than empty words. If a peace should be agreed upon, the terms will be known to you long before the termination of your session, and if no peace should be agreed upon, the war, no doubt, will be prosecuted with renewed vigor.

Very respectfully submitted,
A. RENCHER.

Correspondence of the Arkansas Intelligencer.
Pacific Railroad.
Albuquerque, New Mexico,
April 16, 1858.

At a mass meeting of the citizens of Bernalillo county, held at this place on the 27th ult., to adopt measures for co-operating with the citizens in this Territory, Arkansas, and California situated on and near the 35th parallel of north latitude, in making known to the citizens of the United States, the fact that the route via Van Buren and Fort Smith, Ark. Anton Chico and Albuquerque, New Mexico, to San Francisco, California, is the shortest route that has been discovered, and of presenting the fewest and least formidable impediments, the cheapest and best for the construction of either a wagon or railroad, two permanent committees, one of correspondence and one of information, were appointed to perform certain services indicated by their titles, to carry out the objects of the meeting. The committee of correspondence consists of Ambrocio Armijo, Nestor Montoya, Spruce M. Baird, Henry Winslow and Ezekiah S. Johnson; the committee of information of B. L. E. Bonneville, Juan Armijo, W. H. Brooks, Manuel Armijo and Pedro Aranda. Communications addressed to either committee, imparting or seeking information, will be received and complied with with pleasure.

There are three competing routes, that along the 42d parallel, that along the 35th parallel, and that along the 32d parallel.—We have the assurance of Col. Bonneville and other experienced mountaineers, that the route along the 42d parallel is subject to such heavy falls of snow, as to render it unserviceable for several months of the year; and again, it is so far north as to give it a sectional character. By it the British possessions, the sparsely settled territory of Washington, the extensive southern part of Utah, and such States as border on lakes Michigan and Huron, would be the only states and territories directly benefited; and all the northern and some few of the middle States be indirectly benefited, but the southern States not a particle. After leaving the settlements of Kansas, for several hundred miles it passes through prairies and deserts, but sparingly supplied with water and wood, entirely destitute of coal, and having no other inhabitants than bands of roving savages, until it reaches the settlements of Oregon and Washington. To say nothing of all of the sectional character of that route, its great length, greatly augmented by the meandering course of the prairie ridges, which must be followed in the construction of a railroad, is enough to condemn it with practical men; and then again, most of the stone and timber, commence as whichever terminus they may to construct the road, must be transported immense distances along it as it progresses, rendering its cost at least one-fourth greater than it would be, could those indispensable materials be found in sufficient quantities along the route. The Indians, through whose country it passes, cannot be induced to work for love or money, and consequently laborers would have to be

carried from the States contiguous to the eastern terminus; and to carry on the work with that energy which its magnitude requires, would make such a great demand for laborers that their pay must necessarily be increased far beyond any amount over that which has ever been given within the United States.—But supposing the railroad should be constructed along the 42d parallel, at the unnecessarily excessive cost which it will surely amount to, the contingencies arising from the climate of that latitude, will greatly reduce the profits of the road, if they do not render it wholly unprofitable, by making it necessary for cars to cease running altogether in the passes of the Rocky mountains, from early in November until late in March. Col. Bonneville, who is thoroughly acquainted with the Rocky mountain passes, through which it would be necessary for the road to go, if constructed on the 42d parallel, says that a fine dry snow falls in them over six feet in depth, and is as difficult to travel through as quicksand. Here then is an insurmountable difficulty to the running of the cars during the winter. Even should the friends of that route propose to raise the track to the height of six feet, it would be as impracticable as if laid in the ordinary mode;—the foundation, in order to give the track the necessary solidity at an elevation of six feet, must be proportionately wide, and the remedy would then only serve as a shelf to augment the difficulty designed to be overcome. The greater portion of the country through which that route goes, as I have said before, is only inhabited by savages, who it is very well known, are neither a commercial or a productive people; they subsist by the chase, and barter but very sparingly for such things as are necessary to their vagabond existence. So the owners of the road could not reasonably hope to put down or take up enough way freight for them to compensate for the delay and trouble undergone for receiving and delivering, but must entirely depend upon the patronage of the inhabitants of the vicinity of the termini. Let us leave the 42d parallel for the present, and take a view of the route along the 32d parallel.

It is proposed by another class of Pacific railroad projections that it shall commence at Fulton, Arkansas, and proceed thence through Texas, and the Gadsden purchase, to San Francisco, California. This is as long, if not a longer route, as that along the forty-second parallel of latitude, and, although I have not at hand the report of the survey of it, I can safely affirm that it is free of the climatic obstacles of the latter, however more sectional it may be. California, the Gadsden purchase, Texas and a part of Arkansas, would be the only direct beneficiaries of the route; and excepting these, the northern States of the Mexican Republic, would be more benefited, indirectly, than any part of our own Union. These facts, of themselves, ought to be sufficient to quash the expectation of its advocates, unless Congress intends to sacrifice the well being of the northern and central portions of the Union, in order to gratify a portion of the south. But that route is too far south to be as beneficial to the southerners as they expect it to be. Western Arkansas, northern Texas, and the Gadsden purchase, throwing in California, cannot raise money enough in a quarter of a century, to complete the road. They are but thinly settled, and the route has with but one exception, the same physical obstacles as that along the 42d parallel. From Fulton to the white settlements of California, there are almost four times as many vagabond Indians as there are white men; and if the Congress of the U. S. should legislate to gratify the conceits of this sectional project, the sickness of the climate would be sufficient to prevent its consummation, by deterring a great amount of laborers from going there to work. The meanderings of the route would be, perhaps, more numerous than those on the forty-second parallel, and the sandy Llano Estacado and other plains would be found much more destitute of wood and water. There may not be found the deep banks of firm dry snow, which are such a formidable obstacle to winter traveling in the vicinity of the forty-second parallel, but it has its extensive sandy plains, and high mesas or table lands, traversed by innumerable wide cañons, which are so wide and deep as to render them costly, if not impassable to be crossed by bridges. In 1852 I saw, at no great distance from the Mogoyon mountains a cañon between two tables, so wide and deep that we consumed the greater part of twelve hours in crossing with pack animals; and crossed many more almost as wide and deep. The Mogoyon mountains, are of the same range as those of the Gadsden purchase, and gentlemen who have traveled the route have informed me that the tables there are as high, and cañons as wide and deep, as those I have just mentioned; and that this is not the case at remote intervals, but that the cañons occur frequently throughout its whole extent to the Rio Colorado. If that route could be adopted, the company that should undertake its construction, may calculate to pay as much for building bridges or inclined planes, as would build one-fourth of the road, or else abandon their project when they discover that it is easier to get into a cañon with a car than to get out of it. I take pleasure in witnessing great enterprises; but the projected route, in the neighborhood of the thirty-second parallel, will require a great amount of capital to build a railroad on it, and it will have so many curves, as will make a person think the builders were exerting themselves to show how crooked it could be made.

The central route is proposed to commence at Memphis, Tenn.; thence via Little Rock Van Buren and Fort Smith, Arkansas; thence up the Canadian fork of the Arkansas; thence via Anton Chico, Albuquerque, and the Zuni villages, New Mexico, to San Francisco, California. This route is about four-hundred miles, at least, shorter than either of the others, and is abundantly supplied with stone, timber, coal, water and iron ore. It passes almost through the centre of the most popu-

lous parts of Arkansas, New Mexico and California, and seems to have been provided by the Great Architect of the universe as a highway between the waters of the Mississippi river and the Pacific ocean. What is the use, then, in men bewildering themselves, searching for long roundabout ways, at the northern and southern extremes of our republic, as objectionable as sectional political views, when we have one, in an almost straight line, which will be to commercial, agricultural and manufacturing interests of all sections, what the constitution is to the Union. The construction of the railroad along this route, will be immediately beneficial to Tennessee, Mississippi, Arkansas, Texas, New Mexico and California; and indirectly to Pennsylvania, Virginia, Ohio, Maryland, Kentucky, Illinois, Indiana, Missouri, Wisconsin, Minnesota, Kansas, Iowa, Louisiana, these being States which lie on the Ohio, Missouri and Mississippi rivers, and their tributaries. In the item of grading alone, as the reports of Lieut. A. W. Whipple and Lieut. E. F. Beall, will satisfy any man of unprejudiced mind, a considerable saving of expense will be effected by adopting this route. If preponderance of population should have any influence in the selection of the route, as it undoubtedly should—the one from Memphis via Van Buren and Albuquerque, etc., has also that item greatly in its favor. It is true that it has also Indians, but they are altogether a superior race to those along the other routes. We have near the eastern terminus, the Creeks, Choctaws, Chickasaws and Cherokee, who are civilized, industrious, intelligent, commercial, agricultural, mechanical and wealthy people, near the middle we have the Pueblo or People Indians of New Mexico, who are as civilized and industrious as the Creeks and Cherokees, although they may be their inferiors in wealth and education. The Navajo Indians are semi-civilized, and many of them could be induced to work. In the California there are other tribes of Indians, from among which laborers can be procured.

Even if not an Indian can be induced to labor, New Mexico, from her own white population, can furnish at least ten thousand able bodied men. The population of New Mexico has been erroneously represented as a lazy and trifling people; but such is not the fact, though circumstances may have combined to produce that impression on the minds of passers through the Territory. The fact is that we have a much greater supply of laborers than there is demand for; they are frugal and do not need much to satisfy their wants; they are industrious whenever they have anything to do; can handle a spade almost as well as a German, and would, with a little practice, soon learn to use a pick as well as an Irishman.—The reason we have not a great demand for labor will be apparent from the fact that we have not adequate facilities for transporting our surplus produce to market, and we do not care, more than do other people, about working for work's sake. We have more and richer silver, copper and gold mines, and places than any other Territory or State of the Union of the same size; but we are not sufficiently protected against hostile Indians to work them without great risk. To be sure we have a population of about 100,000 whites, but our people have too much respect for the laws of the U. S. to permit them to chastise the Indians for their robberies and other atrocities; hence the tardiness in the development of our resources. Our present annual trade with the States is estimated at \$7,000,000, without taking into account our annual exportation to California of upwards of \$2,000,000 worth of live stock; and had we the facilities for transportation which the proposed central railroad to the Pacific would afford us, this trade would soon be quadrupled.

Besides the inducements to emigration, which her mines, rich in the useful and precious metals, offer to those seeking a home in the west, we may mention the healthy climate and extensive and superior pasturage of New Mexico. There is the grama grass, renowned throughout the Union for its richness and perpetual verdure, is to be found upon all our highlands, and will enable stock-breeders to compete with those of any other portion of the world in raising at comparatively little cost, equine and other animals, besides affording to our wool growers the means of vying with the orientals in the firmness of their products. To say nothing whatever of the golden regions of New Mexico, which extend from its northern to its southern boundary, and its eastern to the western; the salubrity of its climate, the fertility of the soil in the valleys of its numerous streams, adapted to the cultivation of almost every grain, fruit and vegetable, and its extensive and nutritive pasturage, are alone sufficient inducements for its speedy settlement, and the only thing wanting for the realization of the glory of this, in every other way highly favored Territory, is an expeditious and economical means of transporting its products to the other parts of the States.

From these few facts the reader may well judge that another important inducement for the adoption of the central route, is the great quantity of freight which will be received and given midway between the Mississippi and the Pacific ocean by the people of New Mexico. Can the friends of either of the other routes say as much?

I have said before that this route "will be to the commercial, agricultural and manufacturing interests of all sections, what the constitution is to the Union." This will not appear to be a thoughtless or very extravagant assertion, but a true principle of political economy, if the reader will glance at the map of the United States, while perusing these remarks. In the first place I premise that the constitution of the U. S. is our bond of political union; and the facts which I wish to set forth go to show that a central railroad will be a bond of union to our commercial, agricultural and manufacturing interests. Cairo, in the State of Illinois, at the confluence of the Ohio and Mississippi rivers, is the most southwestern point towards which the railroads of the northern, eastern and middle