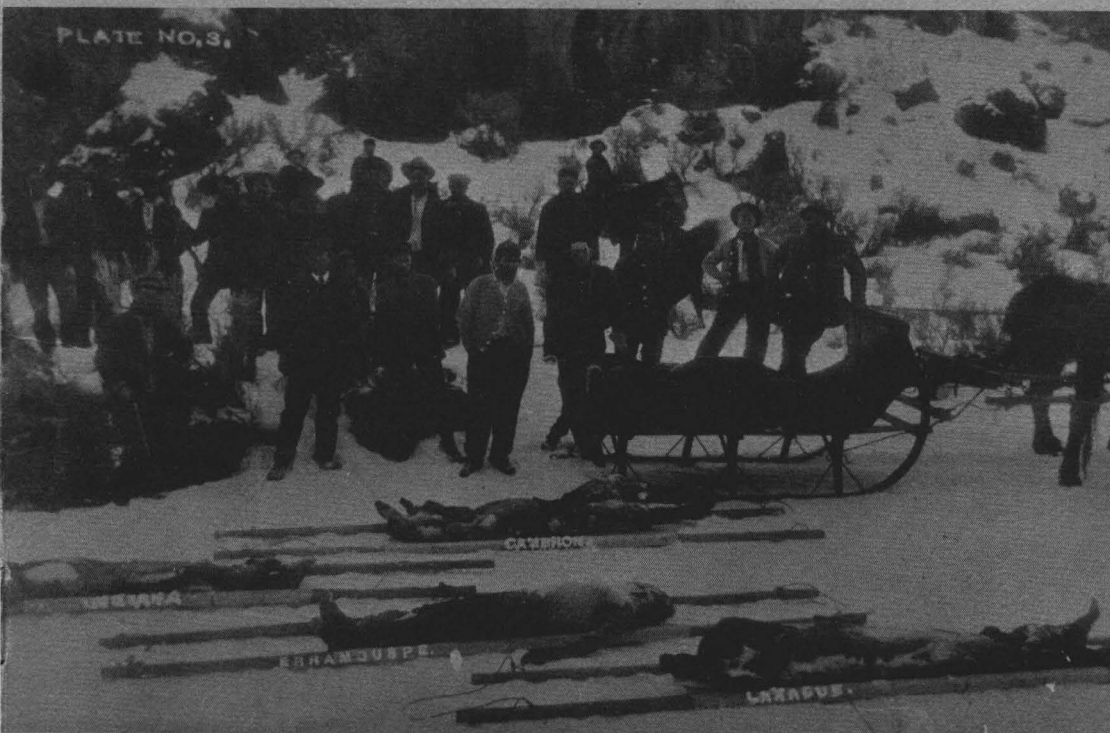


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EDITOR

JOHN M. TOWNLEY

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The Bullion-Tax Controversy

by Lynn E. Williamson

THE CONTROVERSY OVER THE BULLION TAX was a problem that plagued the young State of Nevada from its establishment as a territory on March 2, 1861. Early Nevada's dependence on the mines as the state's only basic industry quite naturally resulted in the mine owners becoming the center of economic and political influence in the state. In many cases the mine owners were not residents of the state and had little concern for conditions in the community and state; their main concern was to amass a personal fortune.

As their main interest was their private wealth, the wealthy mine owners exerted pressure on the territorial legislatures, and later on the state legislatures, in an attempt to gain a favorable taxation position for their mining operations. The influence wielded by the mine owners was sufficient to maintain the tax on mines at a considerably lower level than the tax on other property. This inequitable tax structure became the subject of much agitation in the state.

The issue of mine taxation smoldered for years in Nevada. Prior to 1875 the laws passed by the legislature were blatantly discriminatory in favor of the mining interests. No real attempt was made before 1875 to correct the inequality of the taxation structure. However, the revenue law passed in 1875 required all property, including the proceeds of mines, to be taxed at a uniform rate. The response of the most wealthy mining

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operations in Storey County to this reform of taxation was to boldly refuse to pay their state and county taxes. In so doing, the Consolidated Virginia and California Mining Companies, without twinge of conscience, abandoned Storey County and the state to near bankruptcy. Such action on the part of the mining companies was a clear illustration of the fact that when their immense profits were threatened, humanitarian considerations had to take a back seat.

In passing the law of 1875, however, the legislators of the state finally took a definite stand in favor of taxing the mining interests on the same basis as other property. The United States Supreme Court, in declaring the constitutionality of the 1875 law, firmly established the legal basis for the stand taken by the Nevada legislators, and the bullion-tax controversy was brought to a conclusion within the next few years.

The path to an equitable tax structure had not been an easy one for early Nevadans to follow. When the territorial legislature met in Carson City in October of 1861, the legislators found themselves faced with the difficult task of raising the necessary funds for the new government's operation. The young territory of Nevada had very little population and only one basic industry, mining, from which to draw revenue. The few merchants, tradesmen, teamsters, and so on, who occupied Nevada at the time were directly dependent upon the mines for their financial well being. In addition, the little farming that existed was involved almost solely in supplying the mining camps with vegetables, milk, hay, and so on.¹ Largely because of Nevada's dependence on mining, the legislature allowed its only potential major source of revenue to escape. The law passed by the 1861 territorial legislature exempted

. . . mining claims; provided, that all machinery used in mining claims and all property and improvements appurtenant to, or upon mining claims, which have an independent and separate value, shall be subject to taxation.²

Rather than being the solution to the problem of taxation of mines, the law passed by the territorial legislature in 1861 was only the first step in a long battle over the thorny problem. When the territorial legislature met for the second time, in 1862, the problem of taxing the mines was still very much in evidence. In a further attempt to settle the issue, the second territorial legislature said:

An annual tax of thirty cents upon each one hundred dollars value of all the gross proceeds or receipts of all mines, mining claims, and mining interests in this Territory, of every description whatever, is hereby levied and directed collected and paid into the County Treasury of the proper county, four tenths for Territorial, and six tenths for county purposes.³

According to the general understanding, "gross proceeds" included the

value of all the bullion recoverable from the ore, and that value was subject to taxation.

Upon first glance it might appear that the mining interests had somewhat lost their favorable position; the legislature of 1861 had exempted the production of mines from taxation, and then the 1862 legislature placed a tax of thirty cents per one hundred dollars value on the gross proceeds of the mines. However, upon closer scrutiny it becomes obvious that the mining interests were still very much in control of taxation policies. The tax on mines passed by the legislature in 1862 was a great deal less than the general property tax passed by the same lawmakers. The law pertaining to general property stated that:

An annual ad valorem tax of fifty cents upon each one hundred dollars of value of taxable property, for Territorial purposes, upon the assessed value of all property in this Territory, not by this Act exempt from taxation, is hereby levied and directed to be collected and paid; and upon the same property, the Board of Commissioners of each county is also hereby authorized and empowered to levy and collect, annually, a tax for county expenditures, not exceeding eighty cents on each one hundred dollars; . . .⁴

As is quite obvious when one compares the provisions of the two sections, the miners obtained an advantage of one dollar per hundred value over general property.

The desire for statehood had become very strong in 1862 and steps were taken at the second territorial legislative session to satisfy that desire. The legislators passed an act calling for a special election in September, 1863, in which the voters were to decide if they wanted statehood and to choose delegates to a constitutional convention. The voters indicated decisively in the September election that they desired statehood; the vote was 6,660 for statehood and only 1,502 against. They also elected thirty-nine delegates to the constitutional convention.⁵

The convention began on November 2, 1863, in Carson City. In the attempt to draw up a constitution for Nevada it soon became evident that the point of biggest contention was the procedure to be arrived at for taxing the mines. The lines of battle were soon drawn around the controversial first section of Article X in the proposed constitution which read as follows:

The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, including mines and mining property; excepting such property only as may be exempted by law for municipal, educational, literary, scientific, religious or charitable purposes.⁶

A majority of the delegates to the convention were determined to

insure that the constitution would specify that the mines would be taxed in the same manner as any other kind of property. However, there was strong opposition in the convention against the proposed Article X, which in effect seemed to tax a mining claim on the expectancy of future profits.⁷ One of the most effective adversaries of the mining clause was William Stewart, a Virginia City attorney who later became one of Nevada's first United States senators.⁸

Stewart argued that Article X would unfairly burden the miners by placing a tax on mines regardless of whether or not they were productive. He proposed an amendment, subsequently rejected by the convention, that would have authorized a tax on only the net proceeds of the mines. After the defeat of his amendment, Stewart turned all of his energies toward defeating the constitution as a whole. Stewart's efforts in behalf of the "poor miners" were rewarded, and on January 19, 1864, the constitution was defeated, largely because it did not contain his amendment.⁹

It perhaps seems strange in today's light that the populace of Nevada Territory would so decisively reject a constitution on the basis that it proposed to tax mines in a manner similar to other kinds of property, thus actually exempting their biggest potential source of revenue. This seems particularly difficult to comprehend in view of the fact that those same voters would then have to be taxed more heavily to make up the difference. However, upon closer scrutiny the reasoning behind the voters' actions becomes somewhat clearer.

A large proportion of Nevada's early mining population had come from California. California had long followed a custom of not taxing mines, despite the fact that a uniform tax on all property was provided for in the state's constitution. A general property tax had not been considered feasible in California due to the impermanent value of placer claims. What might constitute a valuable claim at assessment time would often be worthless by taxpaying time. California later applied this thinking to quartz-ledge mines even though their value had considerably greater stability. The miners simply carried this custom with them when they moved to Nevada.¹⁰ Since the mining of gold and silver was an extremely speculative venture in the 1860s, it should not be surprising to find that those people who held an interest in such mines voted against the proposed constitution.

The defeat of the first proposed constitution had by no means dampened the desire of Nevadans to join the Union. In July, 1864, a second convention was called in Carson City to frame a constitution. The new convention adopted most of the 1863 constitution with very little argument. The main point for discussion was once again the controversial provision for taxing the mines. This time the delegates were more susceptible to Stewart's proposal to tax only the "proceeds" of the mines; the wishes of the people had been made quite clear in the 1864 vote. There was still, however, some opposition by men who felt that the

profitable mine owners were making much of the plight of the "poor miners," hoping to escape the tax with them. This argument was well represented by a Mr. Collins in the debates during the convention. Mr. Collins stated:

I admit that a great deal was said—and very ingeniously said, too—against the policy of taxing a hole in the ground, and bed-rock tunnels, and all that, and about legislating against the "poor miner," by the men who claimed to represent the "poor miner," particularly; but that "poor miner" was a humbug and a myth. He has been aptly pictured as holding in one hand a number of shares of Gould & Curry stock, a like amount of Ophir stock in the other hand, and a quantity of Savage stock protruding from his pocket behind; with rotund belly and hawk nose, and dressed like a regular San Francisco "Cent-per-Cent." That is the "poor miner," who had been talked about so much. The truth is, that the miners who are proposed to be protected in this way, are those men who never had any interest in our community—men who do not live here, at all. Now, I should be willing to do anything to aid the laboring classes—anything to aid that class of poor men which my honorable friend from Storey, Mr. William M. Stewart, so eloquently depicted in the last convention, men whose hopes, he said, were about to be taxed.¹¹

Despite such opposition, the convention in 1864 adopted a constitution with the first section of Article X worded in the following manner:

The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, excepting mines and mining claims, the proceeds of which alone shall be taxed, and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious or charitable purposes.¹²

The new constitution with only minor changes, the most important of which was the provision to tax only the proceeds of mines, was sent to the people for a vote. The new constitution was adopted by a vote of 10,373 to 1,284.¹³

When Nevada's first legislature under the new constitution met in 1864, one of its most important problems was to interpret Article X of the constitution which provided for taxation of the "proceeds only" of mines. On March 9, 1865, the legislature approved a law that levied a tax of \$1.50 for the county and \$1.25 for the state on every \$100 of valuation. However, because of the special provisions of Section 99 these rates were only to apply to general property.¹⁴ Section 99 of the 1865 law pertained especially to the taxing of the proceeds of mines and read as follows:

An ad valorem tax of one hundred cents on each one hundred dollars valuation (after the deduction for cost of extracting and reducing as provided in this Act) is hereby levied and directed to be assessed, collected and paid every three months . . . for State and county purposes, on all ores, quartz, or minerals from which gold and silver, or either, is extracted by any mill, arastra, smelting furnace, or any process whatever in this State. All of said ores, quartz, or minerals, shall be assessed as follows: From the gross return or assessed value per ton, of all ores, quartz or minerals from which gold and silver, or either ore extracted in this State, there shall be deducted the sum of twenty dollars per ton, and upon seventy-five percent of the remainder (after such deduction is made aforesaid) shall be taxed and levied and collected, as provided in this Act.¹⁵

Section 99 of the 1865 law interprets the term "proceeds of mines," as used in Article X of the constitution, to mean the value of ores and not the value of the bullion. Section 99 specifies that the value of the ore is to be determined by deducting \$20 a ton from the bullion extracted, and then by taking 75 percent of the remainder as the value of the ore for taxation. This law had the specific effect of favoring mining products over other kinds of property by \$1.75 per \$100 valuation. In addition, Section 99 ensured that the tax on a ton of \$100 ore would be no more than 60 cents.¹⁶

By the end of 1866 the financial position of the state was the object of considerable concern. According to the State Controller's Report, as of December 31, 1866, the indebtedness of the state was \$585,168.29.¹⁷ A good deal of the blame for this unfavorable financial position was attributed to the insufficient revenues received from the taxation of mining proceeds. The state controller further reported:

During the past year the tax upon the proceeds of mines yielded the State Treasury the paltry sum of but little over \$10,000; that being the entire revenue derived from a bullion product exceeding \$16,000,000 in assay value.¹⁸

In an attempt to alleviate the dire financial condition of the state, a special session of the legislature was called on March 15, 1867. At this special session of the legislature, Section 99 was amended to allow a further deduction from the gross yield of ores. The amendment allowed a deduction of \$18 per ton on ores worked by any process without roasting, and \$40 per ton on ores worked by the Freiburg or roasting process.¹⁹ The new law further made it unlawful for Storey County to levy a tax for county purposes on proceeds of mines and mining claims at a rate higher than 25 cents per \$100 value. Other property in Storey County was subject to a tax levy of \$1.50 per \$100 value.²⁰ This special

restriction applied only to Storey County and excluded mines in the other counties from its highly beneficial provisions.

While the special session of the legislature was in the process of amending Section 99, the controversial provision was under the scrutiny of another agency of the state, the Nevada Supreme Court. The constitutionality of Section 99 was being questioned in the case *State of Nevada, Appellant v. Daniel E. Eastabrook, Respondent*, brought to the Nevada Supreme Court on appeal from the District Court of the Second Judicial District. This was an action brought against the defendant for taxes due the state and the county of Ormsby for the year 1866. The defense argued that Section 99 of the 1865 revenue act discriminated in favor of the mines by levying a smaller tax on them than on other property. For this reason, the defense claimed the revenue law of 1865 was in contradiction to the constitution which required all taxation to be equal and uniform. The court in its decision indicated:

We have no hesitation in saying that the constitutional convention, . . . meant to provide for at least one thing in regard to taxation: that is, that all ad valorem taxes should be of a uniform rate or percentage. That one species of taxable property should not pay a higher rate of taxes than other kinds of property . . .²¹

The decision of the court further stated:

Section 99 imposes on the products of the mines an annual *ad valorem* tax of one per cent for State and county . . . This clause can receive but one of two constructions; it was either intended to fix the entire rate of taxation for the products of mines at \$1.00 on the hundred for State and county purposes, in lieu of the \$2.75 fixed for other property; or else . . . it is really an additional tax on mining products of one percent over and above the ordinary tax imposed on other property. In either event, the clause is equally void. The legislature could neither make the tax greater nor less on the products of mines than on other property. . . . The closing sentence of Section 99 directs a tax to be levied on three-fourths of the value, previously ascertained, of the proceeds of the mine. This is clearly unconstitutional. The value is taxable at the same rate as all other property.²²

With the decision of the court declaring the revenue act of 1865 unconstitutional, the legislature found itself once again faced with the problem of how to tax the proceeds of the mines.

On February 28, 1871, the legislature made further changes in the law on the taxation of bullion. The new law allowed a deduction from the product of mines of an amount per ton to cover the cost of extracting the ore and converting it to bullion. A scale of limitations was formulated indicating the amount that would be allowed for these costs. On ores

that yielded \$12 or less per ton, a deduction of 90 percent of their value was approved. If the ores yielded between \$12 and \$30, a deduction of 80 percent was acceptable. Those ores that ran between \$30 and \$100 were allowed a deduction of 60 percent of their value. Any ores yielding \$100 per ton or more were given a 50 percent deduction, if it could be proven that this was the actual expense of extraction and reduction. To further sweeten the law for the mines there was an additional provision which allowed a further deduction of \$15 per ton for ores worked by the dry or Freiberg process.²³ The 1871 law, by placing a maximum limitation on such deductions, probably had the effect of encouraging mine owners to report costs up to the limit, whether or not the actual costs were that high.

On February 20, 1875, a new revenue law was passed which brought about radical changes in the bullion tax. The 1875 law read as follows:

The Boards of County Commissioners of the several counties of this State . . . are hereby authorized and empowered to levy . . . an ad valorem tax for county purposes not exceeding the sum of one hundred and fifty cents on each one hundred dollars value of all taxable property in the county, including the proceeds of mines and mining claims.²⁴

The above law repealed the provision in the revenue act of 1867 which restricted Storey County taxation of bullion to a rate no higher than 25 cents per \$100 of valuation. The limit for Storey County under the new law was to be \$1.50 per \$100 valuation of bullion, the same as the tax on all other kinds of property.

This new revenue law of 1875 was destined to start a storm over the bullion-tax question that would rage until it finally reached the Supreme Court of the United States. The change in the law of 1875 from a tax of 25 cents to \$1.50 per \$100 in Storey County was going to hit the new "Bonanza Firm" of John W. Mackay, James G. Fair, James C. Flood, and William O'Brien with a tax that William Sharon and the "Bank crowd" had escaped. The Consolidated Virginia and California mines were obviously going to have to carry the burden of taxation under the new law and the owners were not happy. It did not help smooth the feelings of the Consolidated Virginia and California owners to know that they would be forced to pay a large proportion of the Storey County railway bonds, which in effect meant, the money was going to the California Bank stockholders. Consolidated Virginia and California's answer to the unfavorable situation was to claim that the 1875 law was unconstitutional and to refuse to pay any taxes to the county or the state. They prepared to carry their fight to the United States Supreme Court if necessary.²⁵

The district attorney of Storey County, R. L. Lindsay, made a statement at a special meeting of the Board of County Commissioners, concerning the delinquent bullion taxes, that in some respects turned out to

be prophetic. The meeting took place on March 23, 1876, and Mr. Lindsay indicated that:

. . . he believed the policy of the enemy, from all information he could gain from its camp, to be litigious to the end, even to carrying the matter to the Supreme Court of the United States. This would cause a delay of three years in the collection of the tax, and this delay was exactly what the enemy wanted. The suit would first have to be brought in the District Court here, in the name of the State . . . In case of an adverse decision the defendant could appeal the case to the Supreme Court of the United States. In the meantime a State election would be held and a session of the Legislature. They can by litigation so delay the matter as to secure more favorable legislation.²⁶

Mr. Lindsay was correct in his assumption that the Consolidated Virginia and California Mining Companies were preparing to wage a lengthy court fight to obtain their ends. As of May, 1877, there were two suits pending in District Court against both the Consolidated Virginia and California Mining Companies. In addition there was one suit pending against each company in the Nevada Supreme Court. The major suit pending at the time, however, was the case entitled *Forbes v. Thomas Gracey*, on appeal in the United States Supreme Court.²⁷

District Attorney Lindsay was further correct in his assumption that the mining companies would attempt to make use of the delays in litigation to gain favorable legislation. The hoped-for legislation appeared in the form of the Compromise Bill of February, 1877, which will be dealt with in due course. The one thing that Mr. Lindsay did not foresee was the role to be played in the bullion-tax struggle by "Broadhorns" Bradley.

Lewis R. Bradley was a plain, blunt man who made his first conspicuous appearance in Nevada in the fall of 1870 when the Democratic party nominated him for governor. He subsequently won the election in November of 1870 and became the second governor of Nevada.

Governor Bradley was, by nature and circumstance, "one of the people." He was born in Orange County, Virginia, on February 18, 1805.²⁸ When Bradley was thirteen years old his father died and at that early age he had to take care of his mother and several brothers and sisters. Due to the press of such responsibilities, Bradley had found little time for study and received only a very limited formal education; but he possessed a rugged honesty and manliness which, coupled with a simplicity of manners, attracted people to him. (There is a story told of him when he was governor that illustrates this manner. On an occasion when a certain public figure was talking learnedly about the "status" of an objectionable bill pending in the legislature, Governor Bradley remarked, "I don't know what you mean by the 'status' of that bill, sir, but it's a bad bill and it oughtn't to pass."²⁹)

In 1844, Lewis R. Bradley moved to Missouri where he engaged in farming until 1852, when he migrated to California with a large herd of cattle. The following year he recrossed the plains and then returned with another herd of cattle and horses; he then settled in San Joaquin County, California, and engaged in a large stock-raising enterprise. Bradley's efforts at stock raising were successful and he amassed considerable wealth.

Lewis R. Bradley began his political career in California in 1860 when he was selected as a delegate to the Democratic National Convention. While at the convention, he was elected a member of the California Assembly by the voters. In 1863, he moved to Austin, Nevada, where he continued in the stock raising business.³⁰ In 1866, Bradley settled in Elko County and served as county commissioner and treasurer. In 1870, he became governor of Nevada, and with his subsequent reelection in 1874 there began a period of eight years before the Republicans regained their power in the state.

In 1877, while serving his second term, Governor Bradley took certain steps which embroiled him deeply in the bullion-tax fight. In his message to the legislature on January 1, 1877, Bradley presented an indictment of the mining companies that were refusing to pay their constitutional taxes. The tone of the governor's message is illustrated in the following excerpt:

. . . mining being our greatest industry it was thought best by the people in framing their Constitution to foster it to the fullest extent, and therefore exempted it from taxation, stipulating that only the proceeds of the mines should be taxed.

Our Legislature, controlled by the same spirit of fostering care, did not require all the proceeds of the mines to be assessed as they certainly could have done under our Constitution, but they required that the net proceeds only should be taxed, allowing a large and liberal deduction for mining, hauling and milling. . . . By what rule of right then, can these foreign corporations, favored as they are by the exemption of their property from taxation, go into our Courts, and even into the Courts of the United States, to hinder, delay and, if possible, prevent the collection of taxes on the net proceeds of mines?³¹

Governor Bradley's message quickly served to make him the enemy of the richest mining companies on the Comstock. The mining companies were quick to respond to the governor's message via friendly newspapers. The following example is typical of the response:

The most striking feature of the message of Governor Bradley to the Legislature is the hostility which it exhibits toward the mining interest of the State. . . . It is the mines of the State which alone make the existence of a State Government possible. Without the mines there would be no other property to

tax. Let the mining industry cease today and in one year from to-day the shops and stores of the towns would be tenantless, the farms of the valley deserted, and the whistle of the locomotive would no longer be heard in the land.³²

The above article was clearly intended to make sure that the people of Nevada, and the legislature in particular, were aware of the fact that their existence depended upon the Comstock. It was a not too subtle threat in essence; the battle began to heat up.

While the suits against the Consolidated Virginia and California Mining Companies were still pending in the courts, the mine owners were attempting to pressure the legislature into passing legislation favorable to their interests. In February of 1877 a bill designed to effect a compromise between the Consolidated Virginia and California Mining Companies and officials of the state and Storey County was introduced into the legislature. The suggested compromise would have altered the 1871 law by increasing the limitations allowed in the deductions for the costs of producing bullion. In addition the compromise would allow a deduction for expenses equal to those limits, regardless of whether the actual costs of production were that high. What this change in the methods of taxing mining proceeds would amount to in actual practice was a reduction in the tax on bullion of about one-third.³³ Consolidated Virginia and California owners promised that if the legislature passed the bill, they would then pay all of the state and county taxes that they had formerly refused to pay.

Proponents of, and opponents to, the compromise mustered their forces to exert pressure on the legislature. Both major political parties had in the previous election expressed their opposition to any changes in the law under which mining proceeds were taxed. The Democratic party had a plank in its platform similar to the following one which appeared in the Republican party platform:

Whereas, in all just governments the principle of equalization is recognized as best calculated to protect the different properties and industries of the community from invidious discrimination; and whereas it is eminently just and proper that the mining industries of the State should bear their proportionate part of the burden of taxation; and whereas, the Constitution . . . directly authorizes the taxation of the proceeds of the mines; . . . the Republican party is opposed to any repeal or change of the present law providing for the taxation of the net proceeds of the mines . . .³⁴

At the slightest indication that a legislator was wavering from the stand expressed in the platforms of the parties, some newspaper was bound to bring up those troublesome campaign promises. The reminders generally appeared somewhat like this:

It is reported that one of the Republican members of the Elko delegation, in the Legislature, has very recently shown a disposition to side with those who are urging a modification of the bullion-tax law in the interest of the mine owners. It would certainly be a breach of faith in any legislator from Elko to support that measure considering the fact that both political platforms on which our representation were elected contained provisions against any change of the law in that respect, and public sentiment is, if any different, stronger now than when those platforms were adopted.³⁵

All newspaper sentiment was not, however, opposed to any modification of the mining-tax laws. Those papers which supported the mining interests were open in their attempts to influence the legislators to accept the compromise. The following newspaper article states:

To those legislators who feel bound by their pledges, we wish to say that no pledge made in a political convention is intended to outlive the wishes of the people in whose behalf that pledge was made. More than half the people of this State, representing more than half the property of the State, demand that the pledge taken at the convention shall be so modified as that this bill shall be supported. We hear no protest from any other quarter. Businessmen all over this state want just as few lawsuits as possible. They want no unnecessary clashing between the mining interests and the other interests of the State. We ask legislators to take these things into consideration when this bill is brought before them.³⁶

Despite the plea of Governor Bradley in his message, despite the campaign promises of legislators in both political parties, and despite the opposition of ordinary taxpayers, the compromise bill passed the legislature at the end of February. Once again the money and power of the mining companies had been able to obtain the mine owners' objectives.

Governor Bradley, however, was now firmly committed to the battle to prevent the mining companies from escaping their share of taxation. On March 1, 1877, he vetoed the bill. The governor's veto message stated:

. . . that it does not become the dignity of a State to be dictated to by a couple of nonresident corporations, nor does experience teach us that a submission to the demands of wealth to-day, will prevent it from doubling its demands tomorrow. If this Legislature, pledged as it is to the whole people of the State to protect them against the release of these foreign corporations from the payment of taxes upon their profits, choose to go back upon their pledges, and turn over the State, bound hand and foot, to these companies, I cannot help it, but no part of the crime shall rest upon my shoulders. . . .³⁷

Governor Bradley's strong statement in his veto message drew a quick

response from friends and enemies across the state. The newspapers exerted great efforts in either extolling the virtues of Governor Bradley or in vehemently denouncing him. An article in his support stated:

. . . It is a pity that Messrs. Fair & Co. could not purchase the old gentleman, as they evidently have a great portion of the press and Legislature, for then everything would have been smooth and lovely until the bloated bonanza kings should again see fit to give the financial thumb screw another turn. . . .³⁸

Governor Bradley's action received considerable praise throughout the state as is illustrated in the following:

In vetoing the so-called Compromise bill to regulate the assessment and collection of the tax on the net proceeds of mines, Governor Bradley has deserved well of the people of this State. We are always glad to do justice to a political opponent and on this occasion we tender the Governor our hearty thanks for his action.³⁹

The press of Storey County, under the influence of the mining companies, was particularly abusive in their denunciation of Governor Bradley's veto. The *Virginia Evening Chronicle* printed the following:

A general feeling of disgust and indignation will be aroused by the news that Governor Bradley has vetoed the amended Bullion-tax bill . . . It is a standing remark at Carson, that, if all the businessmen of the State begged Bradley to do a certain thing and one owner of a spavined old ox asked him not to do it, the Governor would certainly not do it; and we believe he wouldn't.⁴⁰

The *Territorial Enterprise* was even more abusive:

Yesterday was one of the saddest days ever seen in Virginia. The shadow of a great calamity was felt everywhere, and over all was the feeling that the people had been spat upon and betrayed by the old imbecile whose only claim for respect among men has been his reputation for honesty . . . As we said above, we do not desire to say harsh words of Governor Bradley now, but would to God that he were a young man, that we might publish how much we wish that he was dead.⁴¹

Quotations such as those above offer a clear illustration of the abuse heaped upon those people who opposed the wishes of the mining interests in Storey County. Even the highest official in the state was not safe from the crudest printed attacks.

Governor Bradley's veto of the proposed compromise did not discourage the Consolidated Virginia and California Mining Companies in their attempts to avoid paying the bullion tax. Since they had been unsuccessful in their attempt to gain favorable legislation they turned their efforts to different methods. On March 17, 1877, John W. Mackay and

James G. Fair, through an intermediary, made a compromise proposal to the Board of County Commissioners of Storey County. The mine owners proposed to loan Storey County the sum of \$80,000 to be used in the general and school funds of the county. They further obligated themselves under the terms of the proposal to advance to the county for the next four quarters a sum equal to fifty cents on each \$100 of the value of the bullion produced from the mines of the Consolidated Virginia Mining Company and the California Mining Company. This amount was to be paid on the value of the bullion after the costs of production had been subtracted. The proposal further required that when a final decision was reached in the suits pending in court, that the obligation to make further advances would cease. Furthermore, if the court suit was decided against the mine owners, then the money which had been advanced would be considered part payment of the taxes owed by the mining companies. In addition, if the suit went against the mining companies, the Board of County Commissioners would be obligated to release the mine owners from all penalties and percentages that they were liable for due to their failure to pay their taxes.⁴² There was, however, considerable opposition to this compromise proposal, and a great deal of difficulty in determining its legality. As a result of these difficulties the proposal was dropped within a few days and never became effective.

The "Bonanza" firm had still not given up its attempt to settle on a compromise of the bullion tax problem. During the first few days of May, 1877, the mine owners offered the officials of the state and of Storey County another compromise. At that time there was a total of four suits pending against the Consolidated Virginia and California Mining Companies in the district court, and two more pending in the Nevada Supreme Court. The mine owners agreed to pay all they owed in these pending suits, including the costs of the suits, which amounted to a total of \$302,601.31. They did not, however, agree to pay the penalties and percentages which had accrued for non-payment of the taxes.⁴³

The condition upon which the mining companies agreed to pay was that in the cases pending in the Nevada Supreme Court if the court decided against them they would be entitled to an order staying execution of an amount of the judgment equal to the penalties and percentages until April 1, 1879. Storey County officials accepted the proposal and on May 5, 1877, the sum of \$290,275.93 was paid into the Storey County treasury.⁴⁴ The Consolidated Virginia and California Mining Companies were hoping that since the legislature would meet before April 1, 1879, they could obtain a law preventing the collection of the penalties.

It is interesting to note the reasons given by James G. Fair for having paid the taxes. Mr. Fair stated:

We paid the money neither because we thought the tax was just nor because, in the judgment of our attorneys, we should eventually be obliged to pay it. We all feel that we had good

cause for resisting the tax; we know that we could have worn out the State and county, and that, if we had not beaten the suits entirely, we would eventually have compelled a compromise upon our own terms. The reasons for the present course are just these: After the veto of the Compromise Bill by the Governor, money had to be raised to meet the liabilities accrued and accruing against this county. The whole business of the county was suffering; there was money neither for the schools nor the Hospital, and at the time the business of the city was in such a state that the putting in circulation of \$100,000, or the withholding of that sum might mean the saving or the bankruptcy of a score of merchants. In such an emergency, Mackay and myself could not resist the appeal and so *loaned* the county the money . . . The difference between what we think we ought to pay and the full measure of the taxes we have paid today, with exactly such feelings and through just such a motive as Mackay and myself gave a contribution to the Relief Committee on Wednesday last.⁴⁵

Mr. Fair seems unaware of the fact that the terrible financial situation which he and his fellow humanitarian, Mr. Mackay, hastened to remedy was the result of their lengthy refusal to pay their legal taxes. It is more probable that their haste to pay the taxes was due to information that the United States Supreme Court was about to hand down its decision on the bullion tax issue.

On May 7, 1877, the United States Supreme Court handed down its decision in the case of *Charles Forbes v. Thomas Gracey*. This was a suit brought by appellant to prevent the Storey County assessor, Thomas Gracey, from collecting a tax on the proceeds of the Consolidated Virginia Mining Company in which Charles Forbes was a stockholder. The state tax was resisted on the grounds that title to the land from which the mineral was taken belonged to the United States, and therefore the mineral was not subject to taxation by the state.⁴⁶

The United States Supreme Court decided against the mining companies. The court declared:

. . . it is clear that it is the ore, after it has been separated from the bed in which it is found, and its proceeds and products, which are taxed, and not the ore or mineral in the earth . . . The moment this ore becomes detached from the soil in which it is imbedded it becomes personal property, the ownership of which is in the man whose labor, capital and skill has discovered and developed the mine and extracted the ore or other mineral products. It is then free from any lien, claim or title of the United States, and is rightfully subject to taxation by the State as any other personal property is.⁴⁷

The court further declared that the Nevada law which made a tax on ore a lien on the mine or mining claim from which the ore was extracted was

in no way interference with the government's property rights in the land itself.⁴⁸

The legality of the tax on bullion had now been definitely established by the United States Supreme Court. However, the mining companies had only two days before, in anticipation of the decision, paid the taxes minus the accrued penalties. The problem at this point was one of establishing the legality of the action taken which allowed for the release of the penalty obligation.

During the legislative session of 1879 a law was passed which formally released the mining companies from the payment of the penalties due.⁴⁹ Governor Bradley had been defeated in 1878 in his attempt to win a third term. The new governor, Governor John H. Kinkead, was more amenable to the mining interests and he willingly signed the new law.

Immediately after the 1879 session of the legislature adjourned, the attorney general of Nevada requested the Nevada Supreme Court to test the constitutionality of the new law which released the mining companies from payment of penalties. The Nevada Supreme Court held the law to be unconstitutional and ordered the case returned to district court in Storey County. The mining companies claimed that the act passed by the legislature of 1879 released them from payment of penalties. The district court granted judgment in favor of the state; the Consolidated Virginia and California then appealed the decision to the Nevada Supreme Court in November of 1880. The Nevada Supreme Court ruled against the mining companies and declared the act unconstitutional on the grounds that Storey County had no power to accept less than the full amount of taxes and penalties legally accrued.⁵⁰

In one further attempt to avoid the payment of penalties, the mining companies induced the 1881 session of the legislature to pass an act to give legal effect to the agreement entered into in May of 1877 between the Consolidated Virginia and California Companies and the officials of the state and Storey County. The bill was written in a manner designed to avoid the constitutional objections of the court to the 1879 law. However, this time Governor Kinkead bowed to the inevitable and vetoed the bill on March 3, 1881.⁵¹ In April of 1882, the mining companies paid the Storey County treasurer the sum of \$72,568.99, the amount due in penalties.⁵² Thus ended a long and tedious battle in the courts fought by the mining companies to escape payment of their just proportion of legal taxation.

The litigation may have gone against the Consolidated Virginia and California Mining Companies, but the legislature still had one big bonus to present them. In 1885 the legislature passed a law which in effect meant much more savings for the mining companies than if the litigation had turned out favorably. The law approved on March 2, 1885, amended Section 1 of the 1871 law to read:

All ores, tailings and mineral bearing material, of whatever

character, shall be assessed for purposes of taxation, for State and county purposes in the following manner: From the gross yield, return, or value of all ores, tailings, or mineral bearing material, of whatever character, there shall be deducted the actual cost of extracting said ores or minerals from the mine, the actual cost of saving said tailings, the actual cost of transportation of said ores, mineral bearing material, or tailings to the place of reduction or sale, and the actual cost of such reduction or sale; and the remainder shall be deemed the net proceeds, and shall be assessed and taxed as provided for in this Act.⁵³

The effect of this law was that the mining companies could deduct the total costs of mining, transportation, and reduction of the ores. Quite understandably such costs rose appreciably after the passage of this law. The mining companies were not above padding their expenses in order to reduce the amount upon which taxes would be assessed.

The citing of a few figures should give an appreciation of the differences in the proportion of the gross yields of mines upon which taxes were levied prior to passage of the 1885 law and after passage of the law. For example, in the twelve-month period beginning October 1, 1883, and ending September 30, 1884, Storey County had a gross yield of ores from mines of \$2,399,498.23 out of which taxes were levied on \$418,592.21.⁵⁴ After the law was passed in 1885, however, for the twelve months beginning October 1, 1885, and ending September 30, 1886, taxes were levied on only \$51,480.61 out of a gross yield value of \$2,997,881.84 in ores produced in Storey County.⁵⁵ Roughly figured the comparison would indicate that in the first twelve-month period indicated, about one-sixth of the gross yield was subject to taxation, while in the second twelve-month period referred to, after the 1885 law was passed, only about one-sixtieth of the gross yield was subject to taxation. These figures would seem to indicate that in the case of Storey County mine owners, at least, the new law was quite an advantage. Even in a cursory comparison of the totals in gross yield and net yield taxed for all counties in the two twelve-month periods, it is evident that although the gross value was almost the same, the net yield taxed was considerably less than half in the period after the law of 1885 was passed. Thus ended, for all practical purposes, the Nevada controversy over the bullion tax.

Notes

1. Romanzo Colfax Adams, *Taxation in Nevada, a History*, Vol. I of "Nevada Applied History Series" (Reno: Nevada Historical Society, 1918), pp. 24-25. (Hereinafter referred to as Adams, *Taxation in Nevada*.)
2. Nevada, *Territorial Statutes* (1861), p. 146.
3. Nevada, *Territorial Statutes* (1862), Chapter CXXIV, Sec. 98, p. 161.

4. *Ibid.*, Sec. 1, p. 131.
5. Eleanore Bushnell, *The Nevada Constitution: Origin and Growth* (Rev. Ed.; Reno: University of Nevada Press, 1968), p. 29. (Hereinafter referred to as Bushnell, *Nevada Constitution*.)
6. Andrew J. Marsh, Official Reporter, *Official Report of the Debates and Proceedings in the Constitutional Convention of the State of Nevada, Assembled at Carson City, July 4, 1864, to Form a Constitution and State Government* (San Francisco: Frank Eastman, Printer, 1866), p. 30. (Hereinafter referred to as Marsh, *Debates in the Constitutional Convention*.)
7. Myron Angel, ed., *Reproduction of Thompson and West's "History of Nevada" 1881, With Illustrations and Biographical Sketches of Its Prominent Men and Pioneers* (Berkeley: Howell-North, 1958), p. 122. (Hereinafter referred to as Angel, *Thompson and West's "History of Nevada"*.)
8. Bushnell, *Nevada Constitution*, p. 31.
9. Angel, *Thompson and West's "History of Nevada"*, pp. 122–123.
10. Adams, *Taxation in Nevada*, p. 19.
11. Marsh, *Debates in the Constitutional Convention*, p. 325.
12. *Ibid.*, p. 44.
13. Angel, *Thompson and West's "History of Nevada"*, p. 123.
14. *Ibid.*
15. Nevada, *Statutes* (1864–65), Chapter LXXXV, Sec. 99, p. 306.
16. Angel, *Thompson and West's "History of Nevada"*, p. 123.
17. Nevada, *Journal of the Proceedings of the Senate, Special Session* (1867), State Controller's Report for 1866, p. 29.
18. *Ibid.*, p. 6.
19. Nevada, *Statutes: Special Session* (1867), Chapter III, Sec. 3, p. 160.
20. *Ibid.*, Chapter IV, Sec. 1, p. 163.
21. *State of Nevada, Appellant v. Daniel E. Eastabrook, Respondent*, 3 Nev. 173 (1867).
22. *Ibid.*
23. Angel, *Thompson and West's "History of Nevada"*, p. 124.
24. Nevada, *Statutes* (1875), Chapter XXXI, Sec. 1, pp. 74–75.
25. Angel, *Thompson and West's "History of Nevada"*, p. 126.
26. *Territorial Enterprise*, Mar. 24, 1876, p. 3.
27. *Ibid.*, May 6, 1877, p. 3.
28. Carson City Morning Appeal, Mar. 22, 1879, p. 3. Both James Graves Scrugham, ed., *Nevada; a Narrative of the Conquest of a Frontier Land; Comprising the Story of Her People from the Dawn of History to the Present Time* (3 vols.; Chicago: American Historical Society, 1935), I, 271 in a footnote, and Hubert Howe Bancroft, *History of the Pacific States of North America*, Vol. XX: *History of Nevada, Colorado, and Wyoming, 1540–1888* (San Francisco: The History Co., 1890), p. 194, in a footnote, give Governor Bradley's birthdate as 1806. In "Lewis R. Bradley," *National Cyclopaedia of American Biography*, 1909, XI, 201, his birthdate is given as 1805.
29. Carson City Morning Appeal, Mar. 22, 1879, p. 2.
30. *Ibid.*, p. 3. Here again sources differ considerably concerning significant dates in Governor Bradley's life. In "Lewis R. Bradley," *National Cyclopaedia of American Biography*, 1909, XI, 201, he is referred to as living in Stockton, California, from 1852 until 1866, and not moving to Nevada until 1866. Scrugham, *Nevada*,

- I, p. 271, in a footnote, states that Bradley settled in Lander County, Nevada, in 1862. Bancroft, *History of the Pacific States of North America*, p. 194, in a footnote, claims also that he moved to Nevada in 1862.
31. Nevada, *Appendix to Journals of Senate and Assembly* (1877), Vol. I, pp. 7-8.
32. *Territorial Enterprise*, Jan. 18, 1877, p. 2.
33. Angel, *Thompson and West's "History of Nevada,"* p. 127.
34. *Territorial Enterprise*, Aug. 26, 1876, p. 3.
35. *Weekly Elko Independent*, Feb. 25, 1877, p. 2.
36. *Territorial Enterprise*, Feb. 16, 1877, p. 2.
37. Nevada, *Journal of the Senate* (1877), pp. 315-316.
38. *Weekly Elko Independent*, Mar. 4, 1877, p. 2.
39. *Eureka Daily Republican*, Mar. 2, 1877, p. 2.
40. *Virginia Evening Chronicle*, Mar. 1, 1877, p. 2.
41. *Territorial Enterprise*, Mar. 2, 1877, p. 3.
42. *Ibid.*, Mar. 18, 1877, p. 3.
43. *Ibid.*, May 6, 1877, p. 3.
44. *Ibid.*
45. *Ibid.*, p. 2.
46. *Ibid.*, May 23, 1877, p. 2.
47. *Ibid.*
48. *Ibid.*
49. Nevada, *Appendix to Journals of Senate and Assembly* (1883), Reports of Attorney General for years 1881 and 1882, p. 9.
50. *Ibid.*
51. *Virginia City Chronicle*, Mar. 4, 1881, p. 2.
52. Nevada, *Appendix to Journals of Senate and Assembly* (1883), Reports of Attorney General for years 1881 and 1882, p. 9.
53. Nevada, *Statutes* (1885), Chapter XLVIII, Sec. 1, pp. 49-50.
54. Nevada, *Appendix to Journals of Senate and Assembly* (1885), State Controller's Report for fiscal year ending Dec. 31, 1884, p. 62.
55. *Ibid.* (1887), for year ending Dec. 31, 1886, p. 53.

The Last Indian Uprising In The United States

*Little High Rock Canyon, Nevada,
January 19, 1911*

by Frank Vernon Perry

The following account of the last Indian uprising in America, also known as the "Indian Massacre of 1911," was written by Mr. Frank Perry some years after the incident at Little High Rock Canyon. Mr. Perry was a member of the posse that pursued and caught Shoshone Mike and his small tribe. Perry's description of the chase and massacre is presented here as he wrote it, without correction.

THIS ACCOUNT is of the last Indian uprising in the United States with it's complete story of the tragedy that occurred in Little High Rock Canyon, in northeastern Washoe County, Nevada. The massacre of four stock men, by a band of outlaw renegade Indians, their pursuit, and the battle that followed in Humboldt County, Nevada; a trail of over two hundred miles through the northern wastes of Nevada, in the middle of winter, snow knee deep to a saddle horse, on the start, blizzards and plenty cold weather.

This part of northern Washoe County, and Humboldt County was principally controlled by Miller and Lux Inc. Land and Cattle. From Surprise Valley east to Pine Forest Range was known as "Black Rock Division." From Pine Forest east and including Quinn River Crossing was known as "Quinn River Division." To the Oregon line and on into Oregon ranches were few and far between. Humphrey and Moffitt Co. ran considerable cattle in Surprise Valley, and holdings east of Surprise

Valley, known as Home Camp Outfit, of which Harry Cambron was overseer. Gerlach Land and Livestock owned ranches, land, and cattle from Gerlach, Nevada to the lower end of Surprise Valley, having a large ranch there known as the "Bear Ranch."

At this time there were quite a few Basque sheepmen in Surprise Valley that ran their herds in the warmer range in the summer and wintered at or near Little High Rock Lake, and on the edge of the Black Rock Desert. They nearly always had a sufficient supply of cottonseed meal on hand or where it could be easily reached in case of a severe winter.

William Scott, of Eagleville, California, started in sheep business in 1906. He branched out to Denio, Oregon where he became affiliated with Thomas Dufferino. At his death in 1922, Scott and Dufferino were the largest sheep owners in northern Nevada and southern Oregon, running and having interests in over one hundred thousand head. Their headquarters, shearing corrals and supply camp were at Denio, Oregon.

The winter of 1910 and 1911 was a very mild winter up to January 9th, 1911. It started snowing and kept up for several days, with a wind that kept drifting snow into huge piles which made travel almost impossible. In those days there was no equipment like we have now. It was horse and man power then. After snowing for a week or more, it turned cold, below zero weather. It was a very severe winter, and continued so until our return back to Surprise, which was about March 8th.

John Erromouspe, John Laxague, were very prominent sheep men of Eagleville, California. Bert "Dominic" Indiano worked for them as camp tender. John Erromouspe was married, and the father of two small boys. John Laxague was also married, and the father of four children. Dominic Indiano was single. Harry Cambron, long time resident of Surprise Valley, and as mentioned before, associated with Humphrey and Moffitt. Harry was a very ambitious young man, efficient, capable, and held by the highest esteem of all who knew him. He was to have been married very soon at the time of his death, to Miss Laura Murphy. Her folks being old time residents of Surprise Valley.

January 17th, Harry Cambron, John Erromouspe, John Laxague, well mounted, and dressed for the cold, started out for High Rock Lake to learn how their stock were making it on their winter range. Their first day was made to Home Camp. The next day, January 18th, they arrived at William Denio's homestead ranch, a distance of about 60 miles from Eagleville. It was slow going, for they had to break their own trail. Snow was around three feet deep, and in places horses would flounder to their bellies in drifts.

It is about four miles from Denio's place to head of Little High Rock Canyon. There are three tributaries to High Rock Lake. Big High Rock Canyon, possibly twenty five miles long flowing in from north west, fed by several other streams which flow considerable water in the spring runoff.

Cottonwood, and Wall Canyon Creeks from the south slope. Badger mountain, Hanging Rock next flowing into Big High Rock and Yellow Rock flowing in below. Little High Rock Canyon flows into the lake about six miles south of Big High Rock, next to Smoky Canyon, flowing in from southwest. High Rock Lake is dry most of the time excepting flood time in the spring runoff.

The old Immigrant road or "Applegate Trail" as officially known, wound through Big High Rock Canyon, coming out of High Rock at what is known now as Massacre. There an attack was made by Indians on a train of Immigrants. There were several massacred and buried there. There still can be seen the initials and names of several of the parties near the mouth of the canyon, dating back to the early 1850's.

High Rock Lake vicinity was a very suitable winter range for sheep, and it was undoubtedly these sheep men's intentions if necessary, to haul feed, cotton cake meal or corn, from Gerlach, Nevada, which they had undoubtedly had stored at the time. The evening Cambron, Erromouspe and Laxague arrived at Denio's place, they were met by Dominic Indiano. He was coming up Little High Rock Canyon from sheep camp on High Rock Lake. At this time there was a band of roving renegade Indians camped in Little High Rock Canyon, a mile or so below head of canyon. This band was headed by a stalwart old Indian, who called himself "Shoshone Mike," or sometimes known as "Salmon River Mike." These Indians were seen coming through Surprise Valley, from Oregon way sometime before the big snow. They stopped at Eagleville, Modoc County, California, and bought supplies. Afterwards headed out east into Washoe County, Nevada, and on into Little High Rock Canyon where they made their camp at or about the time of the snow on January 9, 1911. No one paid any attention to roving Indians in those days, as they were a common sight. Their camp was situated about three hundred feet above the floor of the Canyon, under an overhanging jet of rim rock which offered them protection against storm, and any kind of attack that might ensue. They had killed a good many cattle belonging to outfits that were unable to get them out before the storm. It looked as though they killed these cattle for two reasons. One for the meat they needed, and the other to attract someones attention to get them in the canyon where they could ambush them. They got what horses they could and pulled out, as they had lost practically all their horses from starvation. They would shoot a critter down, and maybe only cut off a hind quarter, leave the rest, and cover with sagebrush; possibly to keep wild animals from molesting. There was one cave found that had near a ton or more meat they had cut up to make into jerky.

There was an open draw which could be descended from top of rim rock above their camp to the bottom of the canyon, which passed within a hundred yards west of their camp. From their camp to the bottom of the canyon was a well beaten path, as they used it coming to and fro. It was

the same passage used by Cambron, Erromouspe and Indiano, as they descended from the rim rock above to the bottom of the canyon to investigate slain cattle Indiano told them of seeing the night before. And to their awful fate. No one knows what they thought, but they undoubtedly knew something was wrong, and they must have seen human tracks. The only weapon they had was a 32 automatic belonging to Harry Cambron.

Billy Denio and his wife were the last ones to see these men alive. It was said later by "Snake" the Indian girl taken alive that her father "Shoshone Mike" must have been on the look out and saw these men riding into Denio's place that evening, for as Indiano rode through the canyon he evidently stopped to notice a couple of beef that had been killed near the trail he was following. Some of Mike's band wanted to kill Indiano then, but Mike said "no, in the morning three more men come, get more horses." Mike must have figured Indiano would tell them of seeing slaughtered cattle, and would be sure to investigate. Indiano never knew he was being watched by Indians.

William Denio and his wife lived alone in their three room house on their homestead. They had a one room building with accommodations for anyone staying for the night, and another out house used as supply house. Sometimes it was used by sheepmen for supplies. The night before we left on the Indian trail there were nearly fifty-five men at Denio's. They were very hospitable people, and did everything to make everyone as comfortable as possible. We all took our turn at helping out, with chores, cutting wood, washing dishes, etc. we had plenty to eat but not enough beds. With three feet of snow and crusted over, it was quite a chore to gather sagebrush and keep a fire going all night to keep us warm.

After Indiano told Cambron and others what he had seen in High Rock, they must have known something was wrong, for instead of going down the canyon Indiano had come up the night before they took to the north rim and followed to draw mentioned before. The Indians were concealed in the willows along the creek bank waiting for them to approach the dead animals Indiano saw the night before. As they drew near, possibly seventy-five yards, Indians started shooting. They had no warning, no chance. Cambron never had a chance to draw his automatic. The men were all shot through the head. After they were shot down the Indians must have walked up and shot them through the head to be sure they were dead. The Indians then proceeded to take all their personal belongings, including clothes. They were stripped of all their outer garments, their undershirts pulled over their heads, arms outstretched, socks taken, everything they took that was not saturated with blood. They then laid the men in a creek bed, side by side, with the intent that if they were not found soon, a possible February thaw would wash them down stream and never be found. They made preparations and left that night, January 19th, going down the canyon, across High Rock Lake, and onto Black Rock Desert. A shepherd, camped near the lake was awakened

by his dog barking about one o'clock that night. Next morning he saw where Indians had passed in the night.

As time went on, no word was heard from the missing men. They had not arrived at their respective sheep camps, and no one had seen them since they left Denio's ranch. Indiano not returning alarmed the herders, so a rider started for Eagleville to find out what happened. On his arrival at Denio's place, he learned that the sheepmen had left there for High Rock. Denio, being worried, wrote a note and sent by this rider to Mrs. Erromouspe, and Mrs. Laxague, reporting what he knew. The news soon spread. Everyone knew something had happened. Some thought they were buried beneath a snow slide on their way down some canyon.

A searching party was soon organized. Among the searching party were; Dr. Kennedy, Ben Cambron, brother of Harry, Warren Fruits, Ed Hogh, Henry Hughes, George Holmes, Mort West, Joe Reeder, and Otto Van Norman.

The next morning this party left Eagleville in a snowstorm, well mounted, and equal to any occasion that may be theirs, and with the determination to know what had happened to their fellow men. On their arrival at Denio's they learned that the men had left for High Rock Lake heading down High Rock Canyon. The posse headed down the canyon. They soon found cattle that had been slain, and higher up on the side of the canyon they found an Indian camp made of willows and covered with rags. They saw where the sheep men had come down off the north rim. It was Warren Fruits who first found them. It was a gruesome scene. Bodies laying side by side frozen solid in the snow. It was pre-arranged that whoever found them was to fire three shots. Warren was so shocked he emptied his gun, five shots. The rest of the posse hearing the shots rushed to locate Fruits, thinking a battle royal was taking place. It proved beyond a doubt it was Indians that had done the deed. Mort West, one of the party was dispatched to go back to Eagleville with the news. Messages were sent to Nevada State Police, Captain J. P. Donnelly, Chas. Ferrill, Sheriff of Washoe County, Nevada. Elza Smith, Sheriff of Modoc County, California. With Captain Donnelly were his guards; Sergeant Buck, Privates Chas Stone, and Newguard. The coroner and county physician were also present.

Dick Cook of Eagleville volunteered his services. With four good grain fed horses, and a sleigh large enough to convey the bodies from High Rock to Cederville Calif. He also brought out four stretchers to carry the bodies from where they lay to the head of Little High Rock, which was done by man power. The canyon was so narrow and rocky it was impossible to go only single file.

It is here where I come in. I would have left with the searching party, but was laid up with pluresy in my side. But after Mort West brought in the news of what happened and after all details carried out, and with

plenty of ammunition, He and I left for Denio's ranch before state Police and other officials arrived.

I was some anxious as my father had homesteaded at Wall Canyon. Together with my mother, younger brothers and sisters, we had moved out there in November 1910, with lumber for a house and plenty of supplies to last until spring. Wall canyon was about twenty-five miles from Little High Rock, the scene of the massacre.

Jim Tahem, after leaving the posse, rode through about March 1st, on his way from Soldier Meadows to Surprise Valley, and told my folks of the massacre and my being in the posse. The only news they had heard from December 26th 1910, until March on account of deep snows.

The bodies were brought into Denio's that evening arriving about dark. There were large sagebrush fires made and some effort made to thaw out the bodies, which proved to be a useless task.

In the morning, February 16th, a posse was organized and left Denio's place to track down the murders, who had about three weeks start. In the posse were, Captain J. P. Donnelly, Sergeant Buck, Privates, Chas. Stone, and Newguard, Sheriff A. E. Smith, of Modoc County, Calif., Sheriff Chas. Ferrill of Washoe County, Nevada, Surprise Valley posse; Ben Cambron, Joe Reeder, Henry Hughes, Jack Ferguson, William Parsons, Ed Hogle, George Holmes, Warren Fruits, Mort West, Otto Van Norman, Chas Demick, foreman for Miller and Lux ranches in this section, Fred Hill, and myself, Frank Perry. Later we were joined by Jim Tahem, at Soldier Meadows, an Indian bucarrou for Demick.

The first day was made to Soldier Meadows. Snow was very deep. Everyone took turns breaking the trail. Chas. Ferrill was a real good fellow. He was not used to riding horseback, especially in deep snow. If his horse would stumble in the snow he would swear and threaten to shoot his horse. That evening on our arrival at Soldier Meadows, he had to be helped off his horse, he could not make it alone. He said that if he got back to Reno alive he was going to get a string of horses and ride forever.

The next day we laid over at Soldier Meadows, shod our horses, got everything in readiness for the days ahead, warm clothes, good horses, plenty of ammunition and firearms. Chas. Demick outfitted a pack train loaded with bedding and supplies which was not much used, and later turned back at Quinn River crossing. Charlie was very busy with his cattle interests and could not continue on with us, but anything we needed at any of the ranches he was in charge of was at our disposal. The morning of February 18th, we left Soldier Meadows, headed south, pick up the Indian trail at the south end of Pine Forest Range, bordering the Black Rock Desert. The Indians were headed east toward Winnemucca, Nevada. That night we pulled into Piute Meadows, another Miller and Lux ranch. We had plenty to eat at these ranches, but there were so many of us, we had to take turn about sleeping with our clothes on.

February 19th, pack train and most of the posse went north to Quinn River Crossing, another ranch property beonging to Miller and Lux, in order to cross the Quinn River.

Quinn river ranch is on the highway from Winnemucca to Denio, Oregon. It was here that Captain Donnelly telephoned Sheriff Lamb of Winnemucca, Humboldt County, that Indians were headed for Winnemucca vicinity.

To anyone not familiar with Black Rock Desert, it is void of any vegetation, heads below Quinn River ranch and from Jungo, Nevada, in a south westerly direction, to below Gerlach, Nevada, a distance of about seventy-five miles, and in some places thirty miles in width. Quinn River has a channel flowing in from the north, to a point of about on a line between Sulphur, Nevada, and Piute Meadows, where it spreads out on the Black Rock Desert. The morning we left Piute Meadows, four of us, Sargeant Newguard, Jack Ferguson, Jim Tahem, and myself, Frank Perry, cut back south and picked up the Indian trail. When the Indians crossed Quinn River on the Black Rock Desert, the river was frozen solid, so they had no trouble going across on ice. There was snow on the desert when they crossed. Their trail was plain enough most of the way. The horses stepping in one anothers tracks had packed the snow. All other snow having melted, one could tell their general direction as they were taking the low passes and keeping in the most isolated country, for they didn't want to be seen. When we reached Quinn River, it was partly frozen over. On our side ice was thin, but gradually thickened toward the other. The opposite bank was nearly perpendicular. We went up and down the river for some distance, but could find no better crossing, so decided one place was as good as another. It was bitter cold, a blizzard blowing from the north. Jim Tahem rode his horse in and broke the ice by stamping with his feet. Newguard said that he would undress and try it. We gave him a Riata which he put around his body. In he went with his rifle. Up to his neck in water. He broke considerable ice, but with the intense cold he turned blue and hollered "Pull me out." I then rode my horse in, and with my rifle kept pounding and breaking ice. My horse was swimming, as we neared the bank I jumped off with "McCarty" in hand and up we scrambled to the opposite bank. The other boys were soon across in wet frozen clothes, nothing to build a fire with. Barren desert. I took off my chaps, overalls, and socks to wring out water, for I was wet to my waist. Came damn near not getting dressed, for they were freezing solid. It was getting late, and we did not know where we would get any shelter. If we could get to where there would be sagebrush we could at least get thawed out. This was about three o'clock in the afternoon. The day was waning fast. We went on following the trail. Along towards evening we sighted a tent in the distance, pitched on a road leading from Sulphur to Lay's ranch, Jackson mountains. There was a small pile of hay, we figured someone left there for an overnight stop.

Any old port in a storm, we took possession, it was getting dark, and we did not know where we were. But we were still on the Indian trail. We had hay for our horses, a tent for a windbreak, sagebrush for a fire, so we were happy.

The next morning we sauntered north to Lays Ranch to see what had happened to the rest of us. We had about as hard a time keeping track of the posse as we did the Indians. There we learned that Sheriff Lamb was on his way out from Winnemucca via Sulphur, with his brother Kise, and an Indian trailer called "Skinny Pascal." With all due respects to Sheriff Lamb and his brother Kise, I would like to state that Skinney Pascal never took the lead at any time on the trail, nor took any participation in the battle that ensued. He was asked by Captain Donnelly, and later by Newguard to act as interpreter to ask the Indians to surrender, but as the battle started at about four hundred yards, with a blizzard blowing snow and sleet, a conversation was void.

We stayed over at Lay's ranch waiting for Sheriff Lamb. Our next stop was at Willow Creek, north of Junco. It was thought the Indians would rest up in the silver state range between Willow Creek and Paradise Valley. On leaving Willow Creek that morning, it was agreed between Sheriff Lamb and Captain Donnelly that we all should meet at a certain small butte in the distance in the Silver State Range. The renegades trail was getting fresher, and it was thought they may rest up as the feed was fairly good, but no water that we saw.

Captain Donnelly, Ben Cambron, Sheriff Smith, Jack Ferguson and I soon found the Indian trail. Sheriff Lamb and the rest of the posse were scouting the country north. As we neared our meeting place it was getting late, and no sign of any one. We had just run into one of the Indians Camps, they had killed one of their horses and a dog.

There were two of these buttes, perhaps five miles apart. Lamb figured the butte nearest Willow Creek, Donnelly figured the one further on. As we neared the last butte which was a short distance from the Indian trail we were following, Captain Donnelly, (I knew it was coming), asked me if I would ride over to this land mark and wait for Sheriff Lamb and tell him that they were going on in to the Toll House for the night. I don't believe any of us were in this part of the country before. It began to get dark, cold north wind blowing sleet and snow. I decided to look out for myself. I was riding a young horse I had ridden since starting out, but I did not know how much farther I could go that day. I went back to the trail and started on. So dark, I just could see the outline of the trail, could not figure what happened to Sheriff Lamb and the posse. I was looking back and could see small sage brush fires at different places. It worried me for I did not know what it could mean. Next day I found out Sheriff Lamb and his men had been separated and were building fires to get together.

Sheriff Lamb escorted them into Winnemucca that night, which was

about a twenty mile ride. In the meantime, Sheriff Ferrel and Sergeant Buck of the Nevada State Police went on to Elko to form another posse to head off the Indians if they went that way.

I was so interested in watching behind me while my horse was walking long, that I did not realize until I turned to look ahead whether I was on a trail or not. After getting off and lighting a match, I saw my horse was on the Indian's trail which had turned in a northerly direction. The four men that were with me had turned off and headed east for the Toll House. I knew I was due for a night out. My horse could not go much farther that day. No feed and no water. I wanted to get some place where there would be little shelter. Over one sand dune, then another, small brush and sand grass, I finally came to where there had been an old well which had been blown over with sand. There were three or four posts still standing and a small pile of old lumber, and a large goods box buried in the sand. This was it. I unsaddled my horse and covered him with a saddle blanket. I would have given anything if I could give him a drink of water. I tied him to a post and got the box unloaded of sand and turned it against the wind so I could watch my horse in case anyone approached. I did not want to make a fire for fear of attracting unwanted attention. I put in a miserable night. At daylight I saddled up and took off in a southeastern direction to pick up the trail of the men the night before. I arrived at the Toll house about 10 o'clock pretty well jaded. Captain Donnelly met me at the watering trough and said "I guess there is no need to ask where you stayed last night." I told him what happened. He told me what happened to Sheriff Lamb and the posse, and that Eagleville Posse would soon be out from Winnemucca. My horse was taken care of so I went in the house and laid down for a little rest, was soon awakened by the boys coming from Winnemucca. They had celebrated in town all night so it was not long before I felt as good as they. Donnelly had called Lamb that night and I was the only one not accounted for, so they were glad I was still living. That day we went to Golconda for the night, at last a bed we knew. Indians had crossed Paradise Valley between Toll House and Paradise Hill, both were stations on the road from Winnemucca to McDermott and Denio, Oregon. We intended the next morning to head north and pick up the Indians trail. This was the first new we heard since leaving Denio's ranch, we also learned there were rewards being offered for the slayers of the sheepmen. Nevada offered five thousand dollars, California one thousand dollars, Humphrey and Moffitt one thousand dollars, Mrs. John Erromouspe one thousand dollars, Mrs. John Laxague one thousand dollars. We were out to avenge the death of our friends and fellow men, not for reward money. We absolutely refused Mrs. Erromouspe's and Mrs. Laxague's offer, they lost enough. California turned down the reward likewise Humphrey and Moffitt. We had turned over to Sheriff Smith a power of attorney to act in our behalf in the distribution of the reward money, which was finally

turned over to a lawyer for collection. After a year or so we received at or about \$126.00 apiece, the thirteen of us the day we got to Golconda.

A prospector was out in the hills west of Paradise Valley and ran into these Indians. He had heard about them before and had presence enough of mind not to let on he had seen them. When out of sight he hurried to the nearest telephone and I believe called Charles Byrnes, Constable of Paradise. Charlie then relayed the message to Sheriff Lamb, Lamb then called Captain Donnelly. Charles Byrnes picked up his Deputy Merl Prussia and went into this certain canyon to search for evidence that the Indians might have been there. Word came from Donnelly at Willow Point to Private Charles Stone, who was with us at Golconda, to leave before daybreak. The next morning Charles Stone with three of us deputized left unbeknown to the rest of the posse. When we arrived at Indian's camp we were met by Charles Byrnes, Merl Prussian and Captain Donnelly. There was a dead indian pony, blank checks from the murdered men's check books, and scraps of leather and hair from chaps they had been working over. There was no mistake, it was definatly the same Indians. We then made preparations for the next day. We left Golconda and met Captain Donnelly and his guards, including Chas. Byrnes and Merl Prussia, near the abandoned Indian Camp. It had snowed the night before. We soon found where they made another camp not far from the one we found. Their horses were all in and they were not making much headway. We knew we were near, for there were still live coals in their campfire. They were nearly all walking on foot, their tracks were fresh in the snow. Evidently it took all their horses to pack their belongings.

Captain Donnelly, Chas. Byrnes and I were riding together some distance behind the posse. I do not think Captain Donnelly wanted the "Honor" of taking the Indians, as he had given Sarge Newguard word to take the lead, and if the Indians surrendered not to shoot. But most of us knew they would never surrender. I soon caught up with the posse, and as we rounded a small rim rock we sighted the Indians, perhaps a half mile down a draw, practically in open country. Newguard called a halt, and said, "Boys, if they will surrender don't shoot"! and he gave Skinny Pascal orders to ask them to surrender, if we could get in speaking distance. It started hailing quite hard, and the view was some blurred. We started on a trot towards them. This was Sunday, February 26, about 10 o'clock, ten days since we left Denio's ranch. The Indians had evidently just finished making camp and were getting ready to eat, for there was a pot of water on a fire made in the center of their camp. Sagebrush was banked up around about twelve feet in diameter. Their saddles and blankets were thrown against this as a wind break. There was a smaller camp a few yards from the larger camp. A squaw sighted us first coming from the smaller camp to the larger one, and she soon gave the alarm for Indians were scrambling everywhere. Three or four grabbed rifles and started running toward us. We kept on riding towards them. They soon

squatted down and started shooting at us at a distance of about four hundred yards. We quickly got off our horses and the battle was on. Most of our saddle horses stampeded as soon as the shooting started, but were soon rounded up and brought back. A few horses that were not too weary stood by. It was a wonder some of our horses were not hit as they were behind us, and the Indians were overshooting us most of the time.

There were three horses grazing on a hillside beyond their camp. One of the squaws ran out and was trying to drive them back to camp as a means of some of them to try and get away. Bullets were spitting up snow around the squaw and horses. Some one yelled "Don't shoot the squaw, shoot the horses." They were soon down and the squaw ran back to camp.

There were three Indians between us and their camp, the ones that had come out to meet us. Old Shoshone Mike, and two other big Bucks. They would shoot at us from behind sagebrush. Sometimes they would raise up and shoot and start on the run for camp. A volley of shots would be fired at them, they would drop down whether hit or not. Someone in our bunch would holler out. "I got him that time"! We were formed in a line abreast slowly advancing towards them. About this time one buck, two boys, probably sixteen years old, two squaws, a young squaw and two young children, a boy and a girl, and a papoose tried to make their getaway by running down this wash, or rabbit creek as it was called. But we had our eyes on them and they were headed off about half a mile below where the battle started.

Chas Byrnes had brought back our horses that stampeded. Part of the posse were battling below. There were seven or eight of us left. As there had not been any shots fired at us for some little time, and as it was getting late, Chas Stone suggested that a couple of us ride around on the opposite side of the Indian's camp for a look see. If all seemed clear ride into camp, and then ride in a circle where Indians were last seen. Merl Prussia and I rode across, stopped, and were viewing their camp and grounds. Chas. Stone and the rest had us covered. We saw an object that moved occasionally, but as no shots were fired we figured they were out of ammunition. All the while we could hear the battle going on below us. Merl and I decided time was wasting, so we galloped down to the Indian camp, quickly dismounted, and threw saddle blankets and everything pell mell, thinking and hoping a buck would be in hiding. They surely were crafty workmen when it came to making anything out of rawhide, hair, or silver. They had worked over all the outfit they took from the murdered men. We then rode in a circle from the camp towards our men. Saw two dead bucks and came up to where old Mike lay dying, moaning and groaning. All he could say, "Me heap sick, me Shoshone Mike". He had been shot six or seven times, through and through, he had crawled and drug himself for some distance from where he was last

shot. He had plenty of nerve and guts. His 45-90 was loaded and cocked in a sagebrush, still pointed in direction where we first spotted him. We searched him, thinking he may have a weapon of some kind on him. He had on plenty of clothes, although some of the rest were nearly naked. His clothes were oozing with blood. We took a pocket knife and I think twenty-six dollars in cash off him, which we later spent in Golconda for drinks, but we had to make it good before we left Golconda, for the Coroner said he needed it.

By that time our boys had walked up. Ben Cambron wanted to finish him off for killing his brother, but Mike was dying then. Part of the posse stayed at this camp, and some of us went below to join the rest of our posse. The squaws were shooting at us with bows and arrows. Arrows were flying every direction, and some with accuracy. George Holmes got a direct hit in his coat lapel. He smiled, pulled it out and was going to keep it as a souvenir.

This young squaw, "Snake" would run from this wash with a long spear, with an overhead thrust she would run towards someone who would try to catch her. She would then run back to the wash as though she were giving this Buck in the wash a line on some of us for a last shot. The two older squaws were doing most of the fighting. They started picking up rocks to throw at us. One squaw hollered, "Go back you white dogs". The two young bucks lay dead in the wash at this time. It was almost certain that if there was an Indian Buck living, he would be waiting with his last shot to get someone. I worked over to the right and started crawling down this wash to where I would have a good view of this Buck waiting with his last shot. There were probably ten or more of us there. None of us over fifty yards from the Indians. Ed Hogle, Henry Hughes, and I believe George Holmes, were walking abreast within a few feet of where this Buck lay. It all happened in a flash. Ed happened to be the first one to come in sight of the Indian. He was shot through or near the heart. He said "Get back fellows, I'm shot"! Shot with the last shell from the 32 automatic the Indians had taken from Harry Cambron. The instant the buck shot Ed, he jumped up and started to run down this wash. We were all ready and it looked as though the force of bullets lifted him off his feet and slammed him face down. In the volley that was fired at the Indian, also killed the two squaws. The battle was now over. The young squaw Snake, threw herself on the ground with the little girl and the papoose. Wailing and sounded like she was crying, but we didn't see any tears. A kind of death song we guessed. The little boy had run down the wash trying to get away, but was soon overtaken by Jack Ferguson. He fought like a little demon. Jack put him in the saddle, and got on behind. He scratched and bit Jack's hands trying to hold him. When Jack returned with the kid his face was all bloody. When I asked what he had been doing to the poor little fellow, Jack said that the kid

tried to beat his brains out on the horn or the saddle, but he also told me afterwards that he slapped him in the face.

A messenger was dispatched to Kelly Creek Ranch about six miles from where we were, to get a team and spring wagon to haul Ed Hogle and our captive youngsters in for the night. We all felt so bad about Ed getting killed after it was practically all over.

The morning leaving Golconda, Ed was riding a little buckskin horse, we were trotting along when Ed's saddle turned. He got skinned up a little and he remarked "I guess I'll get mine today, I'm getting a damed good start."

The team and wagon arrived just about dark. We loaded up and started for the ranch. We were riding along behind the wagon, 'twas a mornful ride. Snake and the kids wailing their monotonous tune. After arriving at the ranch we placed Ed Hogle's body in one of the rooms at the ranch house. There was a large room with a fireplace. We placed some bedding down on the floor by the fire for the squaw and children.

As the telephone was closed for the night at Golconda, we could not telephone any news of the battle to the outside. Ed Hogle's death, or the capture of the young Indians until next morning.

There was a shoshone buccarou at Kelly Creek Ranch. Captain Donnelly asked him to try and talk to the young squaw, Snake. Some one had just brought her in a tin plate of food to eat, some milk for the younger children. This Bucarroo started to talk to her, she threw the plate food and all at him. She thought him a traitor, that he was probably in the battle against them. The next day she confessed to several crimes her band had committed. Probably more before her time. Mike and his band killed a young fellow near Tuscarora a year or so before. This boy was trying to round up some horses that belonged to him and his father. The boy was killed and Mike got away with the horses. A small posse was organized and a running skirmish, but no justice was done.

They had killed a chinaman near Oregon California state line, for four dollars. They scalped him and took his queue.

John Erromouspe, one of the sheep men killed in High Rock, had a heavy mustache and some gold teeth, They cut his mustache off, lip and all, and knocked out his gold teeth.

The next morning, Captain Donnelly called Sheriff Lamb, and he arrived that day. We went out to the scene of the battle. The coroner and constable from Golconda expected us to bury the Indians. Sheriff Lamb said "No, these boys have done enough". He told the constable to go back to Golconda and get some dynamite and men, blast a hole and throw them in it. Which was done. We gathered them in a pile where they could easily be seen. The ground was frozen and it would of been quite a task to dig a hole. The grave could not have been made very deep, for years later human bones were found near the grave.

If we had not overtaken the Indians when we did, they no doubt would

have made a raid on Kelly Creek for horses to travel on with, and probably killed another man or two. The next morning, Tuesday, we left Kelly Creek for Golconda, a distance of about twenty five miles. As we neared Golconda, we were met by thongs of people anxious to get a look at our Indian prisoners, and to see what we looked like. It seemed good to see folks again, and to know our mission was ended, our long man hunt across the snow covered wastes of northern Nevada through blizzards and intense cold to the battle just ended, and the justice done to those that had massacred our fellow men in Little High Rock Canyon. Captain Donnelly and others arrived the same day in a spring wagon with Ed Hogle's body. Our Indian captives arriving in another rig.

After the coroner's inquest, Ed's body was embalmed in Golconda, and sent on to Reno. Ed's brother Robert Hogle, accompanied the body to his home town, Anderson, in Shasta County, California, where Ed's Mother was living. We all wrote Mrs. Hogle a letter regarding the battle and Ed's death, and our past friendships. We received a very appreciative letter in return.

We were held in Golconda three or four days on some kind of a coroners inquest as to whether we were sure we had killed the Indians that had massacred the men in High Rock. We had a few arrows and trinkets we had picked up for souvenirs in the express office we had mailed home to Eagleville. The constable was ordered to go take them out as they were needed for evidence. They said that we would get them back, but we never did, someone else wanted them for souvenirs. We thought we got a rotten deal. Otherwise everyone treated us like one of the family, the drinks were on the house wherever we went. When I was being questioned by the coroner and asked what I found on Mike, I told him about the money and pocket knife. After he was through questioning me, he said that I would be excused but would have to make the twenty-six dollars good. George Holmes spoke up and said, "Why?" The coroner replied that it is against the law to search a dead man. George replied, "Hell, he wasn't dead". With all the evidence in our favor and the Indian girl's testimony, it looked to us as though they thought we were the renegade bunch and didn't know our way around. We thought we were being mistrusted.

After our business transactions were over in Golconda, we headed homeward. We stopped over in Winnemucca for a short visit with Sheriff Lamb and his family, and others. With our horses and baggage loaded on the western pacific for Gerlach Nevada, we seemed to be a traveling attraction. Sheriff Lamb and his wife were at the train as we were leaving Winnemucca. Mrs. Lamb said, "There's only one thing you boys didn't do that you should". When we asked her what it was, she said, "Rats breed lice, you should have killed them all." Her parents were massacred by Indians.

We received a hearty welcome on our arrival in Gerlach. From there

we took to our horses for our ride back to Surprise Valley, to our relatives and friends who were eager to learn the story of our chase and details of the battle.

It was now about March 8th, when we arrived in Eagleville. The posse from Surprise Valley gave Sheriff Elza Smith power of attorney in our behalf for distribution of the reward money. State Police could not share any of the reward money. There were eighteen in the battle counting Skinney Pascal, who retreated soon after the battle started. Captain Donnelly, Sargeant Newguard, and Chas. Stone, of Nevada State Police. Sheriff Smith of Modoc County, California, in command of Surprise Valley posse, including Ben Cambron, Mort West, Henry Hughes, Warren Fruits, William Parson, George Holmes, Otto Van Norman, Joe Reeder, Jack Ferguson, Ed Hogle, and Frank Perry, and Chas. Byrnes, and Merl Prussia, who were with the posse the last few days. There were eleven of us from Surprise Valley. Chas. Byrnes, and Merl Prussia from Paradise, Sheriff Smith from Alturas, that would make fourteen of us eligible for reward money. Elza Smith, being Sheriff, I do not know if he shared in the reward money or not.

A banquet was given us at Cederville shortly after our arrival. They had a couple of old Indian fighters in our crowd. A few speeches were made, and excellent supper was served, and the hospitality shown us was appreciated by all.

This was the last Indian uprising in the United States, and happened thirty-eight years ago this month, February, 1949. After all these years the boys are pretty well scattered. Some have passed on, I suppose. There may be some incidents of this story that I have forgotten as it has been some years ago. The old saying, "There are always two sides to a story". I have tried to give a true account of all that happened as I saw it, and to all that were with me, the highest regards.

Nally Willy, manager for Humphrey and Moffitt, stationed at Eagleville at the time, told me sometime after the battle, that he had the occasion to meet Shoshone Mike's brother on a train on his way to Elko, and had quite a talk with him. He seemed to be glad Mike was dead, for he was very mean to him and all the other Indians. There was a section of country called Salmon River, near the reservation, plentiful with game. Mike would never let anyone hunt there only himself and his band. Mike's brother told Nally, "Maybe we hunt there this fall". Shoshone Mike, at the time he was killed was about sixty-five years old.

So ends the story which I probably never would have written unless persuaded by others.

Notes and Documents

A Robbery at Silver Peak

On the night of January 16, 1883, an attempted robbery took place in the town of Silver Peak, Esmeralda County, Nevada. The effects of the crime had a far-reaching effect on the state, as evidenced by the numerous newspapers that carried lengthy articles and the renewed claims that the railroads had provided easier access to the state for all sorts of criminals and "lower-class" immigrants.

In the weeks that followed the attempted robbery, many confused and garbled accounts appeared in the newspapers, until a witness to the crime wrote a detailed account of it to the editor of the *True Fissure* at Candelaria. The original letter, with the editor's corrections and notations, is on file at the Nevada Historical Society and is presented herewith, in its original form and without correction.

Except for John Chiatovich, who owned the store in which the crime took place, and Rockwell, one of the thieves, we know little of the participants in this early-day drama.

John Chiatovich was apparently absent from Silver Peak during the robbery, but quite understandably. Chiatovich also owned a large ranch in Fish Lake Valley (mentioned in the letter) and the famous Mary Mine near Silver Peak; both of which probably required more attention than his store.

Rockwell, the thief who shoots himself rather than be captured by his Indian pursuers, was the son of the famous Porter Rockwell. The elder Rockwell is best remembered as Brigham Young's personal bodyguard and leader of the Avenging Angels.

In the light of historical analysis, this letter comes to us as a striking example of how many events in history suffer through the editorializing of even the most objective witnesses.

L. JAMES HIGGINS, JR.

Editor True Fissure

Noticeing greatly exaggerated accounts of the attempted robbery at Silver Peak I will give you the facts as obtained from those who were present. On Sunday evening, the 14th inst, a man named Rockwell and another supposed to be Texas Jack—generally known as Tex—came to Chiatovich's store and made arrangements to stay all night. Antone Bacoch who was temporarily in charge noticed that they went to bed with their clothes on, not even taking off their boots or spurs, and having seen them at Lida only a day or two before, and having learned that they were supposed to be horse thieves, concluded they were there for no good, and did not sleep any. The men stayed around all next day (Monday 15th) and Bacoch having told some of the neighbors his suspicions, three or four of them stayed up with him, the robbers keeping them up until 4 oclock A.M. when one said to the other,—we better go and sleep

an hour or two. During the evening Bacoch went out to the corral and found their horses saddled ready for a start. The next day (Tuesday 16th) they still remained and during the evening bought several articles. About 9 oclock P.M. when there was no person in the store but Bacoch and John Bonacich—better known as “old Sclavonian John” they asked Bacoch for some article that hung to the ceiling; he got up on the counter to take it down and when he reached up to get it they both pulled their pistols and pointing them at him ordered him to stay there and hold up his hands. Bonacich who was standing near the door started to go out, when Rockwell ordered him to stop or he would shoot him, but Old John did not stop but got out of the door and gave the alarm. Rockwell followed him and got hold of him and placing the muzzle of his pistol to his head told him to “dry up and go back into the store” or he would shoot him, but John did not dry up or go back into the store and I. S. Stevens and Jerome S Vidovich who were stationed in the restaurant across the street from the store came out, Stevens with a shot gun—and Stevens said to Rockwell, what are you doing there. Rockwell, seeing Stevens with the gun let old John go and called to his partner “George come out of there” and ran into the corral where their horses were. Vidovich when he came out of the restaurant ran past Rockwell and old John to the store and putting his head in the door said to Tex, “what are you fellows doing here”. Tex turned his pistol from Bacoch to Vidovich and told him to stop there or he would shoot him. Vidovich who says the bore in that pistol looked as big as that of a cannon to him did not stop, but pulled the door shut and got out of the way. Tex went to the door and instead of following Vidovich ran into the corral to where Rockwell and the horses were. As soon as Tex got out of the store Bacoch got a Winchester rifle which he had behind the counter and looking out of the door and seeing no one around, went outside, and hearing talking in a low tone under the shed in the corral where the thieves horses were fired a shot up there, and immediately heard a noise on the side of the hill back of the corral and fired another shot in that direction. Going up into the corral a short time after he found he had shot and killed one of the horses and as the men dropped a bridle near the [illegible] at the shed it must have been a close call for them as they were no doubt bridling their horses for the purpose of leaving. They left horses, saddles, blankets, overcoats, field glasses, and everything they bought except a box of sardines and a small bottle of whiskey which one of them put in his pocket The next morning (Wednesday 17th) a party took the track of the thieves and found they had crossed the Red Mountain road about half a mile above the store and gone toward Lida There was no shot fired by them at Silver Peak. Bacoch fired two shots from a Winchester rifle and Vidovich fired two from a small pistol, when the thieves were going up the hill back of the corral. The person who went to the Pacific Borax Works and gave the alarm there and is

responsible to a great extent for the exaggerated account of the affair must have left about the same time the thieves did. When he heard the firing he said to a man who stays in the cabin with him, "hear them murdering each other up there" and started off, the man asked him where he was going and he said he was going to wake up one of his neighbors, but the neighbor did not see or hear, anything of him that night.

The thieves reached Lida about day-break and took a mule, and horse and saddle from Vucovich's corral and when they got a short distance below Lida they met an Indian and asked him if that was the road to Armagosa. He answered their question and knowing the animals they had, asked them where they were going with them. They said they had lost their horses and got those to hunt them with. The Indian went into Lida and gave the alarm but the thieves had in the meantime turned the horse and mule loose and taken to the hills. Four or five Indians started after them and soon came up to them when the thieves opened fire on them. The thieves retreated until they came to a small rock mound about three miles below Lida and towards Gold Mountain where they made a stand and began piling up rock as a sort of breastwork.

While doing that Tex was shot and killed by the Indians and Rockwell fired all the shots from his pistol but one, and shot himself through the head with that. Rockwell was quite well known in this section. He worked at Montezuma about three years ago. Was at Silver Peak taking baths for rheumatism soon after. Worked at Chiatovich's ranch in Fish Lake Valley about a month after he left Silver Peak. When he left Fish Lake valley he drove off some horses belonging to Mr. Courtney. Soon after, he came back, and stole a horse at Lida and drove off a band of Jacks from near there, and about the same time is said to have killed four Indians near Armagosa

No attempt was made to rob the stores at Gold Mountain or Lida, nor was anyone killed but the two thieves. If the person who was found on the road and said he was struck in the head by a ball is not mistaken, the ball must have been either from Bacoeh's rifle or Vidovich's pistol as he must have left about the same time and according to his own statement went for a short distance in the same direction as the thieves. It is well known by those who were in a hotter place than the man found on the road who thinks he was struck on the head by a ball, but had cooler heads, that the thieves did not fire a single shot at Silver Peak

Silver Peak Jan'y 27. 1883

J H B Harris



Price
50 per

No 5.

Grading will be commenced on the
street next week and soon
couple of new walk ways by East
and the road around with dirt & gravel
1545 1545 W

The handwritten Granite Times for April 17, 1908.

From Our Library Collection

A Hand-written Newspaper

IN THIS ISSUE of the *Quarterly*, the Nevada Historical Society presents a most interesting document from its library holdings, a hand-written newspaper. The Society has in its collection the Easter issue, April 17, 1908, of *The Granite Times*.

Little is known about the town of Granite in Mineral County, Nevada. Granite was discovered in the spring of 1908 and in the following year produced more than \$4,500 in gold and silver. More strikes in the area were made, and an April, 1908, newspaper in nearby Rawhide reported that ". . . a ledge is showing a length of 5,000 feet and yields gold and silver contents of from \$5 to \$200 to the ton." The same article indicated that the population of Granite was greater than 300 and was growing at a rate of 75 to 100 people a week. A later issue of the paper indicated that it was necessary to operate two stage lines between Granite and Schurz to handle the increased flow of traffic.

During Granite's first year of existence, copper was discovered and the Yerington Mountain Copper Company was formed. However, Granite's mining boom quickly died and mining activity virtually came to an end by 1916.

By reading the many articles that crowd the four pages of *The Granite Times*, it is possible to ascertain a few facts concerning the publication itself. The paper was published weekly, its content being devoted almost entirely to promotion of the new town.

Every effort was made to publish a sophisticated newspaper of which every citizen of Granite could be proud. One of the longer, front-page articles dealt with the anticipated completion of an automobile road between Granite and Schurz. Interestingly, there is only one article that makes mention of national politics, and there is no mention made of any state legislation. The remainder of the newspaper carries descriptions of mining progress within the district, advertisements, society and personal news items, and poetry.

One short article catches the reader's eye as an indication of the community's feelings concerning social progress. An unidentified citizen of the town had rashly suggested that a preacher be imported into Granite. The editor quickly dispatched this idea by saying that any preacher who migrated to Granite had best be suitably schooled in shoveling. Apparently, public feeling did not enthusiastically support the establishment of a church.

The format of the newspaper is interesting. When folded, it is roughly the same size as any modern, metropolitan newspaper. Small, single drawings appear on either side of the masthead, and there is one large drawing on the front page which substitutes for a photograph. These carefully drawn caricatures were done in blue, black, orange, and purple pencil. Throughout the rest of the edition, all article titles are in blue pencil and the text in black.

The Nevada Historical Society is fortunate in possessing an issue of *The Granite Times* in addition to the one described above. The later specimen is date May 1, 1908, is of the same format and content, and follows identically in style. The Society is grateful to Mr. E. Bugbee for having donated these two fascinating issues. They are the only known publications of this nature in the state.

L. JAMES HIGGINS, JR.

What's Being Written

Nevada's Governors From Territorial Days to the Present, by Myrtle Tate Myles (Sparks, Nevada: Western Printing and Publishing Co., 1972; 310 pages; illustrations; index; \$10).

THIS BOOK, printed in highly readable type by a Nevada printing firm interested in presenting the best possible book for the lowest possible price, must be assessed in two ways. The first is "readability," and the second "historical accuracy."

As to readability, Mrs. Myles has centered her study on the men who held the office of governor in Nevada, and it is the governorship which threads through the book. Because of the nature of the governorship, each chapter is a short story, or an essay, unto itself. Given today's market, when books must compete with television for free time in the home, this works to Mrs. Myles's advantage. It is the type of book one can pick up and read for a few moments, or for a few hours.

The writing style, developed as it was to write independent articles on each governor for newspaper use, carries the reader quickly through the pages. Extensive use of photos and other artwork help transport the reader into the period of history in question at the moment. Thus, for readability, Mrs. Myles deserves a high grade. For the lay reader interested in learning general information about the governors, it is an excellent book.

Now in reference to the second question, accuracy, there is a disturbing mix of fact and conclusion. There is some evidence that the author used secondary sources for material on the early governors, but to Mrs. Myles's credit, she also made great use of primary research materials. She has avoided falling into the trap of continuing the errors that are found in many of the standard resource volumes on Nevada History.

The conclusions drawn by Mrs. Myles, however, have a tendency to reduce the value of the work as a research tool. By way of illustration, the book relates the story of a young man by the name of Roswell Colcord who travels to the town of Aurora, and "in that lawless camp soon joined with the group of vigilantes headed by Captain Palmer, and no doubt helped in several lynchings. In Aurora he knew a young man named Sam Clemens, later to become world famous as the humorist, Mark Twain." Unless Colcord later revealed the fact that he joined the vigilantes, this statement is only assumption; membership in the vigilantes did not include all the townspeople, nor was a membership list made public. Since the vigilantes only indulged in one hanging incident, it is

quite unfair to say that Colcord helped in several lynchings. It must also be considered assumption that Colcord and Samuel Clemens were acquainted while in Aurora. Colcord was a working man at the time, and not involved in politics. Samuel Clemens was involved with the Howland-Youngs Union Party group during what was a very brief stay in Aurora; it is doubtful that the two men knew each other.

The omission of certain items also detracts somewhat from the work. It would be impossible to include a detailed study of each of the many individuals who are mentioned in this small volume. But it is interesting to note, for example, that Governor Nye is left to fade from sight with one important point unmentioned. Despite his political success, Nye was a financial failure and his retirement had to be financed by a collection Bill Ralston took up in his Bank of California office.

Special mention should be made of the little stories of the governors. In the course of the serious business of operating the office of the chief executive, there are lighter moments. Some are funny at the time; others are funny only in retrospect. Most are forgotten. To preserve a collection of these incidents, as Mrs. Myles has done, is important. It helps make the individuals human again, and points out the fact that we are governed by ordinary human beings.

Mrs. Myles has not asked us to take this book as a historical bible. She has given us a valid, useful outline of all the men who served in the executive chambers of the State of Nevada. In summary, *Nevada's Governors from Territorial Days to the Present* is one of those volumes that should be in the home of most Nevadans. When the day has been long and hard, *Nevada's Governors* is a book to pick up and read for awhile, to get things back into the perspective of "Nevada."

ROBERT STEWART

Uprooted Americans: The Japanese Americans and the War Relocation Authority During World War II, by Dillon S. Myer (Tucson, Arizona: The University of Arizona Press, 1971; 360 pages; bibliography, index, illustrations; \$8.50).

DILLON S. MYER was the governmental director of the ten War Relocation Centers in which over 110,000 Japanese-Americans were resettled during the months following Pearl Harbor. The War Relocation Authority helped to organize life in the centers, encouraged the formation of Nisei units in the Armed Forces, encouraged the relocation of the Japanese in non-sensitive industrial and agricultural employment, and perhaps most difficult of all, tried to assuage rumors and fears generated by a confused citizenry. The book is in a sense an official view of the Japanese and the relocation centers. Therefore, the continuity and inherent excitement of the work sometimes suffers from a surplus of lengthy letters,

reports, directives, and memoranda; and WRA organizational structure and procedures tends to overshadow the very human concerns of the thousands of misunderstood and often maligned people.

Nevertheless Mr. Myer tells a pertinent, disturbing, and often moving story. Indeed, he tells three stories. In addition to reporting on a federal administrative agency he documents the misery and indignities suffered by a capable and loyal yet unwanted ethnic minority, and he points up the startling lapse in logic, human concern, and basic justice when a society is thrown into a state of national emergency.

President Roosevelt's famous declaration that "Americanism is a matter of the mind and the heart, and not one of race or ancestry" was not applied to the Japanese during the hectic years of World War II. Neither the president, nor his cabinet, nor the Supreme Court, nor the governors in western states (with the exception of Ralph Carr of Colorado), nor any leading federal or military official observed the admonition during the first years of the conflict. Unfortunately other influential groups and organizations like the Hearst press, the *Los Angeles Times*, the Native Sons of the Golden West, the House Un-American Activities Committee, the American Legion, and numerous radio commentators carried the propaganda, racism, and hysteria to a fever pitch.

Unreasoning fear or racial bias led many officials to accept unfounded rumor as fact. For example, the Western Defense Commander, General DeWitt, argued that there was evidence of "persistent communications between unknown persons on the West Coast and the Japanese forces at sea" and that the Japanese had shown a "pronounced tendency to settle in the vicinity of vital defense installations." In April, 1943, he told the House Committee on Naval Affairs that the Japanese were "a dangerous element" and that there was "no way to determine their loyalty." He concluded by declaring, "we must worry about the Japanese all of the time until he is wiped off of the map" (p. 285). The energy expended, the time and money wasted, and the injury to innocent people becomes even more intolerable when it is realized that the fear and hatred was wholly unfounded. "In spite of the many rumors to the contrary, not one case of any act of espionage or sabotage by any Japanese American was ever reported, either on the mainland or in Hawaii" (p. xiv).

WILBUR S. SHEPPERSON

The Rise of Teamster Power in the West, by Donald Garnel (Berkeley, California: University of California Press, 1972; 363 pages; index; \$12.50).

BECAUSE of its strategic location in the infrastructure of the American economy, the International Brotherhood of Teamsters (IBT) is certainly a worthy subject for scholarly investigation, yet labor historians

have given the organization little time and space in their research and publications. This study, a reworked version of the author's doctoral dissertation at Berkeley, fills a void in the growing economic literature of the twentieth-century West because it is as much a history of the over-the-highway trucking industry as it is a study of the regional development of an important labor union.

The focus of the study covers the years between the organization of the Highway Drivers Council of California in 1935, and the suspension of free collective bargaining in 1942. Some space is devoted to the local draymen's associations of the latter years of the nineteenth century, the early history of motorized vehicles, technological developments in the trucking industry, competition with the railroads, state and federal regulation, and the growing interest of the nation in promoting the improvement and expansion of its highway system.

At the time its charter was issued by the American Federation of Labor in 1903, the IBT was little more than a random collection of local draymen's associations, each protecting the interests of its own limited membership and showing little concern for matters outside its own bailiwick. This circumstance limited the scope and powers of the IBT's second president, Daniel J. Tobin, who served from 1907 until forced into retirement in 1952. It was in this anarchic power vacuum that Dave Beck, a former Seattle laundry-wagon driver, began a career which saw the entire intermountain West become tightly organized under his direction and culminated in his election to the presidency of the IBT in 1952.

Eight of the book's ten chapters revolve about the activities of Beck in one way or another: his "conservative" politics; his business-like labor ideology (many employers tried to hire him away from professional unionism throughout his career); his relentless, and sometimes ruthless, building of a power base in the northwestern states and later in California; and the many innovative techniques he developed to induce employers to sign union contracts.

Beck's successful organizing of Washington and Oregon is analyzed in some detail because the powerful locals there provided California IBT leaders with the financing and the necessary impetus to develop the union in their own state, particularly in the San Francisco Bay area and in Los Angeles. The drive for unionization in these two important commercial centers is also given extensive treatment. The experiences gained in overcoming the obstacles presented by trucking firms and local union leaders in the Golden State enabled Beck, as the West Coast organizer for the IBT, to develop a program to do a similar job in the other states of the intermountain West.

Much emphasis is placed upon Beck's early recognition of the coming importance of the over-the-highway trucking industry, largely unorganized before the early 1930s, as opposed to the IBT's traditional focus on local firms and drivers. But the reader sometimes gets the impression

that the author does not give sufficient recognition to lesser men who carried out Beck's policies on a day-to-day basis. Every movement needs a philosopher, however, and Beck served admirably in that role.

Those readers interested in the history of the IBT in Nevada will find a rather sketchy account sandwiched into a chapter on collective bargaining (pp. 277-281). Nevada, it seems, because of its comparative lack of population and industry in the 1930s, was able to support only one local, Reno's Local 533, an adjunct of California's Central Valley Joint Council 38. Three others, chartered sometime later in Las Vegas, were under the jurisdiction of a southern California Joint Council. None of the Nevada locals exercised much independent jurisdiction, their memberships generally being subject to master agreements worked out in California, with some supplementary conditions to cover local drivers.

This writer found that the author greatly downplayed the role of violence in many of the organizing drives, but then violence has been as characteristic of anti-union forces in America as of those seeking to promote unionization. The focus of the book is on the West, but a few instructive comparisons with developments in other sections of the country would have done much to place the events in the West in some kind of perspective.

The documentation is massive, consisting of extensive heretofore untapped local and regional records, intensive interviews with Beck and many local leaders, and obscure references from local newspapers throughout the West. This is a book for professionals rather than local history buffs, but it does provide valuable background material for researchers investigating local manifestations of the larger movement to unionize the West.

PHILLIP I. EARL

What's Going On

Sinnott Records Donated

THE RECORDS of the Mel C. Sinnott business enterprises of Mineral County have been donated to the Nevada State Historical Society in accordance with the disposition of Hilda (Mrs. Mel C.) Sinnott's estate.

Mr. and Mrs. Sinnott were prominent in Candelaria and Mina, Nevada, for more than half a century. They actively engaged in the general mercantile, automobile, motel, and real estate businesses.

The Sinnott collection of business records is considered to be of significant value as it will enable historians to study the operations of a small, general mercantile business in early twentieth-century Nevada.

AAM Accreditation

THE NEVADA HISTORICAL SOCIETY has recently received official notification of accreditation by the American Association of Museums. The AAM is a federally granted organization that promotes professionalism among and between historical societies and museums in the United States. The award reads: "The Nevada State Historical Society has demonstrated a professional level of museum operation in accordance with the standards of excellence prescribed by the American Association of Museums, and is hereby awarded this certificate of museum accreditation."

Washoe City Excavation in Progress

DURING the month of August, relics and artifacts from the site of Washoe City were exhibited at the Nevada Historical Society by the Am-Arcs of Nevada. Originally the county seat of Washoe County, Washoe City at one time reached a peak population of 3,500 people.

By 1871, the town's principal sources of industry had disappeared.

In that same year the county seat was moved to Reno, and Washoe City steadily declined in importance.

A few months ago, highway construction crews found historic and prehistoric artifacts in a gravel pit at the forgotten townsite. The recovered artifacts brought investigation by the local archaeological group and excavations began. The project is being conducted by the Am-Arcs, in association with the Nevada Archaeological Survey and the Nevada State Museum. The work must be completed within a few months because of a proposed housing development at the site. So far, the courthouse and the McFarland building (a commercial concern) have been located and partially excavated.

Certificate of Appreciation

THE NEVADA HISTORICAL SOCIETY was awarded a Certificate of Appreciation by the Washoe County School District for participation in the Elementary Career Awareness Program during the school year 1971-72. The program is designed to expose school children to many facets of career opportunities, and to exploit their interests and talents. The Historical Society conducts museum tours for several thousand school children annually, and in cooperation with the Washoe County School District, magnifies the changes that have occurred in careers and occupations over the past century.

St. Paul's Restoration Records Donated

MAJOR GORDON A. SAMPSON has donated the records of the Committee for the Restoration of St. Paul's Church, Virginia City, Nevada. Major Sampson served as the chairman of the executive committee and was responsible for the formation of the organization. Governor Paul Laxalt was honorary chairman.

Although efforts to restore the famous church and its English-made organ failed, a great deal of research has been done on the history of the structure. The records include research data, detailed descriptions of the church and organ, estimated costs of restoration, photographs, correspondence, and press releases dating from the restoration committee's inception in 1967 to 1969.

Zadow Indian Basket Collection

VERA ZADOW WARREN of Reno has contributed a valuable collection of Indian baskets and cradleboards to the Nevada Historical Society. The relics were acquired by Louise Kohler Zadow in Eureka during the 1890s. Mrs. Zadow was manager of the Zadow Hotel in Eureka while her husband operated the local meat market. Vera Zadow Warren is a granddaughter of the Zadow family.

Mrs. Zadow purchased the baskets and cradleboards from Indian women who were employed in the hotel or the Zadow home. These Indian women manufactured the baskets for sale on the streets of Eureka or in local stores. Several of the baskets, however, are larger and heavier than the rest, and appear to be much older than the 1890s date would indicate. Evidently, they were in use by the Indians for some time before being offered for sale. The other baskets have been well cared for and show little aging.

Voice of America Broadcasts Nevada History

A REPORTER with the Voice of America recently visited the Nevada Historical Society and taped an interview with Mrs. Myrtle T. Myles and Mr. Walter Mulcahy, both Nevada history experts. The interview was in preparation for a half-hour radio program to be broadcast to European nations later this year.

The topic of the interview was Nevada ghost towns. Interest in the western United States and its history has been growing among the people of Europe and this factor motivated the Voice of America to prepare the program.

Williamson Appointed Acting Assistant Director

LYNN E. WILLIAMSON has been appointed Acting Assistant Director of the Nevada Historical Society; he replaces Douglas McDonald. Mr.

Williamson is a graduate of the University of Northern Iowa and is currently pursuing graduate work at the University of Nevada; he is specializing in Nevada history. He holds a teaching certificate and has taught in the Iowa secondary schools.

An Index for the Nevada Historical Society Papers

STUDENTS and scholars of Nevada history have long recognized the value of the *Nevada Historical Society Papers* (1907–1926), the earliest publications of the organization. The eight-volume set has, however, been difficult and cumbersome for practical use because of the lack of an index. Such a tool is now being prepared for publication by L. James Higgins, Jr., a staff member of the Society. Publication of the index will be announced in a future issue.

SPO, CARSON CITY, NEVADA, 1972

