

## TERRITORY OF NEVADA.

[To accompany Bill H. R. No. 567.]

MAY 12, 1858.

Mr. WILLIAM SMITH, from the Committee on the Territories, made the following

### REPORT.

*The Committee on the Territories, to whom was referred the petition of numerous citizens of the United States residing in the Territory of Utah, asking for the creation of a new Territory, to be formed from the western portion thereof, have, according to order, had the same under consideration, and respectfully submit the following report:*

On the 9th day of September, 1850, the Territory of Utah was created. Its limits, as defined by law, embrace the vast space lying between the Rocky mountains on the east, Oregon on the north, California on the west, and the 37th parallel of north latitude on the south. By the passage of said act, and the organization of a Territory in conformity thereto, the people already resident therein, as well as all those who might come after them, were promised protection and good government. Upon the faith of such implied promise they made their settlements, and have sought to establish, in defiance of numerous difficulties and dangers, the independent homes of the hardy and adventurous pioneers. They have succeeded to a great extent, and they claim from a paternal government the redemption of its plighted faith, and especially that protection which is the right of every American citizen.

In the organization and settlement of the Territory of Utah, it unfortunately happened that the power and authority thereof fell into the hands of the Mormons, a sect whose intolerance allows no participation by any one, other than of their own denomination, in their civil affairs. The principal settlements in Utah are about or near Salt Lake City, and are composed almost exclusively of a Mormon population. Within these settlements counties are organized, and all the machinery of government called for by the people abundantly supplied. Attracted by the boundless fertility of the Carson and contiguous valleys, the Mormons made a settlement therein, and the legislature of Utah passed a law creating the county of Carson, which was duly organized. Here, how-

ever, the Mormons encountered a resistance to their exclusive policy they did not anticipate. American settlers of other denominations were also attracted by the loveliness of those great valleys ; and many an emigrant on his way to California, induced by the advantages which tempted him, pitched his tent in the same wilderness. Jealousies, hatred, and ill-will soon sprung up between the Mormon and the Gentile. The Mormons resorted to annoyances of a varied character, then threats, and finally organizations of a warlike character, with a view to drive off the anti-Mormon population. In this, however, they entirely failed. For this reason, no doubt, in part, and because of the increasing difficulties between the federal government and the Mormons, they determined to sell out their settlements and return to Salt Lake. About the same time the law creating the county of Carson was repealed, and the whole of western Utah was left without government.

It is under such circumstances, briefly stated, that the petitioners of western Utah have presented their memorial to the Congress of the United States. It is under such circumstances that they have also memorialized the President. It is under such circumstances that the governor of the neighboring State of California, in his annual message of January last, urges upon the legislature of his State some action favoring the establishment of the Territory asked for by the petitioners. He says : "The rapidly increasing settlements of the Territory immediately adjacent to our eastern border by a population of worthy and enterprising people, manifesting a due observance and obedience to the institutions and laws of their country, requires, for the protection of their persons and property, a territorial organization. Even prior to the departure from their midst of the Mormons, and before their leaders had assumed an attitude of hostility towards the general government, from the peculiarity of Mormon customs and the decided partiality and favoritism exercised by them in the administration of justice, but feeble aid and protection were afforded to those who denied the verity of their peculiar creed. And now, when among this deluded people rebellion and treason are made manifest, even the semblance of governmental aid is denied to the residents of Carson and the adjoining valleys. The situation of that country, through which necessarily passes a large proportion of the overland immigration to this State, with the probability of a rapid increase of citizens within its limits, whose interests must in a great measure be inseparable from our own, constitutes it an additional link in the chain of connexion which unites us with the existing States and Territories of the Union, and makes it an important auxiliary in the advancement of our State in population, wealth, and political influence." It is under such circumstances that the legislature of California, in February last, adopted the following concurrent resolution, which was presented to this House on the 4th of March last :

*"Resolved by the assembly, the senate concurring herein, That, in view of the impending difficulties in Utah, and fully impressed with the importance of a speedy organization of a territorial government in Carson valley, our senators in Congress are hereby instructed, and our representatives earnestly requested, to procure the passage of an*

act securing the establishment of said territorial government, with such boundaries as circumstances may warrant and require."

All asking that a territorial government may be formed out of western Utah. And the question is, Shall the petitioners be denied the government they were promised, and of which they have been deprived without any fault of theirs?

Your committee will ask attention to the following paragraphs extracted from the petition of said people: They say that "a large portion of the inhabitants who make this appeal to the powers that be in Washington have been residing within the region hereinafter described for the last six or seven years, without any territorial, State, or federal protection from Indian depredations and marauding outlaws, runaway criminals and convicts, as well as other evil-doers among white men and Indians." \* \* \* \* \*

That "we are peaceable inhabitants and law-abiding citizens, and we do not wish to see anarchy, violence, bloodshed, and crime of every hue and grade, waving their horrid sceptre over this portion of our common country." \* \* \* \* \* That "no debts can be collected by law; no offenders can be arrested, and no crime can be punished, except by the code of Judge Lynch."

It cannot be doubted that many of your petitioners were tempted into these deep glens and lovely wilds by the assurance that the power of our great republic would be exerted for their protection. It was not believed that some two hundred valleys, many of vast extent, and all of exhaustless fertility, although surrounded in the distance with lofty sierras covered with eternal snows, yet clothed with a carpet of evergreen, would be left in unbroken wilderness, its deep repose broken only by the cry of the wild beast and the yell of the roaming savage. And hence our American population have never ceased to increase in numbers, until now, from the best information your committee have been able to obtain, it amounts to from seven to ten thousand souls. Some diversity of opinion may exist as to this fact; but the population is sufficiently stable and numerous to have been considered entitled to the benefit of our post office system, which has been introduced among them by law, and is now in full and regular operation.

Independent, however, of such considerations, your committee consider others exist of a highly important public character, which they respectfully submit to the House.

For years, as it is generally understood and believed, the governor of Utah, as superintendent of Indian affairs, has exerted a baneful influence over the Indians within his jurisdiction, seriously prejudicial to the interests of the United States, but yet in strict conformity with the exclusive policy of that remarkable people. One of the great overland routes to the Pacific ocean passes through Utah a distance of upwards of eight hundred miles, following the valley of the Humboldt for about three hundred and fifty miles. This valley is surrounded by savage tribes. It embraces at or near its source the great passway of the fierce and warlike Indians of Oregon and Washington in their frequent forays upon Mexico. Set on, no doubt, by Mormon instigation, the Indians have frequently fallen upon the wayworn

emigrant, and thousands in this great valley have found an untimely grave. It is here, as we are told, the Mormon cry has been often heard encouraging the savage to his work of death. And the hardy emigrant, by the graves which line his waypath, is told, in mute yet eloquent admonition, of the dangers which beset him, and the fate of many of those who have preceded him. And this is the state of things in an organized Territory of our Union, and fostered, too, into existence and frightful development by those placed in authority by the federal government. Duty and humanity cry out against this deplorable state of things, and demand, in trumpet tones, of those having power to apply it, a remedy for these atrocious wrongs.

But, again, the United States mail passes for about eight hundred miles through Utah, environed by danger, and although in an organized Territory, is yet without protection of law. The army of the United States has recently been ordered into Utah, to enforce the civil authority, but how it can be done it is difficult to perceive, with no population but that of the Mormon faith. Bound, as is well known, to obey no authority but that of their church—controlled by the despotic will of one man, who allows no hesitation in the execution of his commands, and punishes recusancy, as is represented, by the hand of the assassin, the Mormon is taught as his most imperative duty to repel, cast off, and nullify Gentile authority; and it is manifest that no regular administration of the civil affairs of Utah under her organic act can ever take place, and that some great and fundamental change is indispensable therein.

It is also represented that much secret dissatisfaction exists in the Mormon settlements and church, which is repressed from dread of punishment and the impossibility of escape, from the difficulty of reaching other jurisdictions. It is believed that if a new Territory were formed, extending within convenient distance of Salt Lake City, that the dissatisfied Mormons would cheerfully escape from a dominion which they despise; and thus this dangerous and growing *tribe* would be repressed, with but little expense or loss of life, with far more certainty and effect than by "an army with banners."

Some think that the most effective way of ending our Mormon difficulties would be by repealing the act organizing the Territory of Utah, and subjecting the Mormon population thereof to our Indian policy. The proposed Territory would greatly facilitate such a measure, and would thus be enabled to go into operation without adding to the charges upon the treasury.

It is proposed that the new Territory shall be bounded on the west by California, commencing at a point where it leaves the Colorado; thence northerly, with said line, to its point of intersection with the Oregon line; thence, with said line, on the latitude of 42 degrees north, east to the 114th degree of longitude west; thence, with said longitude, to the Goose Creek mountains; thence southerly, with said range, to the headwaters of Lake Nicolle; thence, down the stream formed by said waters, to said lake, and through the same to the nearest range of mountains running southerly, until it shall reach Cedar City, at or near the 114th degree of west longitude; thence, with the most conspicuous landmarks to the headwaters of Virgin river; thence down said stream to its in-

tersection with the Rio Colorado ; thence down said river to the beginning. These boundaries embrace upwards of 130,000 square miles ; from 7,000 to 10,000 American citizens ; more than 100,000 Indians ; two hundred great and fertile valleys ; foot hills covered with primeval forests ; magnificent lakes, one at least, high up in her towering mountains, sixty miles long by twenty wide and fifteen hundred feet deep ; burning and health-restoring springs of great variety ; while the hug mountains teem with the richest minerals.

Your committee believe that the citizens within said Territory have the right to expect of the federal government what they ask. They also believe that grave public considerations demand it. They are satisfied that the establishment of a territorial government would tend to protect the public mails travelling within and through it ; make safe and secure the great overland route to the Pacific as far as within its limits ; restore friendly relations with the present hostile Indian tribes ; contribute to the suppression of the Mormon power by the protection it might afford to its dissatisfied members ; and, in the present exigency in that region, might be, and almost certainly would be, of material aid to our military operations. Thus satisfied and impressed, your committee respectfully report a bill for the formation of a new Territory, according to the boundaries before recited, to be called the Territory of Nevada.