Figure 1. Portion of the "Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell." This section shows almost the entire region known as Alta California and is referred to in both the Treaty of Guadalupe Hidalgo and in J. Ross Browne’s Report of the Convention of the California Constitution in September and October 1849. [Edward M. Douglas, Boundaries, Areas, Geographic Centers and Altitudes of the United States and the Several States, USGS Bulletin 817, Plate 6 (Washington D.C.: U.S. Government Printing Office), 1930.]
California's Northeast Border:
Political Pragmatism Turned
Territorial Imperative

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Abstract: The placement of California's Northeast border is usually ascribed to issues of slavery, greed and compromise. In reality, the arbitrary definition and delimitation of this boundary stemmed from problems of physical size, acculturation, and the perceived, relative value of the physical landscape. The resultant impacts on the cultural landscape still reverberate today.

Introduction

As a territorial species, we humans have “an inherent drive to gain and defend an exclusive property.” (Ardrey 1966, 3) Today, political geographers relate the concept of exclusive property with the sovereign state. As Pliny noted in 77 A.D.: “Great folly it is then, a meere madness, that some have devised and thought in their minde to measure it [the World]; yea, and durst in writing to set down the dimensions thereof...” (Newsome 1964, 19) Nowhere, is Pliny's “Great folly” better illustrated than in the definition, delimitation, demarcation, and administration of national/state boundaries.

Often the “folly” in establishing boundaries results from a series of seemingly pragmatic decisions based on a presumed knowledge of the physical landscape. Since physical features can and do influence the attributes of particular cultural regions, it has often been physical barriers which define their limits. When ignorance of the physical landscape is coupled with an arbitrary, or imprecise, measurement of longitude and latitude, the ramifications to the cultural landscape can have far reaching effects.

To a great extent, today’s California is the result of flawed cognition. The establishment of California’s boundaries, based on erroneous perceptions of the confluence of physical and cultural features, created effects to the State's landscape which reverberate even today. In fact, perhaps no greater stresses have been created in California’s history than with the establishment of the State’s Northeast border. This paper explores the establishment of the California/Nevada border (north of Lake Tahoe); the perceptions or misperceptions behind it; and some of the ramifications for the cultural landscape.
The Literature

A survey of published literature reveals a paucity of analytical assessment on the establishment and consequences of the development of California’s Northeast border. Most “histories” of California pay little or no attention to the issues beyond a perfunctory sidebar. Many generalist accounts sketchily synopsize some of the motivation behind establishment of the boundary, but totally ignore both the perceptions behind the placement of the line and the far reaching impacts. Meanwhile, Nevada “histories” tend to relate a bias (bordering on resentment) of a perceptually unconsidered, dominating, and wanton California land grab.

For insight into the logic behind defining California’s Eastern boundary, most researchers rely upon J. Ross Browne’s Report of the Convention of the California Constitution in September and October 1849. Published in 1850, Browne’s work provides the single, most comprehensive picture behind the framing of California’s Constitution. Significant to this research, Browne’s firsthand account presents the representatives’ judgments and perceptions regarding the Northeastern California landscape.

An example of reliance upon Browne’s manuscript can be found in Woodrow James Hansen’s The Search for Authority in California. In detailing the history of government in the State, Hansen provides substantive distillation of the debates surrounding the selection of California’s Eastern boundary. Though significant in its simplification of Browne’s 479 page presentation, The Search for Authority in California was designed as a history of California government. It was never intended to analyze the suitability of the Constitutional Convention delegates’ choices, the geographic applicability, or the consequences to the cultural landscape.

What is interesting, is Hansen’s recognition of the delegates’ desire for geographically informed debates and the emphasis he places on discussing the exact location of the proposed border(s), along with the reasoning behind these recommendations. The author pointedly states that “…the basis for deciding the proper boundary would have less to do with geography than with the question of the expansion or confinement of slavery…” (Hansen 1960, 156) This analysis undoubtedly stems from only a slight glance at the geographic information available to the Convention delegates (Hansen 1960) and a total lack of reference to, or duplication of, the maps which illustrated the boundary information.

A work which made significant strides in analyzing some of the historical consequences to development of the Northeastern California subregion was Pat Olmstead’s “The Nevada–California–Oregon Border Triangle: A Study in Sectional History.” In this 1957 master’s thesis, Olmstead
provides one of the more complete histories of this area. Unfortunately, the author ascribes the selection of the 120th Meridian as California’s Northeastern border to “the greed of the convention delegates” (Olmstead 1957, 164) rather than to geographic misperceptions.

Overshadowing her political assessment is Olmstead’s thorough examination of the subsequent boundary debates between California and Nevada. Encomiums are also due the author for recognizing at least one consequence to California’s cultural landscape: the formation of Modoc County. (Olmstead 1957, 174-175) Given Olmstead’s concentration on the area of California from Honey Lake Valley – north, “The Nevada-California-Oregon Border Triangle: A Study in Sectional History” falls short in examining a number of development consequences that continue to plague this region’s residents and the California government today.

Perhaps the most significant research to date pertaining to Northeast California, has been completed by William Newell Davis. In both his 1942 doctoral dissertation entitled “California East of the Sierra: A Study in Economic Sectionalism” and his book Sagebrush Corner: The Opening of California’s Northeast, Davis provides an excellent discourse on the events surrounding the establishment of California’s eastern border. Davis also notes a number of the political, social, and economic consequences unique to the formation of the region.

Davis properly and completely discusses the California Constitutional Convention delegates’ attention to prominent physical features in deciding upon an eastern boundary. Also analyzed is the attempt at compromise between the easily recognized physical features and the more abstract concepts of longitude/latitude. (Davis 1942, 97-118; Horr 1974, 247-262) What is missing, is a discussion regarding the misperceptions that seem to have fueled the attempts at combining physical features with (as of that time) unsubstantiated human measurements. Although Davis echoes a number of the cultural reverberations caused by the establishment of the California/Nevada border, his interest is predominantly found in the “immediate” consequences. Short shrift was given to the border’s impact on today’s cultural landscape, an issue admittedly limited and compounded by the time of research and date of Davis’ publication.

Creating Territorial Stamping Grounds

California’s Northern border was established with the acquisition of Florida in 1819, (Eliot 1963a, 270) and the Southern boundary fixed with the Treaty of Guadalupe Hidalgo in 1848. (Eliot 1963b, 293) The major
boundary issue faced by the delegates to California’s Constitutional Convention was the definition and delimitation of an Eastern border. The placement of this threshold was variously described by delegates as: “...a matter of vast importance to the people of this Territory...;” (Browne 1850, 183) “…the most important question that has yet come up for discussion...;” (Browne 1850, 188) “…the most important part of our duty...;” (Browne 1850, 184) and, “…the most important [question] that had to be settled in this Convention.” (Browne 1850, 169) As such, it would become the longest and most contentious part of the debates. (Hunt 1926, 191)

The decision process, and the subsequent debate, was premised upon two specific geographic perceptions: 1.) “certain maps of California” submitted by Delegate William M. Gwin; (Browne 1850, 76) and, (2.) the appointment of “native Californians and ‘old settlers’ to the committee [on the Boundary] on the assumption that these would know most about the geography of California...” (Hansen 1960, 135-136) Though this approach was laudable in its intent, trouble would stem from the fact that the maps utilized illustrated “an immense unexplored region,” (Browne 1850, 169) a region, argued by one San Francisco Delegate, “unexplored, and of which we know comparatively nothing.” (Browne 1850, 187)

Based on presumed geographic knowledge, the debate over where to place California’s Eastern boundary was framed by three issues. The first, overwhelming problem facing the committee “…appointed...to report...what, in their opinion, should constitute the boundary of the State of California” (Browne 1850, 54) was the sheer physical size of the Territory. As stipulated in the Treaty of Guadalupe Hidalgo:

The southern and western limits of New Mexico, mentioned in this article, are those laid down in the map entitled “Map of the United Mexican States, as organized and defined by various acts of the Congress of said republic, and constructed according to the best authorities. Revised edition. Published at New York, in 1847, by J. Disturnell.” ... And in order to preclude all difficulty in tracing upon the ground the limit separating Upper and Lower California, it is agreed that the said limit shall consist of a straight line drawn from the middle of the Rio Gila, where it unites with the Colorado, to a point on the coast of the Pacific Ocean... (Eliot 1963b, 293) (See Maps 1 and 2)

Significantly, “the boundary includes all of Upper California, as has always been recognized by Mexico and by the Congress of the United States, so far as any action has been had on that subject. By the treaty with Mexico and the discussions with Mexico previous to the treaty, and the maps that have been published of California since that time, [author’s emphasis] and all the orders which have proceeded from our Government, these limits have been acknowledged and recognised as the limits of Upper California.” (Browne 1850, 175) Estimating the section designated
Figure 2. Enlargement shows the region that would become California’s Northeast border. Lines of longitude shown in degrees west of Washington D.C. Note Disturnell’s placement of 120th meridian (line 43) far west of Mountain Lake (Lake Tahoe) and Warner Mtns. [Douglas, 1930, Plate 6.]

Figure 3. Section of the “Map of Oregon and Upper California, from the surveys of John Charles Fremont... 1848.” Note placement of 120th meridian west of today’s Surprise Valley, but well east of Lake Bonpland (Lake Tahoe). (see inserted arrows) Fremont, 1846.
as Upper California to be 448,691 square miles, the committee point-
edly observed that, as delineated, "the present boundary of California
comprehends a tract of country entirely too extensive for one State..."  
(Browne 1850, 123)

The Committee on the Boundary cited "various other forcible reasons
why the boundary should not be adopted..." One reason was the size
of the present state compared to the total size of "non-slave-holding
States of the Union..." (Browne 1850, 123) As most researchers point out
(and Hansen in particular) (Hansen 1960, 136), this was a specific con-
cern among many of the Convention delegates; the issue being accep-
tance by the U.S. Congress relating to the stipulations in the Missouri
compromises.

Another concern related to the physical size of the Territory was the
inevitability of future "divisions and sub-divisions..." (Browne 1850, 123)
As one delegate stated: "If we include territory enough for several States,
it is competent for the people and the State of California to divide it
hereafter." (Browne 1850, 169) However, a growing worry of this possi-
bility was expressed by Delegate John McDougal: "There has been much
collision between the Government and the new Territories that have
recently been admitted to the Union; not so much because they were
claiming too great an extent of territory, but because the Government
wished to shape it in a particular manner. We may find the same diffi-
culties here. We may find an attempt on the part of the Government, if
we leave this an open question, to make two States bordering on the
Pacific." (Browne 1850, 169)

Although some representatives were more than willing to "leave it to
the buenos hambres [sic] in Congress and our [California's] Legislature
to decide..." the issue; (Browne 1850, 171) others were not. As one of the
Boundary Committee members stated succinctly: "We ought to settle it.
Congress cannot within any reasonable space of time settle it." (Browne
1850, 173) Thus, it was recognized that, failing establishment of a defi-
nite boundary, California would be split into smaller divisions - whether
by the State or by the U.S. Government.

A second issue surrounding the placement of California's Eastern bound-
dary was a lack of representation of an estimated 15,000-30,000 settlers
with "religious peculiarities" (Mormons), who were assumed to "desire
no political connection" with the emerging State. (Browne 1850, 123)
This assumption was reinforced by two considerations. The first was the
physical isolation of the settlers:

...upon a spot so remote from the abodes of man, so completely shut out by
natural barriers from the rest of the world, so entirely unconnected by water-
courses with either of the oceans that wash the shores of this continent - a country offering no land advantages of inland navigation or of foreign commerce, but, on the contrary, isolated by vast uninhabitable deserts, and only to be reached by long, painful, and often hazardous journeys by land... (Stansbury 1966, 123)

The other consideration reinforcing the Boundary Committee's perception "...that measures have been, or are now being taken by these people, for the establishment of a Territorial Government for themselves;" (Browne 1850, 123) stemmed from a convention at Great Salt Lake City in March 1849. Ostensibly consisting "of all the citizens of that portion of Upper California lying east of the Sierra Nevada mountains...;" (Stansbury 1966, 127) this convention had "ordained and established a free and independent government, by the name of the STATE OF DESERET" (Stansbury 1966, 127) Thus, efforts had already been made to divide Upper California.

Though some delegates would inevitably argue that "the Mormons...would certainly be no worse off under" a California constitution which included the region around the Great Salt Lake, (Browne 1850, 429) the pragmatic reality was eloquently detailed by Sacramento Delegate L.W. Hastings:

While the Mormon settlements exist there, we cannot be admitted into the Union with that boundary; because they are a portion of the people of the United States prepared to adopt our institutions and establish a government for themselves. They have already applied to Congress to establish a Territorial Government for them. Suppose these two propositions are brought before Congress at the same time; we are applying for a State Government, and they for a Territorial Government; both propositions coming from the same territory. Can we be admitted into the Union claiming the same territory, at the same time they call for a Territorial Government over it? (Browne 1850, 173)

There was concern that portions of the region east of the Sierra had been settled as early as 1847– nearly a year prior to the Treaty of Guadalupe Hidalgo. (Stansbury 1966, 124) Further, these settlers had organized fully five months prior to California's Constitutional Convention and elected a delegate to Congress three months later (on July 2nd). (Stansbury 1966, 127) And, finally, acculturation between the residents along the Coast and those around the Great Salt Lake would not be possible. It was felt that the Mormon's "religious tenets certainly formed a great barrier to their introduction among the people of California." (Browne 1850, 170) Thus, in attempting to establish a definite boundary for their region (State), the delegates were forced to recognize the limits of their frontier.

The third issue surrounding placement of California's Eastern bound-
ary was a question of practicality resulting from the combined influence of physical size, political acceptability, and disparate cultures. Having recognized the existence of a frontier separating the Mormon settlements and the area directly represented at the Constitutional Convention, the delegates were forced to analyze the relative value of the area east of the Sierra versus the practicalities of governing it. As the Committee on the Boundary stated: “a greater part of the interior is entirely cut off from the country on the coast by the Sierra Nevada, a continuous chain of lofty mountains, which is covered by snow, and is wholly impassable nearly nine months in the year.” (Browne 1850, 123)

While evaluating the initial proposals put forth by both the Boundary Committee and individual delegates, discussions over the value of the area east of the Sierra demonstrated a decided polarization of opinions among the representatives. The perception of a number of delegates claiming to be well acquainted with the region, was expressed by Delegate Hastings when he declared: “We have a vast mineral region as well as agricultural, on this side of the Sierra Nevada; but I am of opinion the other side affords probably equal agricultural resources and as much gold as this.” (Browne 1850, 173) Further rationalization was found in the need, of those settled to the east, for answers to questions regarding issues of government; especially those pertaining to law and order. (Browne 1850, 175-177)

On the opposite side of the issue stood those delegates who felt that the cost of administering the region east of the Sierra far outweighed any value derived from its inclusion. Recognizing the construction of the physical landscape, these individuals felt that the Convention should adopt a boundary which “God and nature intended…” (Browne 1850, 182) Of particular interest is the observation made by Mr. McDougal:

If you cast your eye on the map, you will see three distinct divisions marked by nature in the Territory of California. One is the great basin of the Salt Lake. It is bounded on the west by the Sierra Nevada, and by the Rocky Mountains on the east, and by a range of unexplored mountains in the 38th parallel of latitude on the south – three grand natural divisions. (Browne 1850, 180)

Immediate support for McDougal’s view was proffered by representatives who stated: “...I concur fully with several gentlemen who have expressed the opinion that the crest of the Sierra Nevada, or some line of longitude near it should be the future permanent boundary...,” (Browne 1850, 180) and “...it was not the desire of the people of California to take a larger boundary than the Sierra Nevada...” (Browne 1850, 184) Sentiments were expressed that: “We have within the region of country between the Sierra Nevada and the Pacific ocean, the only lands in Upper California that are fit for the habitation of a community of
people...It is true there are some delightful spots on the eastern slope of the Sierra Nevada, but they are like green spots spoken of in the desert...” (Browne 1850, 182) Even J.A. Sutter would argue: “Except a small slip of the great Salt Lake, which is worth something to the people who are living there, but there is such an immense space between us and that part of the country, that I consider it of no value whatever to the State of California.” (Browne 1850, 187)

Of the three major issues surrounding placement of the boundary, this last would be the most difficult to resolve. If the Sierra were to become California’s eastern boundary, the issues of physical size, future divisions, and Mormon settlement would virtually resolve themselves. Though the disparity of opinions would contribute to the difficulty in compromise, tensions were exacerbated by the two cited premises to the debates. Whereas some delegates had traveled in this region, almost none had done so extensively. Worse yet, as Sutter observed, some had come “by way of Cape Horn,” (Browne 1850, 187) never having seen the debated area at all. As for the “certain maps of California” (Browne 1850, 76) consistently referred to and relied upon, Fremont’s map and Disturnell's map, (Browne 1850, 172 & 189) both provided only a tenuous view of the area directly east of the Sierra. (See Maps 1 - 3)

Finally, growing tired of the incessant wranglings and never-ending discussions that threatened to adjourn the entire Constitutional Convention, (Browne 1850, 440) the delegates recognized that two basic choices presented themselves. As put forth by Delegate Jones, these two choices were as follows:

...Commencing at the point of intersection of the 42d degree of north latitude with the 120th degree of longitude west from Greenwich, and running south on the line of said 120th degree west longitude until it intersects the 39th degree of north latitude; thence running in a straight line in a southeasterly direction to the river Colorado at a point where it intersects the 35th degree of north latitude; thence down the middle of the channel of said river to the boundary line between the United States and Mexico, as established by the treaty of May 30, 1848...
But if Congress should refuse to admit the State of California with the above boundary, then the boundary shall be as follows: Beginning at the point on the Pacific ocean south of San Diego...thence running in a easterly direction on the line fixed...as the boundary to the Territory of New Mexico; thence northerly on the boundary line between New Mexico and the territory of the United States previous to the year 1846, and California as laid down on the “Map of Oregon and Upper California, from the surveys of John Charles Fremont, and other authorities, drawn by Charles Preuss under the order of the Senate of the United States, Washington city, 1848,”[author's emphasis] to the 42d degree of north latitude; thence due west...
(Browne 1850, 443)

The question for the Convention became: which of the two options
made the best compromise? Obviously, one of the two choices would better address the major issues. In that context, those favoring the Sierra Nevada boundary began presenting pragmatic arguments which, for them, pointed to only a single alternative. Though a number of delegates would disagree, it would prove difficult to argue with the apparent logic.

As to the issue of California being admitted as a free state, most delegates recognized that the very essence of the debate between the North and South was over the right of “the people of the State...[to be] the sole judges of what shall be its domestic institutions.” (Browne 1850, 448) It was believed that “the Southern pro-slavery and State-right party” would be supportive of California settling, for itself, the issue of slavery and its boundaries without interference or future division by the Federal Government. (Browne 1850, 434) Unfortunately, the delegates found themselves limited by this same source of support. The practical reality was stated by Delegate Lippitt: “The question will be, whether slavery is to be excluded forever from that immense territory east of the Sierra Nevada, or only from the natural boundary of the new State...What is the proposition?...that slavery shall not exist there. Sir, it would be very strange indeed if the South did not object to this proposition.” (Browne 1850, 450)

The problems surrounding extending the California boundary to include the Mormon settlement(s) were presented in even more simplistic terms. “According to the proclamation of the Governor, which has been adopted as the act of the people, the eastern boundary is fixed at the Sierra Nevada, unless the districts be altered and the apportionment be remodelled. We allow no representation to a body of American people, constituting one-fourth of the souls in California...if the whole of California is taken in, we must remodel the apportionment...;” (Browne 1850, 432) an unacceptable delay to a Convention already teetering on the edge of failure. Not to mention, given the disparity in cultures between the Coast and the Great Salt Lake region, “…that the thirty-nine thousand emigrants coming across the Sierra Nevada, will never sanction this constitution if you include the Mormons.” (Browne 1850, 441)

Above all other issues, however, were the practicalities of governing beyond what was “conceded to be the natural boundary of the State...” (Browne 1850, 441) “Consider...the expense and difficulty of carrying on a government over a vast desert, where the means of communication are so limited. The expense alone ought to be a sufficient objection, apart from every other consideration...The expense of putting in operation for the first time an entire judicial system, together with the various branches of our State government, must necessarily be very
great, even within the smallest of limit proposed...How much greater would be the expense over a vast wilderness, separated from us by snowy ridges of mountains, and hundreds of miles distant from the nearest point of civilization.” (Browne 1850, 448)

With opponents to the Sierra Nevada proposal(s) unable to mount an effective response to these arguments, the Convention finally voted to accept the Sierra Nevada line on 10 October 1849. Though not favored by all, this natural boundary was considered by most “to be the only compromise left.” (Browne 1850, 458) Inserted as part of Article XII to the State Constitution, the description of California’s eastern boundary read: “Commencing at the point of intersection of 42d degree of north latitude with the 120th degree of longitude west from Greenwich, and running south on the line of said 120th degree of west longitude until it intersects the 39th degree of north latitude; thence running in a straight line in a south easterly direction to the River Colorado, at a point where it intersects the 35th degree of north latitude; thence down the middle of the channel of said river, to the boundary line between the United States and Mexico…” (Browne 1850, XI)

On 9 September 1850, the U.S. Congress accepted the Constitution presented by the Convention and admitted California as a state. By allowing this boundary description to stand, the Federal Government was not only permitting the entry of the 31st State; it was also accepting the creation of a territorial stamping ground along the eastern edge of the Sierra Nevada. This new sub-region would immediately become the scene of challenge and defense behaviors.

**Locking Ilorns**

On the same day that the U.S. admitted California to statehood, the Territory of Utah was established. Its boundaries were:

All that part of the territory of the United States included within the following limits, to wit: bounded on the west by the State of California, on the north by the Territory of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude... (Douglas 1930, 231)

Even before the admission of California as a state, the Carson Valley east of Lake Tahoe had begun to see settlement. By late 1851, this area had seen enough growth to create the need for civil organization in the Valley. (Bancroft 1890, 65–69; Thompson and West 1958, 31–32) In 1853, feeling isolated from and neglected by the Utah Territorial government, citizens of Carson Valley petitioned the California legislature regarding annexation for judicial purposes. (Bancroft 1890, 74; Mack and Sawyer
1946, 57-58) Fearing that discussions to extend California’s boundaries beyond the Sierra would begin anew; Eastern Utah officials created the County of Carson out of Western Utah in 1854. (Bancroft 1890, 75)

Meanwhile, with the establishment of Noble’s Road in 1852, Honey Lake Valley was opened to immigration. With an increase in the number of emigrants over this route, settlers began to establish themselves in this area by 1853. One of these early settlers was Isaac Roop, founder of the town of Susanville. (Fariss and Smith 1971, 339-340) Most of the valleys along the eastern side of the Sierra had been settled by the end of 1853. This growth caused major problems for Utah officials who wrestled with the difficulties of administering a region several hundred miles away from their Territorial seat of government. (Mack and Sawyer 1946, 57)

Believing that Utah officials were incapable of arriving at an effective solution, Carson Valley again petitioned California for annexation in 1856. (Bancroft 1890, 79-81) In April of that same year, Honey Lake Valley residents decided to create their own territory. Feeling not one with either Utah or California, settlers led by Peter Lasse and Isaac Roop created the Territory of Nataqua. (Fariss and Smith 1971, 344-346)

This overt move toward separation on the part of settlers along the eastern edge of the Sierra caused Utah officials to react. Basing the plans on the structured settlement of eastern Utah, officials began to try and similarly organize the perceptually chaotic region of western Utah. Doomed to failure, Mormon efforts (Bancroft 1890, 79-81) would only serve to exacerbate tensions. Abandoning their efforts at organization, Utah officials dissolved the courts in Carson County in 1857, (Bancroft 1890, 82) prompting another meeting of the citizens of Honey Lake Valley. The result of this meeting was the following statement: “Whereas, we, the citizens of Honey Lake Valley, entertaining reasonable doubts of our being within the limits of the state of California, and believing that until the eastern boundary of the state of California is determined by the proper authorities that no county or counties have a right to extend their jurisdiction over us…” (Fariss and Smith 1971, 350)

And therein lay the problem. Without a firm knowledge of who “owned” the territory, i.e., California or Utah, residents were more than willing to organize themselves and create their own stamping grounds. Though Carson Valley residents were not willing to recognize the “Territory of Nataqua,” (Fariss and Smith 1971, 352) they were willing to become a part of California as evidenced by the short lived Pautah County. (Coy 1923, 9) Meanwhile, Honey Lake Valley residents insisted upon their own identity.
Discord between the Utah government and the settlers along the eastern Sierra had, by 1859, reached an irreconcilable condition. In 1859, elections were held naming Isaac Roop “governor of the said territory by a large majority” (Fariss and Smith 1971, 355) A delegate was sent to Washington to plead for the creation of a new territory. Citing “abuses” by the Mormons and referring to “the dangerous difficulty of transit, and expense of communication with the seat of the Territorial Government,” (Kelly 1962, 26-27) the envoy expounded on the coupling of these problems with the rush of immigrants to the Comstock area due to the discovery of silver. (Fariss and Smith 1971, 356) Not willing to pass upon the offer of residents to ensure the safety of travelers through the region, (Bancroft 1890, 83) Congress passed legislation forming the Territory of Nevada in March of 1861.

Approved on 2 March 1861, the Organic Act “organizing the Territory of Nevada” stipulated its boundaries as follows:

Beginning at the point of intersection of the forty-second degree of north latitude with the thirty-ninth degree of longitude west from Washington; thence, running south on the line of said thirty-ninth degree of west longitude, until it intersects the northern boundary line of the territory of New Mexico; thence due west, to the dividing ridge separating the waters of Carson Valley from those that flow into the Pacific; thence on said dividing ridge northwardly to the forty-first degree of north latitude; thence due north to the southern boundary line of the state of Oregon; thence due east to the place of beginning... provided, that so much of the territory within the present limits of the state of California, shall not be included within this territory until the state of California shall assent to the same, by an act irrevocable without the consent of the United States... (Kelly 1962, 56)

Nobody was certain what territory actually existed within the limits of California. Echoing delegates to California’s Constitutional Convention, the framers of the boundaries of the Territory of Nevada had placed their western boundary along the crest of the Sierra. The problem stemmed from the fact that nobody was certain how closely the 120th Meridian actually came to where it was supposed to. Aggravating the situation were the results of several surveys done through the 1850s which indicated that the 120th line of west longitude actually fell much farther east than indicated on the Disturnell and Fremont maps. (Uzes 1977, 71-75) (See Maps 1 - 3)

Reactions to the increasing need for an accurate boundary survey were evidence by a New York Times article of the period which stated: ‘The act of Congress organizing the Territory of Nevada, it is believed, will deprive California of a strip of her territory 300 miles long by from 15 to 50 miles wide. The State will probably be unwilling to yield so large a
portion of her domain, much of which is very valuable in silver mines.”  
(The New York Times, 17 April 1861)

The boundary issue between California and Nevada finally reached the boiling point with the “Sagebrush War.” In March of 1861, President Lincoln appointed James Nye Governor of Nevada Territory. By November, the fledgling territory had been divided into nine counties. (Fariss and Smith 1971, 356) One of these, Roop County, included Honey Lake Valley. Basically a power struggle for jurisdictional authority over the Honey Lake region between Roop County, Nevada Territory and Plumas County, California, open hostilities erupted in early 1863. A truce was called only when it was agreed to let the Governors of the respective states settle the issue. (Thompson and West 1958, 100-101)

The political solution reached by California and Nevada had three basic elements: 1.) California and Nevada would undertake an accurate boundary survey; (2.) pending the results of the survey, Plumas County would have jurisdiction within the Honey Lake region up to the 120th Meridian as shown on DeGroot’s map (see Map 4); and (3.) all rights and judgments would be transferred to the appropriate state after the survey. (Fariss and Smith 1971, 362) Pursuant to this agreement, “By an Act of the Legislature, approved April twenty-seventh, eighteen hundred and sixty-three, it was made the duty of the Surveyor-General of the State [California] to define and establish the entire Eastern Boundary Line of the State...” (Houghton 1864, 55) Watched with keen interest by newspapers, politicians, and residents on both sides, the survey would proceed north from Lake Bigler to the Oregon border; then southeast from Lake Bigler to the 35th Parallel. But, immediate controversy erupted as the survey party began working north.

One of the first issues to arise, was the renaming of Lake Bigler. As the Humboldt Register (Unionville, Nevada Territory) observed: “A number of newspapers have attempted to change the name of this beautiful sheet of water on the Sierra Nevada mountains. There is no good reason, only a bit of personal spite, for attempting the innovation. We prefer ‘Bigler;’ as by that name the lake is a well-known feature in the country.” (The Humboldt Register (Unionville, N.T.), 10 October 1863) Recognizing the bulk of this water body was now found to reside within the confines of California, editors of the Marysville Appeal responded that they would not “object to the Register calling Lake Tahoe by any name it pleases.” (The Humboldt Register (Unionville, N.T.), 31 October 1863)

Once the survey party reached Honey Lake Valley, an announcement appeared in Sacramento’s The Daily Bee: “The Surveyor General’s Eastern line of the State survey embraces the entire county known in Nevada
Figure 4. “A Tracing of a Map of Nevada & Eastern California compiled by Degroot 1863.” Note placement of Nightingill Valley in the upper left hand portion as well as the perceived, relative delimitation of 120th meridian. [Courtesy bancroft Library]
This pronouncement sparked an immediate reaction among Nevada residents. The survey showed the boundary line running a little over eight miles east of Honey Lake, meaning that most of Honey Lake Valley fell within the confines of California. Since this was the home of Isaac Roop, Nevada’s provisional territorial governor prior to the appointment of James Nye, (Fariss and Smith 1971, 55) it was tantamount to rubbing salt in an open wound. With the town of Susanville (named for Roop’s daughter Susan and an important scene of the “Sagebrush War”) (Fariss and Smith 1971, 393) being prominently located in Honey Lake Valley, Nevada was not only losing a large piece of its cultural “history,” it was also losing a major hub of transportation for the region.

As the survey party neared the Oregon border, they discovered “a large and fertile valley.” (Legislature of the State of California 1864, 54) The “discovery” of a new portion of California created more than a little excitement in the papers:

One of the most interesting facts, elicited by the recent Boundary Survey, is the existence...of many hitherto unknown, but beautiful valleys. One of these, Surprise Valley, is well worthy of the attentive consideration of our readers, on account of its beauty, its remarkable features, and its eligibility for valuable homestead locations.

Surprise Valley, so designated, undoubtedly by is discoverers, from the fact that its luxuriance of floral, herbal, and cereal bloom burst upon their gaze, a thing of total unexpectedness... a grazing range, of unequaled superiority for many a herd of stock, now picking up a scanty subsistence on the sun-dried plains of the Sacramento Valley... Adding to the picturesqueness and also the future utility, of this valley are three fine large lakes, while on its western border, dense forests of valuable pine timber... the fertility of the soil is without doubt unsurpassed, and under the hands of our energetic farmers could be made to excel in all the products of the farm.

But the main point of interest, to us in this valley, is that it is nearly fifty miles nearer the rich mining country of Humboldt, than Honey Lake Valley...

Let our farmers look to it then, and secure themselves a location there. It is evident to us that fortunes will, at no distant day, be realized in that lonely valley. It is as easy of access from Tehama county as Humboldt [Nevada], and there is no reason why we should not derive some profit from it... (The Red Bluff Beacon, 15 August 1863)

Extolled in papers such as the Red Bluff Beacon, Daily Alta California, and Sacramento Daily Union, Californians were being pushed to lay claim to their new territory. The sense of urgency stemmed from Nevada’s reaction to the claims of Surprise Valley being “hitherto unknown.” Citing a Sacramento Daily Union article, the Humboldt Register began a modest campaign to assert Nevada’s ‘discovery rights:

...The Union is misinformed as to this discovery. The same valley was entered in July, 1860, by Capt. Nightingill and a company of 23 men. It will be found
described on De Groot’s map as ‘Nightingill Valley’ [See Map 4] though correctly named, by a striking coincidence the same as it has been re-christened by the surveying party. Nightingill and company were surprised exceedingly...and gave name to their discovery from their sensation on beholding it...The party had no tools, no great amount of provisions, and too many Indians about...They did stop long enough though, to put up notice for a farm of 160 acres of land for each of the 24 men. (*The Humboldt Register* (Unionville, N.T.), 22 August 1863)

Further “evidence” of Nevada’s prior discovery was published shortly thereafter in the *Sacramento Daily Union*:

A correspondent of the UNION at Honey Lake submits the following in connection with the discovery and name of this valley:
In some editorial comments on the late boundary survey, you presume that the surveying party were the first white men ever in Surprise valley, which is a mistake, as the road to Southern Oregon runs across said valley one-third of the length of it from the south end, which was traveled as early as 1847...You also presume that Houghton and party named Surprise valley, in consequence of their surprise at finding such a valley in such a place. That is the way the valley got its name, but not by the surveyors, nor was it name this year [1863]. Surprise valley has been known to the Honey Lakers since 1860, and was named that year by Lance Nightingill’s party...and ever since the people here have wished to settle the valley, but the hostility of the Indians has prevented its settlement up to this time... (*Sacramento Daily Union*, 25 August 1863)

The problem with Nevada being able to lay claim to Surprise Valley based on discovery, was directly related to their own arguments. Assertions that Lance Nightingill was the first to discover the valley were contradicted by noting the presence of the “road to Southern Oregon.” This road, known as the Applegate Trail, was established by Jesse and Lindsay Applegate in 1846; it branched from the California Trail near Winnemucca, Nevada. Known in Surprise Valley today as ‘49 Lane,’ the Applegate Trail bisected the valley between Upper and Middle Alkali Lakes. With Upper Alkali Lake cited as Plum Lake in his 1848 Way Bill, Jesse Applegate mentions that the “road in 1846 run [sic] directly across the dry lake…” (*Applegate 1848, 2*) Lindsay Applegate would later describe this region as “a beautiful green valley.” (*Applegate 1921, 27*)

Intended for migrants bound for Southern Oregon, the Applegate Trail was also a major conduit for those headed to Northern California. The Lassen Trail would branch from the Applegate trail just west of the Warner Mountains at Goose Lake. “Immigrants to California, should follow the Oregon road to this point, and turn down the foot of the mountain, by doing so they would avoid those tremendous mountains so difficult on the present route:” (*Applegate 1848, 2*) Further, the 1852 Noble’s Road which opened Honey Lake Valley to immigrants, branched from the Applegate Trail near its eastern terminus. Thus, territorial residents perceived that they were again losing control over a major transit hub along the eastern edge of the “Sierra.”
Although the Boundary Survey demonstrated De Groot's placement of the 120th Meridian to be in error [See Map 4], Nevada still clung to its 'discovery rights.' Since the Applegate Trail was intended as the route to Southern Oregon, Nightingill's prior 'discovery' still gave Nevada an edge. Or did it? An overriding claim of discovery was actually realized prior to establishment of the Applegate Trail in 1846. During his second expedition, John Charles Fremont traveled through a substantial portion of what is today Northern California, Southern Oregon, and Western Nevada. Around New Year's 1845-44, Fremont passed through Surprise Valley. (Fremont 1887, 304-310; Fremont 1846, 126-129) [See Map 2 – 4] Thus, the Federal Government was entitled to claim discovery. This made Nevada's argument moot; for the Federal Government had effectively told California and Nevada to settle the boundary dispute between themselves with "the discontinuance of the work on the part of the United States Commissioner." (Legislature of the State of California 1862, 45)

Though the Houghton and Ives survey had been intended to settle the boundary dispute, it had only served to more clearly draw the line of contention. Efforts by Nevada to regain the 'lost' territory east of the crest of the Sierra have continued, in varying degrees of intensity, to the present day. In 1871, Nevada officially requested that California reconsider making the boundary the crest of the Sierra. (Thompson and West 1958, 102) In 1874, efforts by a member of California's Legislature to "...induce California to cede the territory east of the Summit of the Sierra to the State of Nevada" (The Humboldt Register (Unionville, N.T.), 13 February 1874) aroused some hope. Unfortunately, it was considered "not highly probable...that his efforts will be crowned with success for the simple reason that California is not disposed to give away so much property for love:" (The Humboldt Register (Unionville, N.T.), 13 February 1874)

The die had been cast. Despite subsequent surveys placing the 120th Meridian at several different locations, both California and Nevada would rely upon the 1863 Houghton/Ives and the 1872 Von Schmidt surveys for most purposes. (Uzes 1977, 95–96) Of course, this lack of a definitive placement would cause numerous problems with property rights, water rights, and economic activity. In 1982, the U.S. Supreme Court was forced to administer an "absolute" definition. Effectively, the Court held that Von Schmidt's delineation of the 120th Meridian from the 42nd Parallel on the Oregon border to an intersection of the 39th Parallel was the OFFICIAL boundary – period, end of discussion. (Interestingly, the Supreme Court, in the same decision, used the 1893–1899 U.S. Coast and Geodetic Survey delineation for the oblique boundary. But, that's an-

Reverberations

By 1874, the region north of Lake Tahoe had become more heavily settled. Feeling isolated both physically and culturally, residents east of the “Sierra” began to demonstrate a closer bond with Nevada. With initial settlement beginning in 1864, Surprise Valley had blossomed into a rich agricultural center. Combined, Surprise and Honey Lake valleys were a significant source of agricultural products for Nevada residents. In fact, by 1870, the Lassen Sage Brush observed: “...Reno has become the market for most of the produce from Surprise and Honey Lake valleys, and the trade from these places being by no means a light matter...” (Lassen Sage Brush (Susanville), 13 April 1870)

The strong economic ties between Nevada and the isolated, northeast portions of California had been noted in papers even earlier. Articles appearing in November 1869 issues of both California and Nevada newspapers extolled that: “Reno merchants and business men...are securing a big trade from Honey Lake and Surprise Valleys...” (Lassen Sage Brush (Susanville), 17 November 1869) and “A great many of the productions of the valley find a market in this county [Humboldt County, Nevada] between which and Surprise Valley there is no impassable boundary at any season of the year. Surprise Valley should properly become a part and parcel of this State [Nevada] to which, from its position east of the snowcapped Sierras, it naturally belongs.” (The Humboldt Register (Unionville, N.T.), 27 November 1873)

As a part of Siskiyou County, California; Surprise Valley residents had grown to resent traveling over two mountain ranges (the Warner Mountains and the Cascade Range) to conduct legal business at the county seat in Yreka. Everything from filing taxes to obtaining a marriage license required a round trip of, at least, several days. As noted by The Yreka Journal:

This thing of traveling from two to three hundred miles to the county seat in summer, and in winter making the circuit to Reno, in Nevada, thence to Sacramento and Redding, to reach Yreka, certainly shows that Siskiyou County government is neither beneficial to Eastern Siskiyou nor desirable to Western Siskiyou. The expense of the County government over this vast and remote territory is enormous...” (The Yreka Journal, 19 November 1873)

Feelings of separation were compounded on a daily basis with the difficulty of sending and receiving mail. “The mail facilities between Yreka and Lake City, both places in Siskiyou county, require a trip over 800 miles to be accomplished with any certainty, the only reliable mail route
being via Sacramento to Reno, and thence by stage east [west] to Lake City, in Surprise Valley.” (The Lassen Sage Brush (Susanville), 24 April 1869) Interestingly, despite the Federal Government establishing a major sub-regional distribution center at Redding in 1989, Reno still remains the distribution center for Postal delivery to Surprise Valley and Modoc County.

Virulent tensions spawned the introduction of several bills to the California Legislature in 1874 promoting the creation of a new county in Northeastern California. Variously named “County of Summit,” “Surprise County,” and “County of Canby,” it took several attempts before an acceptable bill was passed and signed on February 17, 1874. Renamed during passage in the California Assembly and formed from the eastern half of Siskiyou County, Modoc County was thus defined. (Barry 1983, 119-131)

Perhaps no more contentious controversies have emerged from the placement of California’s eastern boundary than those surrounding the use of water. The insatiable need for water on both sides of the border, eventually gave rise to a plethora of major projects. Despite the emotions generated, and because of the real and potential environmental damage, it is fortunate that not all proposals came to fruition.

As early as 1870, “a proposition to direct the waters of Lake Bigler from their natural channel...and diverting its waters by artificial means to the California side...” (The Humboldt Register (Unionville, N.T.), 5 March 1870) had emerged. It was felt that “…those conversant with the subject, who are thoroughly acquainted with the sources and tributaries of the Truckee, [feel] that the proposed scheme...will materially reduce the volume of water in that stream, and probably dry it up in the Summer season, thereby effectually for the time, putting a stop to the lumbering business, the staple interest of the country bordering the Truckee, and the great source of supply for the country West of Salt Lake...” (The Humboldt Register (Unionville, N.T.), 5 March 1870) Nevada’s Humboldt Register stated: “If those cormorants at the Bay [San Francisco] persist in prosecuting their nefarious purposes, our Legislature, as soon as it convenes, should immediately bar their progress.” (The Humboldt Register (Unionville, N.T.), 5 March 1870)

One of the more outrageous schemes was put forth in 1965: the Sierra-Cascade Water Plan. The proposed project would have meant substantial changes to the landscape ‘east of the Sierra.’ This plan, among other things, would have turned the whole of Surprise Valley into a reservoir for water diverted from the Columbia River. Eventually, this water was to have been pumped to communities in Southern California. At an
estimated cost of $2.4 billion, the project was considered “intermediate in size and scope.” *(The Modoc County Record* (Alturas), 27 May 1965) Over-shadowed by the far more ambitious North American Water And Power Alliance Plan (NAWAPA) proposed roughly a decade earlier, both plans ultimately succumbed to opposition over their enormous environmental impact. *(The Modoc County Record* (Alturas), 27 May 1965; Reisner 1986, 487-495)

Beginning with the aforementioned 1870 proposal to provide San Francisco with water, much of the dispute over water rights has centered on the Truckee River. One of the most litigated waterways in the country, until recently, the Truckee has seen most of its flow diverted for agricultural purposes. Under the auspices of Indian water rights, environmental enhancement, and Reno’s growing urban needs, the water is now in the process of being diverted back to its original destination, i.e., Pyramid Lake, Nevada. *(Egan 1997, 1)*

**Conclusion**

Through a series of misperceptions about the landscape and how its features aligned with measurements of longitude and latitude, California’s Constitutional Convention delegates made a decision about the placement of the State’s Northeast border that seemed to be the most pragmatic solution; or “the only compromise left.” Once these misperceptions had been realized, subsequent decisions and actions by the Golden State would be based more upon ‘ownership’ than practical realities. Ultimately, by ignoring the consequences to the landscape and its inhabitants, California would so successfully defend it northeastern border that Nevada would come to be viewed by some as a “satellite state,” dependent upon California, not only for much of its water; *(McWilliams 1949, 351-352)* but, for a large part of its economy as well.

Today, residents along California’s Northeast border still identify more closely with Nevada than their governing state. Many individuals in this region find themselves pursuing economic ties, educational goals, and personal relationships in the Reno area, far more readily than on the California side. So strong are the bonds, that occasional rumblings can still be heard about rejoining the Silver State. Rarely expounded upon officially, these discussions encapsulate the latent sense of territorial discontent that has existed for almost a century and a half.

An analysis of the establishment of the California/Nevada border (north of Lake Tahoe); the perceptions, or misperceptions, behind it; and some of the resulting repercussions to the cultural landscape provide anthropologists with a case study in territorial defense behaviors. The same
study provides an historian with a field laboratory to trace a time line of regional development. The geographer is able to view the whole of the folly in dissecting a culturally and physically homogeneous region. By setting down the dimensions of that folly, perhaps political pragmatism will be supplanted by a closer evaluation of human/environmental realities.

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