

NEW STATEHOOD BILL FOR NEW MEXICO

(Continued From Page One.)

And said convention shall provide, by ordinance, irrevocable without the consent of the United States and the people of said state:

Religious Freedom.

First. The perfect toleration of religious sentiment shall be secured, and that no inhabitant of said state shall ever be molested in person or property on account of his or her mode of religious worship and that polygamous or plural marriages are forever prohibited.

Capital at Santa Fe.

That the capital of said state shall temporarily be at the city of Santa Fe, in the present territory of New Mexico and shall not be changed therefrom previous to anno Domini nineteen hundred and twenty, but the location of said capital may, after said year, be fixed by the electors of said state, voting at an election to be provided for by the legislature.

Second.—That the people inhabiting said proposed state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, said lands shall remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States; that the lands belonging to citizens of the United States residing without the said state shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the state on land or property therein belonging to or which may hereafter be purchased by the United States, reserved for its use; but nothing therein, or in the ordinance herein provided for, shall preclude the said state from taxing as other lands are taxed owned or held by any Indian who has served his tribal relations, or has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation; but said ordinance shall provide that all such lands shall be exempt from taxation by said state so long and to such extent as such act of congress may prescribe.

Third. That the debts and liabilities of said territory of New Mexico shall be assumed and paid by said state.

Fourth. That provision shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said state and free from sectarian control, and that said schools shall always be conducted in English. Provided, That this act shall not preclude the teaching of other languages in said public schools.

Vote Shall be Direct.

Sec. 4. That in case a constitution and state government shall be formed in compliance with the provisions of this act the convention forming the same shall provide by ordinance for submitting said constitution to the people of said proposed state for its ratification at an election to be held at a time fixed in said ordinance, at which election the qualified voters for said proposed state shall vote directly for or against the proposed constitution and for or against any provisions separately submitted. The returns of said election shall be made to the secretary of the territory, who, with the governor and chief justice thereof, or any two of them, shall canvass the same; and if a majority of the votes cast thereon shall be in favor of the constitution the governor shall certify the result to the president of the United States, together with the statement of the votes cast thereon and the separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitution and government of said proposed state are rejected in form, and if the provisions in this act have been complied with in the formation thereof, it shall be the duty of the president of the United States, within twenty days from the receipt of the certificate of the result of said election and statement of the votes cast thereon and a copy of said constitution, articles, propositions, and ordinances, to issue his proclamation announcing the result of said election, and thereupon the proposed state, under and by the name of New Mexico, shall be deemed admitted by congress into the Union, under and by virtue of this act, on an equal footing with the original states in all respects whatever.

Two Representatives.

Sec. 5. That until the next general census, or until otherwise provided by law, said state shall be entitled to two representatives in the house of representatives of the United States, which representatives in the sixth congress, together with the governor and all other state, county, and precinct officers provided for in said constitution shall be elected on the same day of the election for the purpose of the constitution; and until said state, county, and precinct officers are elected and qualified under the provisions of the constitution and the state is admitted into the Union the territorial officers shall continue to discharge the duties of the respective officers in said territory.

Provisions for Schools.

Sec. 6. That upon the admission of said state into the Union there is hereby granted unto it, including the sections thereof heretofore granted, four sections of public land in each township in the proposed state for the support of free public nonsectarian common schools, to wit: Sections numbered thirteen, sixteen, thirty-three, and thirty-six, and where such sections or any parts thereof have been sold or otherwise disposed of by or under the authority of any act of congress other lands equivalent thereto, in legal subdivisions of not less than one quarter section and as contiguous as may be to the section in lieu of which the same is taken; such indemnity lands to be selected within said respective portions of said state in the manner provided in this act. Provided, That the thirteenth, sixteenth, thirty-third, and thirty-sixth sections embraced in permanent reservations for national purposes shall not at any time be subject to the grants nor to the indemnity provisions of this act, but other lands equivalent thereto may be selected for such school purposes in lieu thereof; nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants of this act, but such reservation lands shall be subject to the indemnity provisions of this act.

To Provide Public Buildings.

Sec. 7. That three hundred sections of the unappropriated non-mineral public lands within said state, to be selected and located in legal subdivisions, as provided in this act, are hereby granted to said state for the purpose of erecting legislative, executive, and judicial public buildings in the same and for the payment of the bonds heretofore or hereafter issued therefor.

Sec. 8. That nothing in this act shall be so construed except where the same is so specifically stated, as to repeal any grant of land heretofore made by any act of congress to said territory, but such grants are hereby ratified and confirmed in and to said state, and all of the land that may not, at the time of the admission of said state into the Union, have been selected, and segregated from the public domain may be so selected and segregated in the manner provided in this act.

Permanent School Fund.

Sec. 9. That ten per centum of the proceeds of the sales of public lands lying within said state which shall be sold by the United States subsequent to the admission of said state into the Union after deducting all the expenses incident to the same shall be paid to the said state to be used as a permanent fund, the interest of which only shall be expended for the support of the common schools within said state. And there is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, the sum of five million dollars for the use and benefit of the common schools of the said state. Said appropriation shall be paid by the treasurer of the United States at such time and to such person or persons as may be authorized by said state to receive the same under the laws to be enacted by said state, and until said state shall enact such laws said appropriation shall be paid and held in trust for the use and benefit of said schools.

Land Sales to be Public.

Sec. 10. That all lands herein granted for educational purposes may be appraised and disposed of only at public sale, the proceeds to constitute a permanent school fund, the income from which only shall be expended in the support of said schools. But said lands may under such regulations as the legislature shall prescribe, be leased for

periods of not more than ten years, and such common school land shall not be subject to preemption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, and shall be preserved for school purposes only.

Support of Public Institutions.

Sec. 11. That in lieu of the grant of land for purposes of internal improvement made to new states by the eighth section of the act of September fourth, eighteen hundred and forty-five, which section is hereby repealed as to the proposed state, and in lieu of any claim or demand by the said state under the act of September twenty-eight, eighteen hundred and fifty, and section twenty-four hundred and seventy-nine of the revised statutes, making a grant of swamp and overflowed lands to certain states, which grant is hereby extended to said state, and in lieu of any grant of all lands to said state, save as heretofore made, the following grants of land from public lands of the United States within said state are hereby made, to wit:

For the establishment and maintenance and support of insane asylums in the said state, one hundred thousand acres; for penitentiaries, two hundred thousand acres; for schools for the deaf, dumb and blind, two hundred thousand acres; for industrial, manual, and mechanical schools, one hundred thousand acres; for normal schools, two hundred thousand acres; for state charitable, penal, and reformatory institutions, one hundred thousand acres; for agricultural and mechanical colleges, three hundred thousand acres; Provided, That the national appropriation heretofore annually paid to the United States and which is collected in said territory, shall, until the further order of congress, continue to be paid to said state for the use of said institutions, for schools of minor, minor, and minor, and minor, military institutions, two hundred thousand acres.

Land for Paying Indebtedness.

In addition to the lands granted by this act and which have been granted heretofore by any prior law, two million acres of land are hereby granted to the said state, to be selected and segregated as heretofore provided, and to be sold under this act, the proceeds from said two million acres of land when disposed of by the state, to be applied in the discharge of the outstanding indebtedness owing and due from the counties of Santa Fe and Grant, in said territory of New Mexico, which said indebtedness was created by subscription by said counties in the construction of railroad in said counties, and which indebtedness congress validated notwithstanding the fact that it had been decided by the supreme court of the United States that said bonds were invalid, and the said state shall issue bonds to take up said indebtedness to fund and pay off and discharge said indebtedness, said bonds to run for a term of not more than ten years, and shall be held by said state in trust for the final payment and discharge of the said bonds when so issued.

How to be Selected.

Sec. 12. That lands granted in quantity or as indemnity by this act shall be selected, under the direction of the secretary of the interior, from the unappropriated public lands of the United States within the limits of the said state, by a commission composed of the governor, surveyor general, and attorney general of said state; and no fees shall be charged for putting the title to the same or for the preliminary proceedings thereof.

Mineral Lands Exempt.

Sec. 13. That all mineral lands shall be exempted from the lands made by this act; but if any portion thereof shall be found by the department of the interior to be mineral lands, said state is hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said state in lieu thereof.

One Judicial District.

Sec. 14. That the said state, when admitted as aforesaid, shall constitute one judicial district, the name thereof to be the same as the name of the state, and the circuit and district courts thereof shall be held at the capital of the state or at such other place or places as the court itself may designate; and the said district shall, for judicial purposes, be divided into divisions, and each division shall be appointed for said district one district judge, one United States attorney, and one United States marshal. The judge of said district shall receive a yearly salary the same as other similar judges of the United States, payable as provided for by law, and shall reside in the district to which he is appointed. There shall be appointed clerks of said courts who shall keep their offices at the capital of said state. The regular terms of said courts shall be held in said district at the place aforesaid, or at such other place or places as the court itself may designate on the first Monday in April and the first Monday in October of each year, and only one grand jury and one petit jury shall be summoned for service in both of said circuit and district courts. The circuit and district courts for said district, and the judges thereof, shall possess the same powers and jurisdiction and perform the same duties required to be performed by the other circuit and district courts of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney and clerks of the circuit and district courts of the said district, shall perform the duties lawfully required to be performed by similar officers in other districts of the United States, and shall, for the services they may perform, receive the fees and compensation now provided by law to officers performing similar services for the United States in the territory of New Mexico.

Court Provisions.

Sec. 15. That all cases of appeal or writs of error heretofore prosecuted and now pending in the supreme court of the United States upon any record from the supreme court of said territory, or that may hereafter lawfully be prosecuted upon any record from said courts, may be heard and determined by said supreme court of the United States, and the mandate of execution or of further proceedings shall be directed by the supreme court of the United States to the circuit or district court hereby established within the said state, or to the supreme court of such state, as the nature of the case may require. And the circuit, district and state courts herein named shall, respectively, be the successors of the supreme court of the territory as to all such cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same and award money or final process therein; and that from all judgments and decrees of the supreme court of the territory men-

tioned in this act, in any case arising within the limits of the proposed state prior to admission, the parties to such judgment shall have the same right to prosecute appeals and writs of error to the supreme court of the United States or the circuit court of appeals as they shall have by law prior to the admission of said state into the union, and as in other states of the union.

Cases Pending.

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

Election of Officers.

Sec. 17. That the constitutional convention shall by ordinance provide for the election of officers for a full state government, also all county and precinct officers, including members of the legislature and representatives in congress, at the time for the election for the ratification or rejection of the constitution; but the state government shall remain in abeyance until the state shall be admitted into the union as proposed by this act. In case the constitution of said state shall be ratified by the people, but not otherwise, the legislature thereof may assemble and organize and elect two senators of the United States in the manner now prescribed by the laws of the United States; and the governor and secretary of state of the proposed state shall certify the election of the senators and representatives in the manner required by law, and when such state is admitted into the union as provided in this act the senators and representatives shall be entitled to be admitted to seats in congress and to all rights and privileges of senators and representatives of other states in the congress of the United States; and the officers of the state government formed in pursuance of said constitution, as provided by the constitutional convention, shall proceed to exercise all the functions of state officers; and all laws in force made by said territory at the time of its admission into the union shall be in force in said state, except as modified or changed by this act or by the constitution of the state; and the laws of the United States shall have the same force and effect within the said state as elsewhere within the United States.

Sec. 18. That the sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for defraying the expenses of said election and convention provided for in this act and for the payment of the members thereof, under the same rules and regulations and at the same rates as are now provided by law for the payment of the territorial legislature and the expenses thereof.

Sec. 19. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislature of said territory or by congress, are hereby repealed.

WILL PAY SCHOOL TEACHERS' EXPENSE

Directors of the public schools in Old Albuquerque, Bernalillo, San Jose, District No. 8, Los Gatos, Chilili and Los Padillos have voted to pay the expenses of their teachers to the meeting of the Territorial Educational association at Santa Fe Dec. 26 to 28.

The expense is so great and the salaries so low that in many cases it is impossible for teachers to attend this meeting unless given aid and for this reason County Superintendent Andrew B. Stroup recommended to directors of school districts that they pay their teachers' expenses.

A program is now being prepared for the meeting. Subjects of interest to school patrons and the teachers of the territory will be discussed.

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RESOURCES

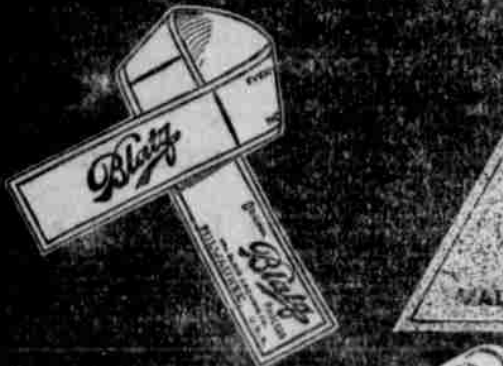
Loans and Discounts	\$1,746,929.89
U. S. Bonds	91,293.72
U. S. Bonds	\$308,000.00
Exchange	465,134.40
Cash in Vault	394,322.51
Cash Resources	1,167,466.91
Totals	\$3,005,590.62

LIABILITIES

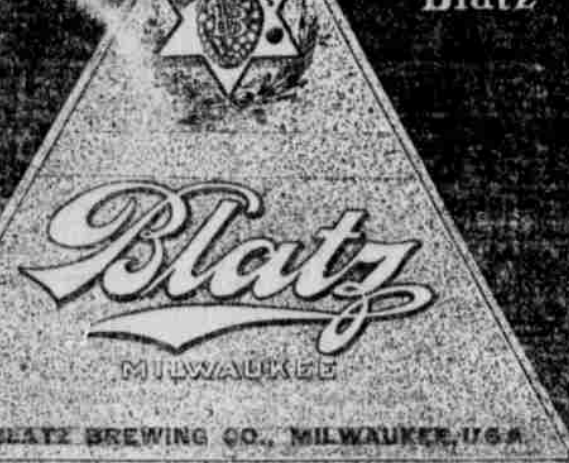
Capital and Surplus	\$262,653.02
Circulation	200,000.00
Deposits	2,552,937.60
Totals	\$3,005,590.62

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