

4-30-1878

Boundary line between Colorado and Utah.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 708, 45th Cong., 2nd Sess. (1878)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

BOUNDARY LINE BETWEEN COLORADO AND UTAH.

APRIL 30, 1878.—Referred to the Committee on Appropriations and ordered to be printed.

Mr THOMAS M. PATTERSON, from the Committee on the Public Lands, submitted the following

R E P O R T :

[To accompany bill H. R. 4667.]

The Committee on the Public Lands, to whom was referred the bill (H. R. 4357) to provide for the survey of the boundary line between the State of Colorado and the Territory of New Mexico, have had the same under consideration, and submit the following report, accompanied with a substitute for said bill, and unanimously recommend that the Committee on Appropriations incorporate the necessary appropriation to carry into effect the provisions of the said substitute in the bill providing for the sundry civil expenses of the government for the year ending July 30, 1878.

The committee have carefully considered the subject of the boundary line between the State of Colorado and the Territory of New Mexico, and, after mature deliberation, have come to the conclusion that there should no longer be delay in the running and proper marking of the said boundary line.

While the political divisions of the country known as Territories exist, there is a reasonable excuse during stringent times for not expending the sums of money requisite for making and marking the boundary lines between them.

Under the power conferred by the Constitution Congress may at any time alter the boundaries of any Territory and either enlarge or curtail its area or abolish such Territory altogether, and in such cases boundary lines run at great expense might prove worthless. But once any portion of the public domain is erected into a State, the power of Congress to interfere with its territorial integrity is at an end, and the boundary lines of such State, as set forth in the act for its admission into the Union, are therefore fixed and stable.

Many reasons exist for the prompt ascertainment and marking of such boundary lines. Questions of venue both in civil and criminal cases are often vexatious and sometimes destructive to justice. Questions of residence touching the rights of individuals to vote may prove a source of discord, and the election of State officers or a Representative to this body may be affected by persons who live within the jurisdiction of another State or Territory but close to the dividing line. Titles to property may be lost and conflicting claims to property may arise because of mistakes in putting deeds on record in the State or Territory outside of which the property is situated. These and many other sources of public and private trouble can only be avoided by an official ascer-

tainment and proper marking of the line separating these great political divisions of our country.

In the case of the State of Colorado a particular necessity exists at the present time for making the proposed survey. The existence of rich gold and silver deposits all along this boundary line, and the fact that the best agricultural and grazing lands of this State are in its immediate vicinity, are attracting in unexampled numbers those seeking the wealth of the mines and permanent homes upon farms and grazing lands, and it is safe to predict that, with the contraction of the present reservation of the Ute Indians in that State (a bill for which has passed the present Congress) that portion of Colorado bordering upon Utah will immediately fill with population, and become as wealthy and as populous as any other section of the State.

The public surveys in Northwestern Colorado are already close to the Utah line, and should be connected with that line. In the Territory of Utah a definite meridian line is needed upon which to close its public surveys; the proposed line will furnish it. The whole of the Ute Indian reservation is in the State of Colorado, with the boundary line between Utah and Colorado as its western limit. With the location of the boundary line unknown, persons living on the Utah side of the reservation cannot tell whether they are infringing upon the Indian country or not, and conflicts between the whites and the Indians are liable to arise on account of this uncertainty. If the negotiations with the Ute Indians authorized by the present Congress, are successful, the miners and others in the southwestern part of Colorado will at once push to the western limits of the State, and across the line into Utah, rendering a knowledge of the dividing line almost indispensable. In view of these considerations, and many others which suggest themselves, the committee unanimously recommend that the necessary legislation for carrying into effect the provisions of the accompanying substitute be provided by the Committee on Appropriations in the bill to provide for the sundry civil expenses of the government for the year ending June 30, 1879.

It is proper for the committee to add that the substitute accompanying this report is in accordance with the recommendations and estimates of the Secretary of the Treasury, as found upon page 167 of his letter transmitting estimates of appropriations for the coming fiscal year.