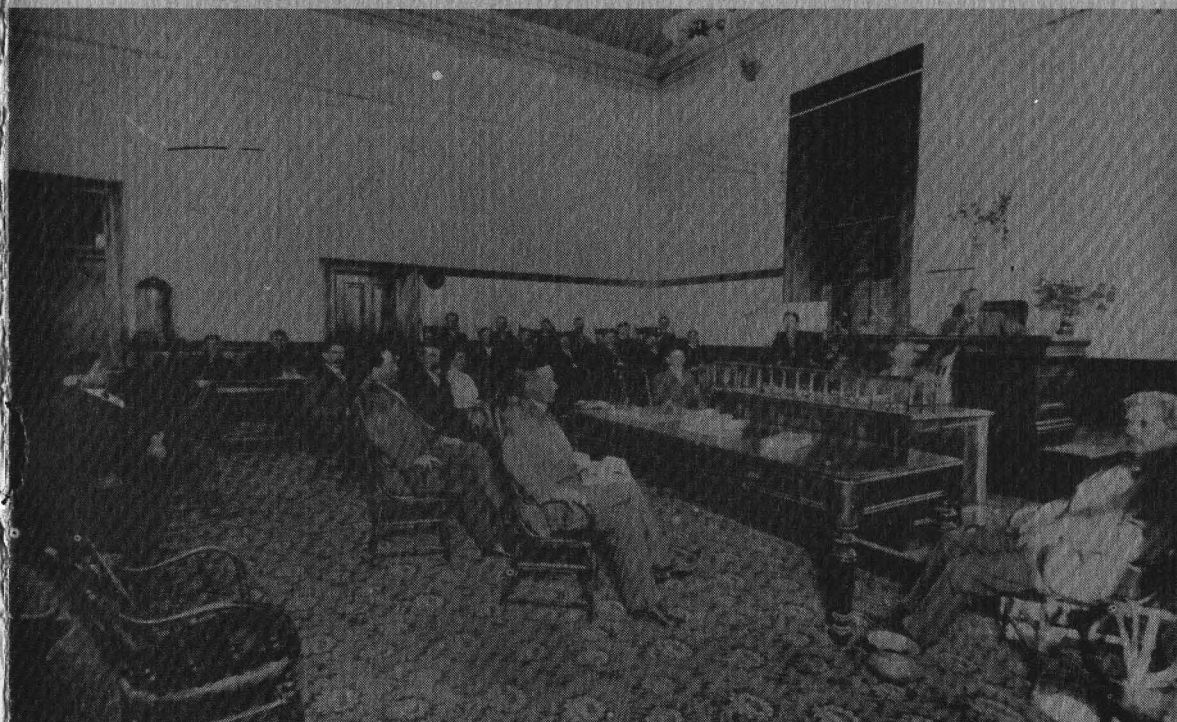


NEVADA
Historical
Society
Quarterly



Winter • 1974

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THE COVER

Patrick A. McCarran (left-center chair) in Winnemucca courtroom scene.

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Patrick A. McCarran

Senator Patrick A. McCarran: Orator From Nevada

by Fred E. Whited, Jr.

PAT McCARRAN, the first native son that Nevada sent to the United States Senate, came from a humble background. His parents, illiterate Irish immigrants, learned to read only later in life. Apparently Pat's father became an avid reader, and his mother learned to write a little.¹

Patrick McCarran, the senator's father, came to the United States in about 1849 at the age of fifteen or sixteen.² He spent six years in New York and then, in about 1855, moved to Missouri. Two years later he joined the Third Dragoons under General Winfield Scott Hancock. The First and Third Dragoons were soon moved to the western part of the Utah Territory, now the state of Nevada. At a site next to the Carson River near one of the California immigrant trails, these units constructed Fort Churchill.³ Almost certainly during this period of service Patrick first rode into the Truckee River Canyon and spotted the place about thirty miles from Fort Churchill where he was later to develop a farm and sheep ranch. Originally named Ditho by the Central Pacific Railroad, this place today is named Patrick.

The elder Patrick McCarran had red hair and a flaming beard with temper to match. He was involved on several occasions in court litigation, once being charged, tried, and acquitted for assault and battery. On election day he would stay in Reno overnight, returning the next day, often with a broken nose.⁴

The senator's mother, Margaret Shay McCarran, came to the United States from County Cork, Ireland, in 1872. Most often referred to as "Maggie,"⁵ she was a large, hardworking, dominating woman who early worked as a domestic servant and cook. Her granddaughter described her as having "long dark hair, piercing eyes, and apple cheeks" and said that she

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"acquired the look, shape, glance, and general aspect of one of Michaelangelo's Sybils."⁶

After landing in New York at the age of twenty, Margaret Shay went to Louisville, Kentucky, where her aunt lived. She worked there as a domestic cook until 1874, when she boarded an immigrant train for California. She left the train in Reno, Nevada, and secured employment as a cook at Barney Clough's hay ranch, located about five miles south of Reno.⁷

Margaret and Patrick became acquainted in 1875 while both worked on the Clough ranch. At the end of the haying season, on October 18, 1875, they were married in Reno.⁸ Their son Patrick was born in Reno, August 8, 1876.⁹

When young Pat was two, the McCarran family moved fifteen miles east of Reno to an isolated farm in the Truckee River Canyon.¹⁰ Life on the McCarran ranch was one of "great struggle and hardship."¹¹ The one hundred acres of irrigated land on the north side of the river were surrounded by steep rugged mountains that at first glance impress one as being completely barren. The wild mountain grasses do not grow high and rarely turn green before May because of the killing frosts, and those grasses often turn brown in June because of the scorching sun and drying winds. In addition to working the land in the canyon, the McCarran family developed an auxiliary sheep grazing business; several sheepherders used the farm as a supply point and as a winter home for their sheep.¹²

Hardship and isolation were very real parts of young Pat's early life. Not only was he reared without the company of brother or sister, but also the McCarran neighbors were spread out over long distances along the river bank. Occasionally, to secure a playmate for Pat, his mother would take a buggy to the mouth of the canyon and bring a young boy named Amos Dickey back to the farm.¹³

When Pat was six he went to Reno for a few months' study at Mount Saint Mary's Academy, his first experience with formal education.¹⁴ Four years later he went back to Reno to stay with the bishop and study for his First Communion.¹⁵

He started public school at the age of ten, when he was old enough to ride his pony by himself ten miles each way to the Glendale School.¹⁶ His attendance there, which spanned a period of five years, was intermittent. Winter snows often made travel impossible, and in the spring the river and ditches flooded. The school year for Pat started after the harvest in late October and ended in early March with the lambing season,¹⁷ and even during the term he milked twelve cows each day before and after school.¹⁸

When Pat was fifteen years old, he was boarded in Reno to enable him to attend school on a regular basis. In late October when he presented himself to the principal, he was placed in the seventh grade.¹⁹ For a time, Pat made the most of his freedom and the least of his educational opportunity. Reno was an interesting place for a country boy, and Pat often played hooky and went to see the great buildings and watch the busy town in action.

Pat's indolence was to be short lived, for he was under the tutelage of Mrs. Libbie C. Booth, a most remarkable teacher, whose name is still remembered in Reno. She kept him after school one day and gave him "an

honest to God talking to." She told him that he had the "makings of a great man," but that he would have to learn to apply himself. This was a turning point, and, as he said later, the beginning of his career:

. . . From that day on, I became interested in public speaking, declamation contests and kindred matters. From then on, I became interested in athletics and in the building of school spirit.²⁰

Mrs. Booth made an interesting discovery about Pat: the more he worked, the happier he was. The next time Mrs. McCarran came to town to pay the board bill, his teacher, although omitting to mention Pat's absenteeism to the formidable woman, did tell her that because her son was too old for his grade, he needed more work to keep him busy. Pat was soon enrolled in shorthand, telegraphy, and typing classes. The certificates granted at the end of these courses were proudly hung on the ranch house walls, where they remained for the next sixty years. Writing to Mrs. Booth some twenty-four years later, Judge McCarran said:

. . . The lessons you taught, and the rules you laid down, have been with me constantly, and I look back to you as the beginning of my public career; and whatever temple I may build in that respect, the foundation was laid by you; and however I may round out my career, it is with extreme gratitude that I always look back to the one who gave me the first words of encouragement, to the one who awakened me to the realization that it was possible for me to achieve something in life.²¹

For the next eight years Pat McCarran's education proceeded without serious obstacle.²² During his high school years, he achieved a reputation as an athlete, winning the 100-yard and 50-yard dashes on the final field day of his senior year at Reno High School. His best academic subjects were rhetoric and history. Although he stated in his memoirs that he won the position of valedictorian of the class of 1897, the commencement program makes no such distinction. It lists him, however, as giving the final student oration, entitled "Footprints on the Sands of Time."²³

In the fall of 1897 Pat McCarran entered the University of Nevada and matriculated in Liberal Arts. He was not a great scholar at the university. An average student generally, his best grades were in political science in which he received a 96. With a grade of 70, he barely passed a course entitled "Bacon."²⁴

Many things competed for Pat's interest at this time. He was active in athletics, particularly football and track, and in the latter set a school record for the 100-yard dash (10 1/5 seconds) that stood for many years.²⁵ He became sports editor for the school newspaper and coached football at Reno High School.²⁶ In 1900 the University of Nevada received an invitation from the University of Utah to debate. Pat was on the team and traveled to Salt Lake City to take part. The subject of the debate was "The Beneficial Effects of Territorial Expansion of the United States."²⁷ Many years later Senator

McCarran commented, "We lost the debate but gained a lot of experience."²⁸ His transcript shows that he received a 70 in senior forensics during the fall term of 1900. That same year he was awarded a \$25 prize for debate.²⁹

For the second term of his junior year his transcript records only one passing grade—other courses were marked "no exam" or "conditional-passed," or simply left blank. In the fall term of 1900 he failed German I and barely passed the rest of his subjects. He was not registered during the second term of what would have been his senior year. He registered for courses for both terms of the next school year but withdrew each time. The final notes on the transcript indicate that "McCarran, P.A." was awarded an honorary M.A. in 1915 and an honorary LL.D. in 1945.³⁰

The most probable explanation for his failure to graduate lies in his ever-expanding sheep business. As a young boy he had acquired a small flock by collecting the bummer lambs, which he raised on a bottle. As years went by, he learned the business from sheepherders who used the McCarran farm.³¹ By 1901 he had acquired some fourteen hundred breeding ewes; and when his father suffered a serious injury that spring, he left school for good to take over the work of what by this time could be called a ranch. Both his mother and Libby Booth opposed this activity and were determined that he should not become a sheep rancher.³²

Self-Made Man

The years 1901 to 1905 were ones of self-education for Pat McCarran. During most of this time he was a sheep rancher and herder, an occupation of stark isolation, relieved, in Patrick's experience, by his study of law in response to the urging by Libby Booth and his mother.³³ He purchased a copy of Blackstone and read common law while he tended his grazing sheep in the Nevada hills. McCarran said of this period:

. . . I sought the advice and guidance of outstanding lawyers of that day and followed their advice in reading . . . I was gifted with a fine memory which I believe I inherited from my father . . . But my memory aided me where my training was lacking, and so through the years and as I read law and learned its principles the hard way, I retained what I read.³⁴

One of the McCarran family stories is of a Basque sheepherder who found McCarran reading law by a campfire.³⁵

Reading law was not McCarran's only pastime while grazing his flocks. It was during this time that he gained his early training in the art of oratory, declaiming loud and long to his audience of sheep. Senator Alan Bible, at the dedication of the McCarran statue in Washington, D.C., commented on this subject and on McCarran's early years:

. . . Pat McCarran emerged from his childhood with certain attitudes indelibly written into his mind. He did not lose these convictions through the years when he studied for

the law by reading Blackstone aloud to the sheep he herded . . . With the completely private attention of the grazing animals, he practiced public speaking, becoming skilled in the art of the now old-fashioned orator. When he later raised his voice to a shout, and gestured vigorously in the ardor of his words, he was just doing what came naturally.³⁶

Young Patrick McCarran, who taught himself the law and the art of oratory, the two most important skills of his later life, took time from his sheep business to put his new knowledge to work. Asked to run for the Nevada Assembly in 1902 on the Silver-Democrat ticket,³⁷ he accepted and was duly nominated at a convention held in Reno.³⁸ His campaign was filled with much speech making.

As one of seven Silver-Democrat candidates from the Washoe district, McCarran campaigned with Herman Cooke, the one lawyer in the group. In later years Cooke told the McCarran family how the two men "traveled through the country with a buckboard and horse and how he passed out cigars while McCarran made the speeches."³⁹ The local newspapers record that the two men staged several rallies, one including a brass band.⁴⁰

McCarran was elected, continued his speaking during the meetings of the assembly, and wrote an admirable record in the Twenty-first Nevada Legislature.⁴¹

McCarran's brief but active stint in the Twenty-first Nevada Legislature constituted his only formal legislative experience before he was elected to the United States Senate three decades later. Although he ran for the state senate in 1904, he lost in a close election.⁴²

By March, 1905, when McCarran passed an oral bar examination administered by the three members of the Nevada Supreme Court,⁴³ he had sold all his sheep, had married,⁴⁴ and was ready for a new career as lawyer and politician in Nevada. His involvement in campaigning, criminal cases, and invitations to speak during the next twenty-seven years resulted in extensive travel throughout the state. When he ran for the United States Senate in 1932, he had an intimate knowledge of Nevada, and, because of the small number of people in the state, he knew personally a substantial percentage of its voting population.

During the years from 1905 to 1932 McCarran became the most widely known orator in Nevada. No accurate estimate of the number of speeches he gave in these twenty-seven years is possible. A survey of the state's newspapers plus an examination of his personal papers reveal that his occasional speaking was a continual activity. This phase of his oratory leads to a consideration of the last and most important characteristic of the incipient senator.

By virtue of his own experience, McCarran came to a belief in the power of his spoken words. His courtroom speaking made him a famous criminal lawyer in the state, and his occasional speaking kept him a viable political figure during the years he was out of office.

Forensic Speaking

Soon after taking his bar examination, McCarran sent his wife and child to Clover Valley, where Harriet awaited the birth of their second child. McCarran left for Tonopah, a booming mining camp in central Nevada, to establish a law firm with B.S. Wilson.⁴⁵

The twentieth century arrived a little late in central Nevada and Tonopah. In the fall of 1905 the community was a rough and tumble mining town where shootings and violence of all sorts were common affairs. In this environment McCarran soon gained fame in the dusty courtrooms as a defense lawyer. His first important case was a classic in the western tradition.

Tom Logan, the only sheriff Tonopah had ever known, and whose popularity was such that no one had ever run against him, was shot and killed by Walt Barieau, a man who had recently arrived in the area. The shooting took place in front of the Jewel, a house of entertainment in Manhattan, a town some distance from Tonopah. The chief witnesses for the prosecution were May Biggs, proprietress of the Jewel and good friend of Logan, and Jimmy Bering, a piano player at the Jewel.⁴⁶

On the day Barieau was arraigned, the court was filled with those who wanted to get a look at the man who had shot Sheriff Logan. Barieau, who appeared without counsel or the means to retain one, agreed that the judge appoint a lawyer for him. Perhaps because he was the newest attorney in town, Pat McCarran was appointed.⁴⁷

The district attorney was William Pittman, brother to Key Pittman, later United States senator, and Vail Pittman, later governor of Nevada.⁴⁸ A jury was quickly formed, much to the surprise of the local press, because it was felt that the selection of twelve men who were unbiased toward Barieau would be extremely difficult.⁴⁹

During the trial, the prosecution argued that Logan was murdered in cold blood while trying to eject Barieau from the house. McCarran claimed that Logan set upon Barieau without provocation, and, when the sheriff began using his gun for a club, Barieau killed in self-defense, not knowing who Logan was.⁵⁰

The local paper gave an account of McCarran's summation for the defense:

. . . it was the unanimous opinion of those present in the courtroom that no finer argument, from the standpoint of eloquence and logic, has ever been delivered in the courthouse. During the course of the argument, Attorney McCarran demonstrated that as a dealer in sarcasm and invective, he is without a peer at the local bar. . .

During the course of his remarks Mr. McCarran took the opportunity to comment on the reliability of the chief witnesses of the state—May Biggs and Wilson J. Bering. May Biggs he characterized as an “enchantress who had wound herself into the life of a man inclined to do right and making him a slave to her every will and wish.”

There were few dry eyes in the courtroom when Mr. McCarran touchingly referred to the family of Thomas Logan. He stated that while the sheriff, under the influence of the Biggs woman, was showering presents upon her, the family of the man in Smokey Valley had but few of the necessities of life.⁵¹

The jury found Barieau not guilty,⁵² and McCarran became famous overnight. Many similar cases followed, almost always with the same result. McCarran commented at some length on the Barieau case because it was of such importance to his career:

... I found myself catapulted, as it were, into the practice of criminal law. From then on, for years, there was scarcely a case of any magnitude that I was not called into. I defended many men for murder during the course of my practice but never was there a more harrowing, perplexing case than the Bario [sic] case, and never was there one that meant more to a young man just commencing the practice of the law.⁵³

In the fall of 1906 the Democratic party no doubt reasoned that anyone who could so ably defend murderers could also prosecute them. McCarran was nominated for district attorney. He accepted, but only after the salary was raised from \$1,500 to \$7,500 a year.⁵⁴ During the two year period that McCarran served as Nye County District Attorney, he prosecuted numerous crimes of violence and, at the same time, continued to act as a defense attorney outside Nye County.

Occasional Speaking

Before McCarran went to the Senate, his most frequent speaking experiences came in the form of occasional addresses. This speaking apparently started soon after his participation in the Barieau case, and before he left Tonopah to set up practice in Reno in 1909 he was well known in central Nevada as an orator. The little town of Rhyolite, almost one hundred miles from Tonopah, referred to him as "Our Orator Pat."⁵⁵ After he moved to Reno his occasional speeches increased in number and variety. His audiences ranged from a seventh-grade civics class of less than thirty to a Fourth of July celebration of several thousand and from religious groups, mainly Catholic, to political groups, mainly Democratic. He often spoke to conventions of miners or stockmen or businessmen and frequently to fraternal groups—Eagles, Elks, Knights of Columbus, and even the Masons. The occasions varied from virtually no occasion at all to a university graduation. Always it seemed that on Independence Day, Flag Day, Labor Day, Memorial Day, Admission Day, Columbus Day, and certainly on St. Patrick's Day, Pat McCarran was to be found in front of an audience somewhere in Nevada. It was not uncommon for him to give two or more speeches on the same day.

To generalize about the themes prevalent in these speeches is difficult; the known occasions far outnumber the existing manuscripts. Considering only those several manuscripts available, the most common themes were the greatness of the nation, its moral and military strength, its political system and heroes, good citizenship, and fraternalism; on St. Patrick's Day his theme was the greatness of an Irish heritage.

Certainly no speaking occasion was dearer to McCarran's rhetorical heart than St. Patrick's Day. Descriptions of several of these speeches are to be found in the local newspapers. In 1910 many of the people of the Truckee Meadows gathered in Robinson Hall in Sparks to take part in the celebration:

Patrick A. McCarran of Reno was the speaker of the evening. Owing to illness he was unable to prepare his address as he planned to do, and his remarks were extemporaneous, but all the better for that, as they were spontaneous and full of the native eloquence of the heart. He paid tribute to the patron saint of Ireland, portraying a character that stands eminent in the world's history. The Irish race was traced in history from its beginning to the present day and the predominant traits, such as love of music and poetry, chastity, patriotism, and eloquence, were dwelt upon.

The devotion of Irish to their island he said, is not more strong than the devotion of the Irish-American to the flag of liberty.⁵⁶

In 1911, at the Century Club in Reno, the Young Ladies Sodality of St. Thomas Church sponsored a St. Patrick's Day celebration. The audience was a large one:

... had the Century Club been much smaller it would not have accommodated the attendance which was a record one in every respect ... A list of those who were present would contain every prominent resident.⁵⁷

The newspaper article described McCarran's speech:

Hon. P.A. McCarran was next on the program. His word painting of the Irish character was a masterpiece, with breathless attention the audience drank in perior [sic] after period of his soul thrilling oration. With a pathos that drew tears, he dwelt on the wrongs of the Celt and again with wit and story he convulsed his hearers with laughter. His peroration was a vivid description of the new Ireland that is soon to take her place among the nations of the world.⁵⁸

That same day, at a special high mass at St. Thomas Aquinas, McCarran gave another oration, entitled "The Dawn Breaking in Ireland."⁵⁹

A typical example of McCarran's patriotic addresses was his Flag Day speech at the Grand Theater in Reno on June 14, 1909. The occasion was sponsored by the Reno Elks, and part of the speech was published in a Reno newspaper. After an introduction that dealt with the occasion and the fact

that all nations have a traditional symbol of some sort, there followed a eulogy to America:

America, a republican governmental structure, the corner stone of which was taken from the quarry of self sacrifice and love of freedom; America—a governmental jewel cut from the unpolished gems of the darker ages; America—the land of freedom of mind and body alike found a shrine of its most perfect development—to this land was bequeathed the destiny of being peopled with a race whose love of country required no educated patriotism.⁶⁰

He vividly told the story of Betsy Ross and her creation of the flag, followed this with a brief historical sketch that included certain “momentous occasions” when the flag had stood in glory, and concluded with another tribute to the American republic:

Regardless of the external things which for a moment may appear menacing, we can conceive of a national destiny far surpassing the grandeur of the present or the past. We can assure ourselves of the continuation of the government, the foundation of which was taken from the universal quarry of individual human freedom and liberty. A republic standing erect by the power of its own internal strength, while nations all around are bowed by the weight of their own ornaments. A republic where every man is one of the units of the army, should the call to arms come. A republic free from internal strife and at peace with the world by reason of the power of its intellect, and at the same time the accepted arbitrator of the world’s contentions and controversies. A republic where every man is sovereign, yet where no man cares to wear a crown. A republic whose flag, as it floats upon sea or land, is loved, while other flags are only feared. A republic where the youth is taught to protect his own rights, but above all to respect the rights of others. A republic stern, steadfast and determined, yet in which the cry of the grief-stricken of the world is responded to by charity and succor unlimited. A land, a government, a home, where the waves of its bordering oceans join in the rhythm of its countless millions singing the song heard down the corridors of ages: Government, advancement, prosperity and happiness.⁶¹

A local paper made the following comment about the speech:

The oration of the day was delivered by Hon. P.A. McvCarran [sic] a member of the Reno lodge. It was one of the most eloquent addresses ever heard in Reno and made the blood tingle in the veins of all who heard him. Once again P.A. McCarran won glory for himself as an orator by paying a beautiful tribute to the American flag.⁶²

The McCarran correspondence from 1905 to 1932 contains several

hundred requests to speak at meetings of fraternal organizations and various other gatherings. Because he often gave an affirmative reply to the requests—"I beg to assure you that it will give great pleasure to be with you on that date and to lend my humble service to the end that your Memorial Service may be a success"⁶³—his occasional speaking continued virtually unabated during these years. Local newspapers seemed always to offer favorable assessments of these rhetorical efforts. A good example appeared in the Yerington paper:

The speaker of the evening P.A. McCarran of Reno No. 207, "Our Pat," was then introduced and made a most eloquent appeal for "fraternalism" and exemplified in a pleasing manner the motto of the Eagles: "Liberty, Truth, Justice, and Equality," and addressed himself at the close in a convincing manner to the ladies present, urging them as the protectors of the home to see that husband, brother, son or sweetheart obtain membership in the local Aerie. His address was punctuated with applause, and, always a most able rostrum speaker, he appeared at his best on this occasion.⁶⁴

Such speaking is often characterized as leaning heavily on "pathetic evidence," or filled with "purple passages," or just plain "schmaltz." It can also be described in terms of the speaker, his delivery, gestures, and tone of voice. But how did such speaking effect McCarran's relationship with his audience? How did they react to the speaker and what he said? The newspapers indicate that they laughed and cried and clapped. Joseph F. McDonald, a Reno newspaperman who knew McCarran during most of his career, gives us some insight into the senator's oratorical powers and his relationship with his audiences:

He was a William Jennings Bryan orator and a wonderful, wonderful speaker, one of the best you could ever hear. You just loved to listen to him because he was an orator. It was beautiful, the way he talked! And yet he could take any subject, no matter what it was, and paint rosy pictures. It just made you feel good to listen to him. So maybe in the course of the whole thing, he never said anything very important, but it was well worth listening to. And people would go a long ways just to hear him talk on politics or anything else.⁶⁵

His speeches did more than that. They created mental images of the Irish destiny, Americanism, and fraternity. Listening to McCarran speak was an act of participating in fantasy and myth. The emotional atmosphere became supercharged, and the audience could picture itself at the battlements holding up Old Glory or ready to march off in uniform if the call were given. The ideas became diffusive and pervasive in the imaginations of his auditors. These ideas became part of the self-concept and, consequently, part of a system of belief, a belief in America the beautiful, powerful but just, with liberty and freedom for all. This is the substance of myth—the American

myth.

Gilman Ostrander has made the point that because of the high incidence of political participation, due to the small population, Nevadans had a "sense of citizenship that was unexcelled in the nation."⁶⁶ He goes on to comment that the "hero and the spokesman and, for many Nevadans, the apotheosis of the twentieth century Nevada spirit was Senator Pat McCarran, standing forth in the name of Americanism."⁶⁷ He not only stood for Americanism, but he also "personified citizenship as the concept had been enlarged by Nevada's peculiar circumstances."⁶⁸

McCarran, the man who "personified" Nevada's ideal of citizenship, also helped formulate the concept in the minds of its citizens by giving countless numbers of speeches, emotional speeches that stirred and excited his audiences with a sense of being part of something larger than and more important than the individual. These shared fantasies or ideals are not reality but a form of myth or a concept of the community.

McCarran certainly was not the creator of the substance of the myth, but as an orator he was a purveyor of it. Considering the fact that he gave hundreds, perhaps over a thousand of these speeches, he was a substantial contributor to the American myth as part of the belief system of Nevada's citizens.

No man could have said the things about his country that McCarran said so repeatedly, without it affecting himself. He was an old-fashioned patriotic American. He held high ideals about his country, and these ideals and patriotism were to be evidenced on many occasions in his speech making after he became a United States senator.

This same method of analysis can be applied to McCarran's forensic speaking in the Tonopah courtroom. In the Barieau trial the defense attorney in his summation to the jury painted vivid pictures of a good man gone wrong (Tom Logan, the dead sheriff) spending all his money, time, and energies on May Biggs, proprietress of the notorious Jewel. And what about his family—all alone, cold, and hungry out in Smokey Valley? The rhetorical fantasy captures the imagination of the jury. The status of the case is no longer one of definition: was it murder? or was it self-defense? It is now simply a matter of social mores: here is a bad man who deserved to get himself shot.

It took McCarran a long time to reach the United States Senate; but by the time he got there, he was an accomplished orator. His success in legislative, courtroom, and occasional speaking provided him with the kind of background that most certainly led him to believe in the power of his own words. His style, which has already been referred to as "old-fashioned," did not deter him from speaking long and often on the Senate floor, where he aggressively supported his many legislative proposals and just as aggressively attacked those he opposed.

His Nevada background influenced much of the legislation he introduced and frequently succeeded in getting through Congress. He knew the state so well that he was readily able to propose amendments to appropriation bills that would provide for a new road, dam, or airfield that would benefit specific members of his constituency. In Reno at a celebration

of McCarran's twentieth anniversary in the Senate, he was asked what he thought his outstanding achievement had been. He answered:

I thank God that He has seen fit to place me in a position where I have been able to aid my many friends and neighbors in Nevada. It is this being able to aid my fellow Nevadans that has helped me over the many years in Washington.⁶⁹

McCarran's youthful years had made indelible impressions. It should be remembered first that he was an only child who rarely had a playmate. When he finally entered public school, he was older than his classmates and did not graduate from high school until he was almost twenty-one years old. After he left the university, he became a full-time sheepherder in the uninhabited mountains of western Nevada. These conditions of isolation contributed to a distinct personality that would later be characterized as "McCarran Lone Wolf of the Senate."⁷⁰

When one considers the primitive conditions in western Nevada in the late nineteenth century and even more primitive conditions in Tonopah at the turn of the century, it is easy to believe that McCarran accepted the pioneer ideals of courage and resourcefulness. These two elements of his personality were continuously displayed during his political and legal career before he went to Washington, and after he became a United States senator, these same characteristics were exhibited on the national scene.

The Senator

When McCarran entered the Senate in 1933 at the age of fifty-six, he could look back on a lengthy and varied political and legal career in his native state of Nevada. In addition to serving as an assemblyman in the Nevada legislature of 1903, and district attorney for Nye County from 1907 to 1909, he had also served as associate justice and later as chief justice of the state supreme court from 1913 to 1919. He had also served in a variety of legal and quasi-legal appointive positions: he was a member of the Nevada Board of Pardons from 1913 to 1919, a member of the Nevada State Board of Parole Commissioners from 1913 to 1918, and chairman of the Nevada State Board of Bar Examiners from 1919 to 1932. On three occasions he had failed in attempts to gain national legislative office—first as congressman in 1908, and then as senator in 1916 and 1926. In the thirty year period from 1903 to 1933 he had spent ten years in elected positions and twenty years out of office. During most of the period out of office, he had practiced as a private attorney specializing in criminal and divorce law.

By the time McCarran took office as United States senator in 1933, he had grown to be quite rotund with a barrel chest. He was about five feet seven inches tall and weighed 200 pounds. His graying hair was worn long, à la William Jennings Bryan.⁷¹ His eyes, another striking feature of his appearance, were generally described as bright blue.

McCarran dressed with a western flair; at noon when he left his office to go to the Senate floor, he donned a ten gallon hat.⁷² Perhaps the best way

to picture McCarran in the latter part of his career is to imagine a caricatured stereotype of a senator. If, in the early 1950s, one had taken that mental image to Washington, D.C., and picked out the man who looked most like a senator ought to look, it would have been Senator McCarran. One day a group of tourists in the Senate Office Building watched him pass by. A lady remarked, "That must be a Senator, he sure looks like one." The guide replied, "He sure is lady, that's Patrick McCarran. He really is a Senator."⁷³

His voice was pitched high and he spoke slowly. George Creel once commented that his oratory was "glacial rather than volcanic, moving slowly but unceasingly and irresistibly."⁷⁴

McCarran's health during the last three decades of his life could not be considered good. He was in and out of hospitals on several occasions. On December 16, 1935, while in Chicago, he suffered a severe ulcer attack.⁷⁵ After several weeks of hospitalization there, he returned to Washington only to be rehospitalized a few days later.⁷⁶ Early in March, 1936, he left Washington to stay at his brother-in-law's ranch in isolated Clover Valley, Nevada, to recover from a heart condition.⁷⁷ To further his recuperation on his return trip he took a ship from San Francisco through the Panama Canal. In 1946 he suffered another heart seizure and underwent extended treatment in Washington.⁷⁸ Several newspaper clippings in his scrapbooks record his leaving a Washington hospital to go directly to the Senate floor to vote on an important issue, and, on one occasion, during the Supreme Court packing fight, to join the so-called "Death Battalion" to make a fiery speech.⁷⁹

Energy

McCarran's bouts with bad health do not signal that he lacked energy; quite the contrary was true. Thumbnail sketches in various sources indicate that he was a most active senator.⁸⁰ Except when hospitalized, McCarran was a whirlwind of legislative activity, and he did not limit those activities to matters directly affecting Nevadans. He seemed to be involved in everything, especially investigations: milk trusts, bank failures, an aviation scandal, the Bureau of Land Management, judicial handling of bankruptcies, the N.R.A., interstate commerce, reciprocal trade agreements with South America, immigration laws, displaced persons, the Marshall Plan, and, perhaps what he is most commonly remembered for, his investigations into communism in America, are representative of his investigatory activities. Substantial numbers of those inquiries led to far-reaching legislation; for example, he wrote virtually all of the nation's modern aviation legislation and is known as the father of the Civil Aeronautics Authority. He was proud of this work, once listing it as one of his three best contributions.⁸¹ His highly complex Administrative Procedures Act of 1946 still remains and standardizes procedures and regulates the activities of all federal agencies. His Internal Security Act of 1950 and the Immigration and Nationality Act of 1952, known as the McCarran-Walter Act, are his two most controversial pieces of legislation. Although challenged in the courts and amended in the Congress, these laws remain in force today with only minor changes. These few are

monumental laws, but there were many others; he frequently introduced Senate bills numbered 1, 2, 3, 4, and 5:

While his running battle with the New and Fair Deals has occupied a major part of McCarran's abundant energies, he has nevertheless held top billing as a lawmaker. Even in the Eightieth Congress . . . he managed to come out second best among all his colleagues in the number of personally sponsored bills approved.⁸²

McCarran worked full time at being a United States senator. His work day started early, at about 7:00 A.M., and often did not end until late in the evening. The great diversity of his interests meant large amounts of work, and it was diversity which acted like a tonic. Steinberg has observed that McCarran's

. . . lack of appetite and the pressure of his work day have not cut into his buoyancy. Once after a hectic day which exhausted his loyal staff of young people, he walked out fresher than when he had unlocked the door early in the morning. "I relax simply by changing from one problem to another," he admitted. "The more swamped I am, the better I feel."⁸³

Aggressiveness

As soon as McCarran was elected in 1932, he indicated his aggressiveness by boarding a train for Washington, D.C., instead of taking a four month vacation.⁸⁴ Once there he haunted the Senate chambers during a special session called by President Herbert Hoover. Whenever the doorkeepers were not looking, he slipped onto the Senate floor to sit in a back row desk as if to keep it warm until March.⁸⁵ During this time he talked Democratic Majority Leader Joe Robinson into giving him two major committee assignments, Judiciary and Appropriations.⁸⁶ These two early appointments were the basis of his extraordinary political power after World War II.

He was also aggressive when dealing with administration officials. During a conference on a matter of patronage with Secretary of Interior Harold L. Ickes, McCarran was told that any "appointment recommended by a politician" was "suspect." McCarran replied, "Mr. Secretary, I was elected by the people of the sovereign state of Nevada. I believe your office is appointive."⁸⁷ McCarran got his appointment. His arguments with Treasury Secretary Henry Morgenthau, Jr., over the government price of silver and with Postmaster General James Farley over court reorganization will be dealt with in a later article. His attacks on Secretary of State Cordell Hull and later on Dean Acheson regarding communism were given considerable publicity and generated a great deal of controversy. This issue will also be considered at another time.

McCarran also demonstrated his aggressiveness and determination in Senate-House conference committees appointed to iron out differences in

their versions of a bill. On one occasion, when a conference committee was making adjustments to the State Department appropriation bill, he told Representative John J. Rooney, "I did not come here to compromise on a single thing."⁸⁸ After three weeks McCarran won most of the concessions he sought.

Although his arguments with President Harry Truman were open and direct, they had not been with Franklin Roosevelt, at least in the early years of the New Deal. McCarran tended to treat Roosevelt with deference even while he was opposing New Deal legislation and policies. After the Supreme Court controversy and the 1938 elections, McCarran's tactics changed. As a result, the president listed him, among a half dozen senators, as a member of "The Haters' Club."⁸⁹

Perseverance

Another important characteristic of McCarran was his will to persevere. His attempts to get into the Senate, before he finally succeeded, spanned at least eighteen years.⁹⁰ His opposition to the creation of the state police force in 1907 caused a major falling out with political forces in Nevada.⁹¹ The state police, formed for the purpose of controlling labor troubles involving the I.W.W. in Goldfield, Nevada,⁹² owed their existence primarily to George Wingfield, mine operator, bank owner, and political leader in Nevada from about 1906 to 1932.⁹³

From 1907 on, every attempt McCarran made for national political office was opposed by the so-called Wingfield machine. In 1908, when McCarran ran against George Bartlett for the Democratic nomination for United States Congressman, George Thatcher and Key Pittman, lawyers employed by Wingfield, headed opposing delegations to the state Democratic convention. At the time, a local newspaper speculated that the McCarran delegation was not totally loyal;⁹⁴ it was headed by Pittman, who, just before the convention, expressed his private opinion about McCarran's chances: "McCarran has no strength because his reputation as a double-crosser is too well established throughout the state."⁹⁵

In 1914, McCarran attempted to secure support for a primary election campaign against Senator Francis G. Newlands.⁹⁶ At the last minute he announced that he would not be a candidate, possibly because he thought Newlands to be a stronger opponent than Pittman, who would be running again in 1916. In 1912, McCarran had won election to the state supreme court by more than a two to one margin.⁹⁷ In the same year Pittman had won his first elective office by a mere eighty-nine votes.⁹⁸ McCarran's hesitancy in 1914 proved to be a costly mistake because the following year the Nevada legislature, which was controlled by Wingfield, changed Nevada's new primary election system back to the old party convention system.⁹⁹ McCarran declared his willingness to be a candidate before the 1916 convention, but the outcome was clearly foretold in a letter he received from a Battle Mountain attorney:

Am safe in saying that fully 70% of the Democrats in Lander County with whom I have talked are for you. But all are agreed that inasmuch as the organization is for Pittman and the nomination made in convention that the odds are heavily against you.¹⁰⁰

In 1926, with the state back on the primary system, McCarran ran for the United States Senate against Ray Baker. Baker received the Democratic party endorsement and won.¹⁰¹

Finally, in 1932, a variety of circumstances brought the persistent McCarran to the Senate. The Wingfield machine, running out of steam at this time, could not control the Democratic convention in Carson City.¹⁰² Furthermore, the State Central Committee was without funds, and McCarran made a large contribution. It was rumored that the party's endorsement cost McCarran a fortune; the actual amount was \$3,900.¹⁰³ At any rate, with his party's endorsement, McCarran ran unopposed in the primary election. Ten days before the general election, the Wingfield banks closed their doors, never to be reopened.¹⁰⁴ McCarran ran substantially behind his party but managed to slide in on Roosevelt's coattails by a scant 1,692 votes; Roosevelt carried the state by more than 17,000 votes.¹⁰⁵

The perseverance that ultimately resulted in McCarran's election to the Senate also characterized his performance as a senator. For twenty years he tried through legislation, through administrative decision, and through the courts to secure land patents for some farmers who had homesteaded on the Paiute Indian Reservation. Always he was thwarted, either by Secretary Ickes, presidential veto, or judicial decision.¹⁰⁶ Four times in four separate Congresses he introduced and succeeded in getting passed a bill that would make cattle rustling a federal offense. Four times the president vetoed the bill. On the fifth try it was signed.¹⁰⁷ His fight to have silver remonetized started in 1933 and ended only with his death in 1954.

McCarran's opposition to foreign wars and entangling alliances was consistent as well as persistent. A campaign brochure from his 1926 primary reads in part:

The interest and prosperity of America does not depend on alliances with alien powers. This nation should avoid participating involvement with any court, compact or league which may endanger our being drawn into foreign wars.¹⁰⁸

In 1935 he joined a coalition of Democrats and Republicans to defeat the administration drive to get Senate approval of the world court protocol.¹⁰⁹ That same year he told a Georgia American Legion convention that "never as long as I serve in the United States Senate shall I cast a vote to send the boys across the sea."¹¹⁰ During the late 1930s he gained a national reputation as an isolationist. Although he helped the isolationist America First Committee, he refused to join it openly, commenting, "I can do more good by staying in the Democratic Party and watching the lunatic fringe—the Roosevelt crowd."¹¹¹

During World War II he supported efforts to defeat Germany and Japan but opposed cooperation with the Soviet Union. After the war he opposed the United Nations and later the Korean War. In 1954, shortly before his death, he predicted and warned against a coming American involvement in Indochina. He said in part:

Hour by hour we are being drawn closer and closer to active involvement in a bloody war in Indo-China which could turn out to be the greatest disaster this country has ever known. Day by day steps are being taken which bring us nearer to the point of no return. Sooner or later, I am very much afraid, the Administration will come before us to ask us to approve the sending of our boys into the swamps and jungles of Indo-China.¹¹²

Independence

McCarran's history of being independent of the Wingfield political structure in Nevada set a pattern that characterized his subsequent performance in the Senate. Although McCarran in later years held great power through seniority, he was never a member of the Senate Democratic Policy Committee. Just as his positions were determined issue by issue, so were his alliances with individual senators. By virtue of his seniority and his membership in the majority party, he chaired the Judiciary Committee and two important appropriations subcommittees. In these positions he was able to act almost as a one-man party of opposition. McCarran aptly explained the power of a chairman: "The chairman of a committee or a subcommittee cannot always assure passage of a bill which has been referred to his group, but he can almost always kill the bill if he wishes to do so."¹¹³

McCarran's political independence was coupled with an aloofness from Washington social activity. This had not been true in Nevada; in Carson City and Reno the McCarran family had been socially prominent.¹¹⁴ Once in Washington, however, these activities ceased almost entirely. It was as if he had been preparing all his life for the role of United States senator. Once the goal was reached, all his abundant energies were funneled into his work. His daughter referred to this as "self renunciation."¹¹⁵ Considering his health and the way he worked himself, he undoubtedly had little time for the Washington cocktail and dinner party circuit. Sister Margaret confirms the idea that the senator simply considered himself too busy and was uninterested in Washington society.¹¹⁶

This does not mean that McCarran was a recluse. Any senator must attend some social events, often given in his honor. The McCarran papers indicate that he attended and often spoke at numerous banquets sponsored mainly by the airlines, labor organizations, veterans' groups, bar associations, cattlemen's associations, and mining interests. Such speaking engagements were often associated with his past or current legislative interests.

The McCarran energy, aggressiveness, perseverance, and independence were all important qualities. When lumped together these four characteristics can be described with a single, more appropriate word, *cussedness*. McCarran

had the cussedness of a Nevada mule when dealing with his Senate colleagues or administration representatives, and it was this general characteristic that led to his success. Although he did not always get what he wanted when he wanted it, he more often than not wore his opponents down, until in the end he achieved his goal.

These four characteristics caused McCarran to be a most visible member of the Senate. He was not the sort of man who sat quietly in the wings while others took center stage. He was also not the kind of senator who carefully picked a single issue for the purpose of building his reputation. Quite to the contrary, he was often able to place himself in the limelight, regardless of the action before the Senate.

These four characteristics were also the most observable. Other characteristics, less observable, were an important part of the man. He was first of all a Nevadan, with all the special traits that harsh environment can nurture; and, second, he was a self-made man with an inner-directed personality. One of McCarran's colleagues, Lyndon B. Johnson, once said:

Pat McCarran's roots were deep in the soil of his native Nevada. He had the strength and the boldness of western pioneers.

But his story was one which is typical of America. Pat McCarran was truly a self-made man who studied law while herding sheep and whose rise to great prominence in the life of his country was due to his own efforts.¹¹⁷

Notes

1. Patrick McCarran, unpublished memoirs, p. 14, McCarran Papers, College of the Holy Names, Oakland, California.
2. *Ibid.*, p. 1.
3. *Ibid.*
4. Interview with Sister Margaret McCarran, Patrick, Nevada, March 18, 1971.
5. *Ibid.*
6. Sister Margaret McCarran, "Patrick Anthony McCarran 1876-1954," *Nevada Historical Society Quarterly*, vol. 11 (Fall-Winter, 1968), p. 9.
7. Patrick McCarran, unpublished memoirs, p. 2.
8. Photostatic copy of marriage certificate, McCarran Papers, Oakland, California.
9. Family records, McCarran Papers, Oakland, California.
10. Patrick McCarran, unpublished memoirs, p. 2.
11. *Ibid.*, p. 3.
12. *Ibid.*
13. Interview with Sister Margaret McCarran, Patrick, Nevada, March 18, 1971.
14. *Ibid.*
15. Sister Margaret McCarran, p. 27.
16. Patrick McCarran, unpublished memoirs, p. 3.
17. *Ibid.*, p. 4.
18. *Ibid.*
19. *Ibid.*, p. 5.
20. *Ibid.*
21. McCarran to Libbie C. Booth, November 17, 1913, McCarran Papers, Oakland, California.
22. Sister Margaret McCarran, p. 12. The cost of boarding Pat McCarran in Reno caused considerable hardship for the family. It was necessary for Maggie to take a job as a cook in the Lemmon Valley Hotel in order to continue paying for Pat's room and board; the cost was "six-bits and a sack of potatoes a week."
23. Commencement program, Reno High School, June 24, 1897, McCarran Papers, Oakland, California.
24. Transcript, University of Nevada, Reno, McCarran Papers, Oakland, California.
25. "Annual Field Day is Success," *Reno Evening Gazette*, March 26, 1903, p. 5.
26. Patrick McCarran, unpublished memoirs, p. 8.
27. Samuel Bradford Doten, *An Illustrated History of The University of Nevada* (Reno, 1924), p. 208.
28. Patrick McCarran, unpublished memoirs, p. 7.
29. Doten, p. 221.
30. Transcript, University of Nevada, Reno, McCarran Papers, Oakland, California.
31. Patrick McCarran, unpublished memoirs, p. 3.
32. *Ibid.*, p. 8.
33. Interview with Sister Margaret McCarran, March 18, 1971, Patrick, Nevada.
34. Patrick McCarran, unpublished memoirs, p. 8.
35. Interview with Sister Margaret McCarran, March 18, 1971, Patrick, Nevada.
36. U.S., Congress, Senate, *Acceptance of the Statue of Patrick Anthony McCarran*, S. Doc. 68, 86th Cong., 1st sess., 1960, pp. 45-46.
37. Patrick McCarran, unpublished memoirs, p. 9.
38. "Our Assembly Ticket," *Nevada State Journal*, September 24, 1902, p. 1.
39. Sister Margaret McCarran, p. 15.

40. "Fusion Rally Last Night at Glendale," *Nevada State Journal*, October 4, 1902, p. 1; "Cooke and McCarran Are Strong Candidates," *Nevada State Journal*, October 7, 1902, p. 3; "Fusion Candidates Visit Glendale," *Nevada State Journal*, October 21, 1902, p. 2; "Fusion Candidates Get a Splendid Reception," *Nevada State Journal*, October 23, 1902, p. 4; "McCarran, Cook and Others at East End," *Nevada State Journal*, November 1, 1902, p. 2; "Sure Winners," *Nevada State Journal*, November 2, 1902, p. 1; "Last Parade by the Fusion Forces," *Nevada State Journal*, November 4, 1902, p. 1.
41. See *Journal of the Assembly*, Twenty-first session of the Nevada State Legislature.
42. "Martin Wins Close Election," *Nevada State Journal*, November 18, 1904, p. 3.
43. Patrick McCarran, unpublished memoirs, p. 12.
44. Marriage certificate, McCarran Papers, Oakland, California. He married Harriet Weeks, whom he had known at the university, in Clover Valley, Elko County, August 10, 1903.
45. "Will Practice at Tonopah," *Reno Evening Gazette*, September 6, 1905, p. 6.
46. "Testimony in Barieau Trial Begins in District Court," *Tonopah Daily Sun*, July 10, 1906, p. 1.
47. Patrick McCarran, unpublished memoirs, p. 13.
48. The forensic competition that soon followed in the Tonopah courtroom was the first of a series of clashes, sometimes bitter, between McCarran and the Pittman brothers that lasted virtually all the rest of McCarran's life.
49. "Testimony in Barieau Trial Begins in District Court," *Tonopah Daily Sun*, July 10, 1906, p. 1.
50. Barieau case file, McCarran Papers, Oakland, California. McCarran's record of the Barieau case contains outlines and some of the court proceedings, but no transcripts.
51. "Fate of Logan's Slayer is with the Jury," *Tonopah Daily Sun*, July 13, 1906, p. 1. Logan had eight children.
52. "Barieau Not Guilty," *Tonopah Daily Sun*, July 14, 1906, p. 1.
53. Patrick McCarran, unpublished memoirs, p. 14. In all future quotations where there are misspelled words, they will appear as they were in the original.
54. "McCarran Makes More Money than the Governor," *Tonopah Daily Sun*, November 28, 1907, p. 1. McCarran claimed that he was the highest paid public official in the state.
55. *Rhyolite Daily Bulletin*, April 15, 1908, p. 1.
56. "Sparks Celebrates in Honor of St. Patrick," *Reno Evening Gazette*, March 18, 1910, p. 3.
57. "St. Patrick's Day Celebration a Success," *Reno Evening Gazette*, March 18, 1911, p. 4.
58. *Ibid.*
59. "Special High Mass in Honor of Saint," *Reno Evening Gazette*, March 17, 1911, p. 7.
60. "Republic Whose Flag is Honored—Love of Americans for Their Country Told by Patrick A. McCarran," *Nevada State Journal*, June 16, 1909, p. 5.
61. *Ibid.*
62. "Reno Elks Observe Flag Day with Appropriate Exercises and Parade," *Reno Evening Gazette*, June 14, 1909, p. 1.
63. P. A. McCarran to F. F. Franke, April 15, 1915, McCarran Papers, Oakland, California.
64. "Organization Being Perfected—Nevada Eagles Fly to Yerington," *Lyon County Wasp*, September 17, 1912, p. 1.
65. Joseph F. McDonald, "The life of a Newsboy in Nevada," typed manuscript of a tape recorded interview conducted by Mary Ellen Glass, University of Nevada, Reno, Library Oral History Project, pp. 151-52.

66. Gilman M. Ostrander, *Nevada: The Great Rotten Borough, 1859-1964* (New York: Alfred A. Knopf, Inc., 1966), pp. 133-34.

67. *Ibid.*

68. *Ibid.*

69. "U.S. Senators Pay Tribute to McCarran on Completion of Two Decades of Service," *Nevada State Journal*, March 5, 1953, p. 1.

70. Alfred Steinberg, "McCarran Lone Wolf of the Senate," *Harper's Magazine*, November, 1950.

71. Interview with Sister Margaret McCarran, March 18, 1971, Patrick, Nevada. According to McCarran's daughter, Bryan had been the senator's political hero in the early part of his career as a Nye County prosecutor.

72. Steinberg, p. 90.

73. Howard Rushmore, "The Gentleman from Nevada," *American Mercury*, June, 1954, p. 133.

74. George Creel, "Under the Underdog," *Collier's*, April 6, 1935, p. 26.

75. "M'Carran is Ill in Chicago Hospital," *Reno Evening Gazette*, December 18, 1935, p. 1.

76. "Senator McCarran in Hospital," *Reno Evening Gazette*, January 11, 1936, p. 1.

77. "Nevada Solon is Forced to Rest," *Elko Free Press*, March 12, 1936, p. 1.

78. Medical record, McCarran Papers, College of the Holy Names, Oakland, California.

79. Scrapbooks, McCarran Papers, Oakland, California.

80. Ostrander, pp. 152-153, pp. 188-196; Steinberg, pp. 89-95; Creel, p. 26; Max Stern, "The Wrench Thrower," *Today*, May 4, 1935, pp. 11, 21.

81. Steinberg, p. 93.

82. *Ibid.*, p. 92.

83. *Ibid.*, p. 95.

84. Creel, p. 26.

85. *Ibid.*

86. Steinberg, pp. 91-92.

87. Sister Margaret McCarran, p. 47.

88. Steinberg, p. 93.

89. James MacGregor Burns, *Roosevelt: The Lion and the Fox* (New York, 1956), p. 431.

90. Ostrander, pp. 188-91.

91. "McCarran Opposed to State Police Force," *Rhyolite Bullfrog Miner*, January 18, 1908, p. 2.

92. Russell R. Elliot, *Nevada's Twentieth-Century Mining Boom* (Reno: University of Nevada Press, 1966), pp. 103-52.

93. *Ibid.*, pp. 130-33.

94. "Democrats Ready to Choose Ticket," *Tonopah Daily Bulletin*, August 5, 1908, p. 1.

95. Key Pittman to Sam Davis, August 15, 1908, Pittman Papers. Quoted from Ostrander, p. 153. There is no explanation in the letter or in Ostrander of the statement regarding McCarran's reputation.

96. "Elko County Strong for P.A. McCarran," *Reno Evening Gazette*, March 14, 1914, p. 3.

97. "Official Count Shows Burke is Sheriff-Elect," *Nevada State Journal*, November 10, 1912, p. 1.

98. Fred L. Israel, *Nevada's Key Pittman* (Lincoln: Univ. of Nebraska Press, 1963), pp. 122-24. Pittman had been defeated for the Senate in 1910 by George Nixon, a partner of George Wingfield; but Nixon died in 1912, and Pittman was the victor in a

special election. He won succeeding elections in 1916, 1922, 1928, 1934, and 1940. He died five days after re-election, Nov. 10, 1940.

99. "Senatorial Aspirations," *Sparks Tribune*, July 26, 1915, p. 4.
100. Frank Curran to P.A. McCarran, August 4, 1915, McCarran Papers, Oakland, California.
101. "Results: Nevada Primary," *Nevada State Journal*, September 8, 1926, p. 1.
102. "Demos in Convention; M'Carran Looks Like Winner," *Carson City Daily Appeal*, June 28, 1932, p. 4.
103. Check from P.A. McCarran to Wm. McKnight, Chairman, Democratic State Central Committee, October 31, 1932, McCarran Papers, Oakland, California.
104. "Wingfield Banks Closed," *Reno Evening Gazette*, October 29, 1932, p. 1.
105. "Roosevelt Elected President," *Reno Evening Gazette*, November 9, 1932, p. 2.
106. A. J. Liebling, "Lake of the Cui-ui Eaters," *New Yorker*, Jan. 1, 1955, pp. 25-41; Jan. 8, 1955, pp. 33-61; Jan. 15, 1955, pp. 32-69; Jan. 22, 1955, pp. 37-73.
107. "Rustlers to Get 5 Years," *Elko Free Press*, August 19, 1941, p. 1.
108. Campaign pamphlet, "Pat McCarran for United States Senator," McCarran Papers, Oakland, California.
109. "Senators Reject World Court," *Nevada State Journal*, January 30, 1935, p. 1.
110. "Senator McCarran Warns of Communists in Schools," *Macon Telegraph*, July 23, 1935. Clipping from Scrapbook No. 3., McCarran Papers, Oakland, California.
111. Steinberg, p. 89.
112. U.S., Congress, Senate, Senator McCarran speaking against involvement in Indo-China, 83rd Cong., 2nd Sess., June 28, 1954, *Congressional Record*, C., 8591.
113. Steinberg, p. 90.
114. Sister Margaret McCarran, pp. 21 and 24.
115. *Ibid.*, p. 33.
116. Interview with Sister Margaret McCarran, March 18, 1971, Patrick, Nevada.
117. U.S., Congress, Senate, *Acceptance of the Statue of Patrick Anthony McCarran*, S. Doc. 68, 86th Cong., 1st sess., 1960, p. 62.

Early Utah and Nevada Electoral Politics

by Ronald C. Jack

What is now the state of Nevada was part of the Provisional State of Deseret in 1849 and became part of the territory of Utah in 1850. The original Utah territorial counties were established around the Mormon settlements in Utah. It was not until 1854 that Carson County was created and attached to Millard County "for election, revenue and judicial purposes." In 1857 Carson County was attached to Great Salt Lake County, again for "election, revenue and judicial purposes."

For some time the society which existed in the geographical region which became Utah was a closed society. This society was produced by the relative physical isolation of the Great Basin and by the fact that the number of Gentiles in the total population was small. This very homogeneous society had a predominantly religious orientation in regard to secular affairs. In the 1850s the homogeneous nature of the general population is reflected in the absence of competing value systems concerning the role that religion was to play in the political process.

Part 2

Elections of the 1850s

Election of 1849

THE FIRST ELECTION in the valley took place on March 12, 1849, to select the officers for the State of Deseret.⁵² According to the Constitution of the State of Deseret, "the first Election for members of the General Assembly, and other officers under this Constitution, shall be held on the first Monday of May next [May 7, 1849]."⁵³ However, the election was held March 12, 1849. The fact that the election was held before the date specified by the constitution, and indeed before the adoption of the constitution, can be explained by the fact that "Brigham Young and his Council were preparing a

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ticket for the State of Deseret even before the constitutional convention convened."⁵⁴ According to the "Journal History" of the church, a council⁵⁵ meeting was held at the home of Weber C. Kimball and at that meeting the marshal was instructed to publish to the "people of the valley of the Great Salt Lake and vicinity that a public meeting would be held . . . on Monday, the 12th day of March, at 10 a.m. for the purpose of electing and appointing officers for the government of the people in the valley."⁵⁶

The council meeting held March 4 also considered the subject of the selection of the names of persons who were to be presented to the people as "officers for the government of the people in the valley" for their approval:

After a recess, the Council reconvened at 4 p.m. The subject of nominating officers for election for a provisional government was presented. This matter had evidently received previous consideration for it was "voted that the names already approved be brought before the people for their satisfaction."⁵⁷

It was also decided in this meeting that the "Bishops be placed on the list as magistrates of their respective wards in the city." Neff remarked, "Thus everything had been cut and dried, the state ticket nominated, and election day set for March 12th, on Sunday, March 4th, one day prior to the convening of the constitutional convention."⁵⁸

Concerning this first election, Creer says:

It is interesting to note that in this first election the roster of officials was presented to the convention assembled as a single list of nominees prepared by a hand-picked group of church leaders. The list of nominees was then submitted to the people for their approval or disapproval. There was no campaigning or electioneering, for none was necessary.⁵⁹

It is interesting to note two departures from the election procedure specified in the constitution in addition to the change in the election date. According to the constitution, the election was to be "the first Election for members of the General Assembly;"⁶⁰ but no candidates for the legislative assembly were presented on the ballot on March 12, 1849. Candidates were elected to the offices of supreme court justices at the first election; however, according to the constitution the judges were to be "elected by joint vote of both houses of the General Assembly."⁶¹

Hosea Stout in his diary recorded the following results of the election:

Today was our first political election which commenced at 10 o'clock a.m. A large assemblage of men convened when many subjects were discussed. . . . There was [sic] 655 votes polled for the following offices to wit

Brigham Young for Governor
Willard Richards for Secretary [sic]
H.C. Kimball Chief Justice
M.K. Whitney) associate
John Taylor) justices
H.S. Eldredge, Marshal

D.H. Wells, Aterney-General [sic]
N.K. Whitney Treasurer
A. Carrington assessor & collector
Jos. L. Haywood Supervisor Roads⁶²

The bishops of the nineteen wards in the valley were selected as justices of the peace or magistrates,⁶³ as Hosea Stout recorded in his diary: "the folling [sic] persons were chosen justices of the peace who were also the Bishops of the several Wards I believe. . . ." ⁶⁴

Election of 1851

The first territorial election⁶⁵ was ordered by Governor Brigham Young to be held on August 4, 1851.⁶⁶ Hosea Stout in his diary wrote of a convention held July 26, 1851 for Salt Lake County. He recorded few details about it:

A County Convention was held to nominate officers for the coming election, which I shall not speak of now. I was put in nomination for a candidate for the House of Representatives for G.S.L.⁶⁷

According to the manuscript, "History of Brigham Young," this convention was held in the Bowery to make nominations for the territorial legislature and for the post of delegate to Congress. After speeches by Governor Young, ex-Chief Justice Wells, Mayor Jedediah M. Grant and several other Mormon leaders, "a delegate to Congress, Councilors, and Representatives to the Territorial Legislature, and County Officers were nominated."⁶⁸

There were 1,259 votes polled in the territory of Utah at the first territorial election on August 7, 1851.⁶⁹ Whitney noted that all the candidates for the first legislative assembly of the territory "save one, were unanimously elected."⁷⁰ The candidate who did not receive a unanimous vote was John Rowberry, who was a candidate for representative. Tullidge commented that Mr. Rowberry "was of foreign birth, and objections were made to his eligibility as he had not taken out full naturalization papers. The governor of the territory (Brigham Young) ordered another election to be held on the 12th of the ensuing November. In the meantime, Mr. Rowberry perfected his naturalization and was unanimously elected."⁷¹

An account of the nominating procedure followed at Parowan on May 16, 1851, which appears to be the county convention for Iron County, is fairly typical of the nominating procedure used throughout the territory.

Parowan—Friday, May 16, 1851, the brethren met at the Council House at 9:00 o'clock . . . Dr. John Bernhisel was unanimously nominated as candidate for the office of Delegate to Congress; George A. Smith, as council for the Territory of Utah; Elisha H. Groves, candidate for Representative. We organized the city. The following officers were unanimously selected. . . . President Young gave some excellent instruction on Government, entitled "Union is Power."⁷²

Governor Brigham Young's presence at the convention and his closing

instructions to those attending the convention indicate his position as the head of the nonpartisan political system.⁷³

At an election of Tooele County officials held at Tooele on June 10, 1851 a sheriff, county recorder, justice of the peace, constables and a ward supervisor were elected. In recording the results of the election, Tullidge wrote: "Each of these officers was elected by 41 votes and without opposition."⁷⁴

Election of 1852⁷⁵

The election of 1852 followed the pattern established in previous elections. Out of a total of 824 votes cast in the territorial election, only four votes, less than one-half of one percent of the votes cast in the election, were cast for people other than those who had been nominated by the leaders of the church. The general vote abstract from Iron County had the following notation written upon it: "I would also add, for your further information, that there was no division among the Brethren, but it was a clear vote."⁷⁶ Hosea Stout also recorded the lack of political opposition in this election when he wrote in his diary on "Monday 2nd Aug. 1852 To day the General election came of [sic] . . . I have not heard from the other precincts, but as there is no opposing candidates to my knowledge I presume they were all elected."⁷⁷

In most cases all candidates running for a particular office would receive the same number of votes, or very nearly the same number of votes. For example, in Utah County, where three persons were to be elected as representatives to the legislative assembly, two of the candidates received 245 votes and the third candidate received 243 votes. In the race for county representatives, two candidates received 243 votes and the third candidate received 241 votes. In Salt Lake County, where twelve persons were to be elected as representatives to the legislative assembly, seven candidates received 242 votes and five candidates received 241 votes.

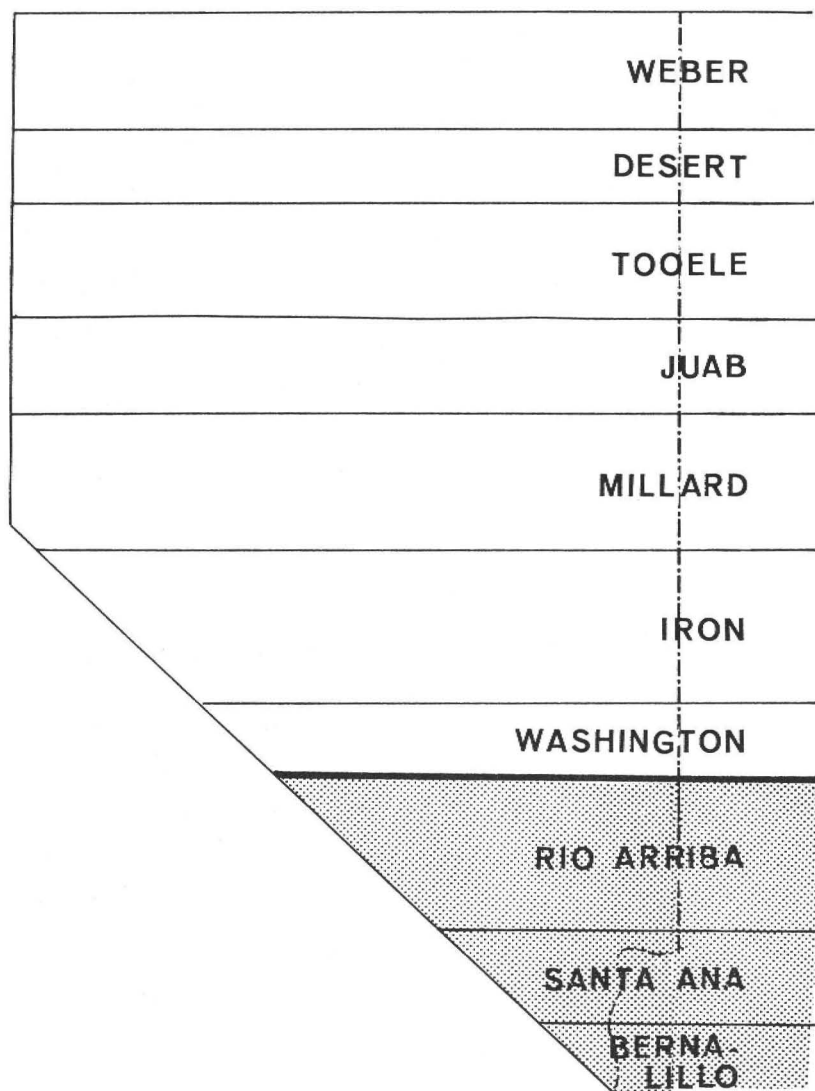
Election of 1853

In the election of August 1, 1853, Dr. John M. Bernhisel⁷⁸ won his seat as delegate to Congress by a record vote of 1,232 votes.⁷⁹ Only a single vote was cast in opposition to Dr. Bernhisel; this was a vote for Jedediah M. Grant in Millard County. Only four votes in the election were cast in opposition to the "selected" candidates whose names appeared on the ticket.

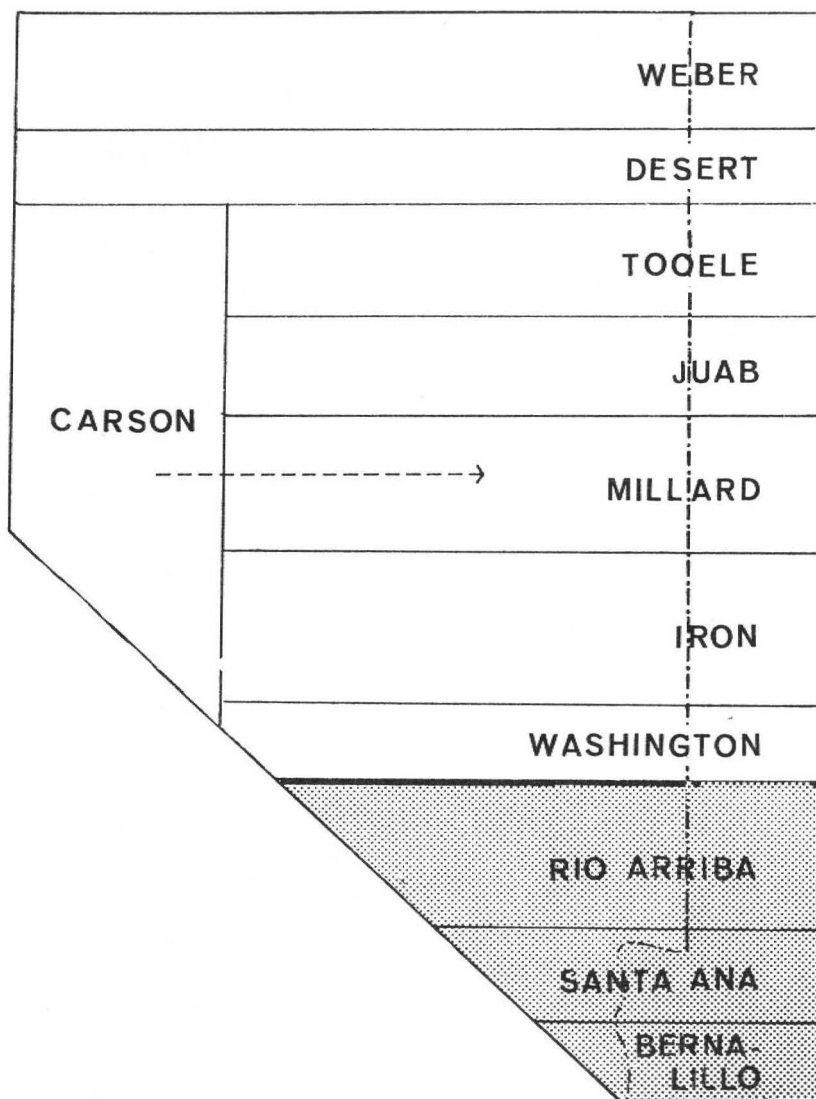
Again, candidates running for the same office received the same number, or very nearly the same number of votes. For example, in Salt Lake County where twelve representatives were to be elected to the legislative assembly, nine candidates received 214 votes, two candidates received 213 votes and one received 211 votes. Salt Lake County was to elect five council members; all five candidates received 214 votes. The voting in Salt Lake County was typical of the general pattern of voting in this election.

In his *History of Lehi*, Gardner quoted the following statement about this first municipal election in Lehi in 1853: "As compared with the election

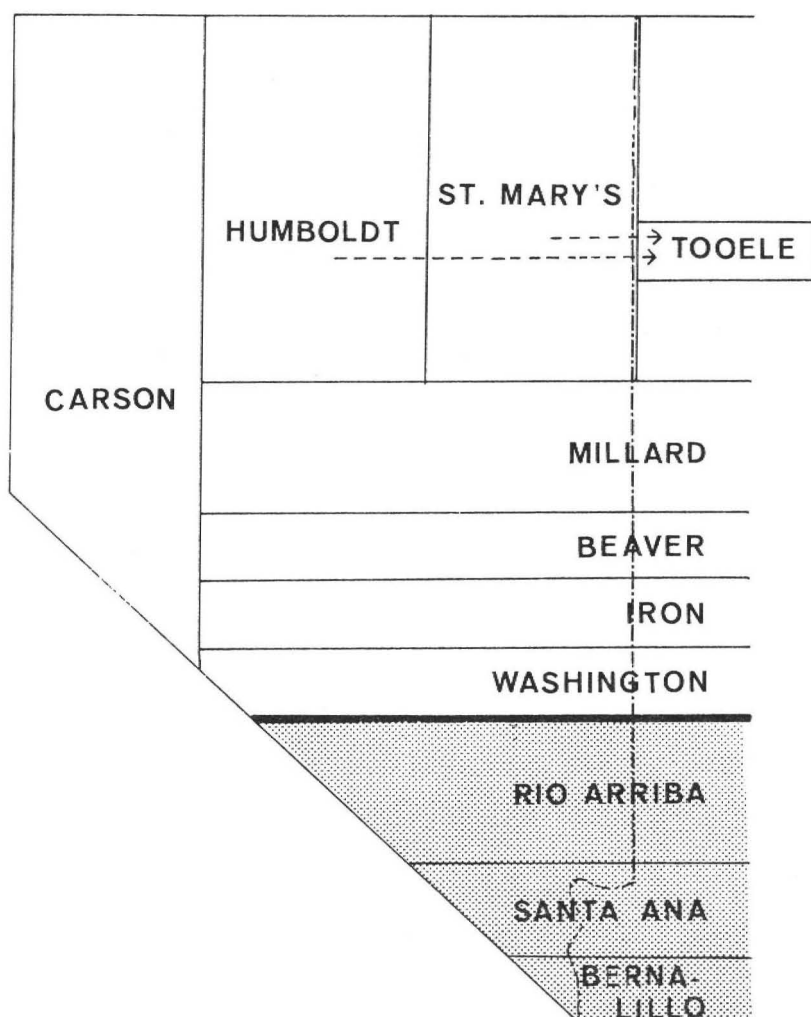
campaigns and activities of modern times, it was an extremely quiet affair. . . . Voted unanimously that Silas P. Barnes be Mayor. . . .”⁸⁰



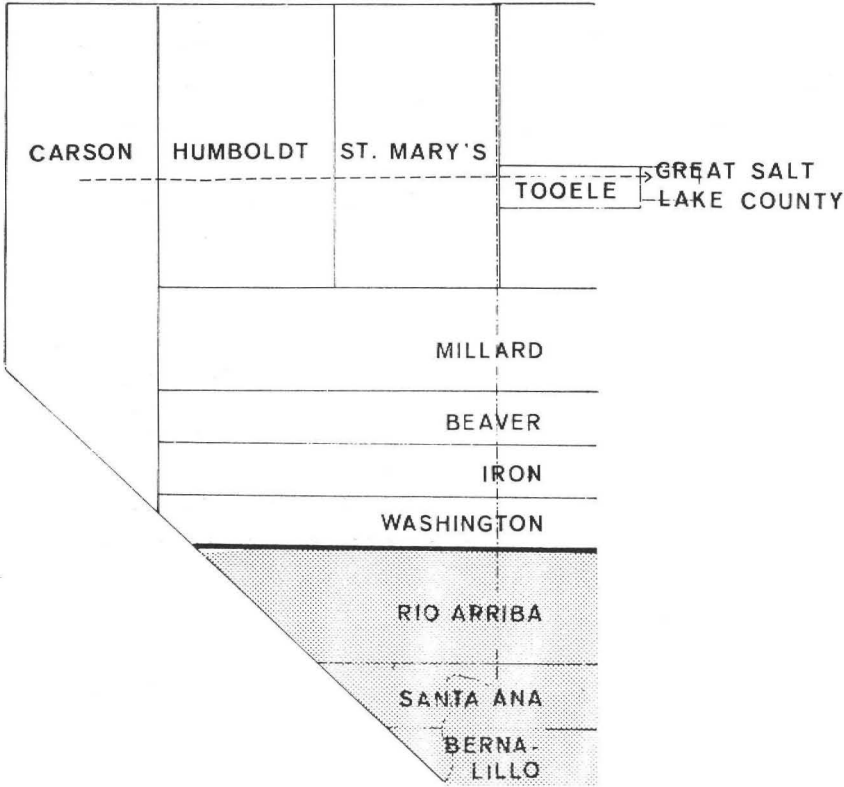
1852—New Mexico and Utah territorial counties extended westward to California across the area now the State of Nevada.



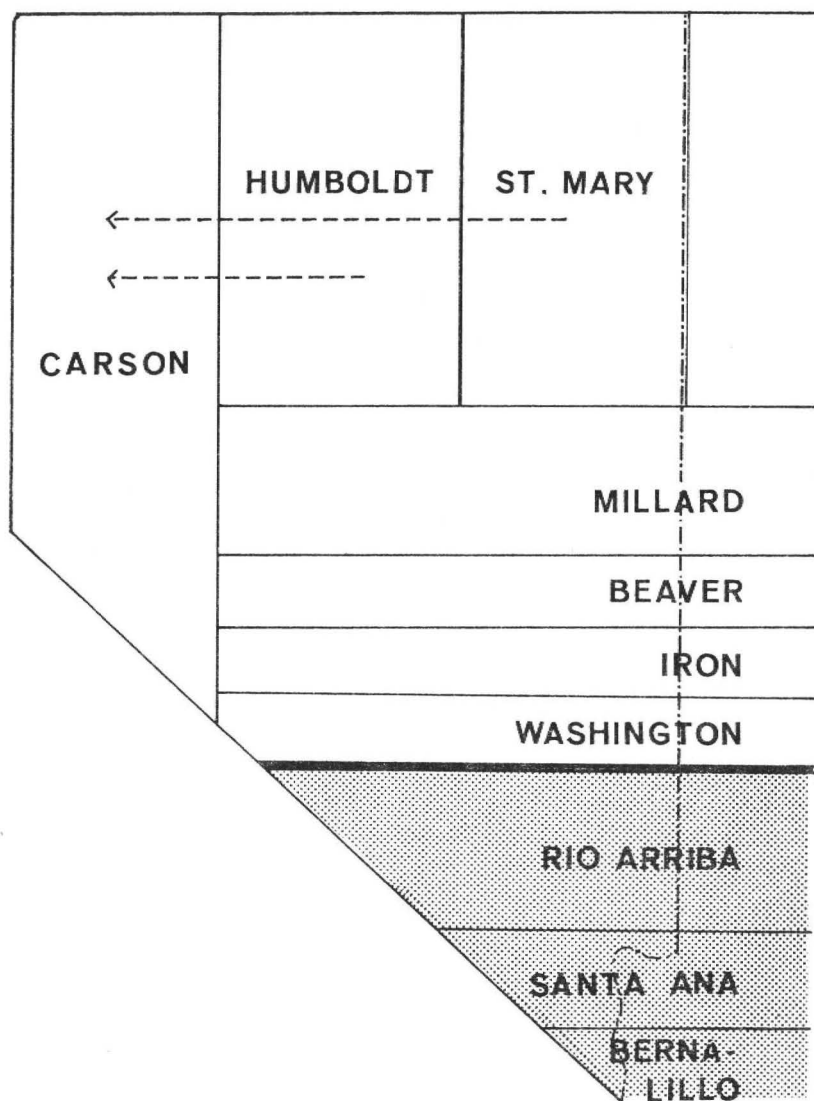
1854—Carson County created out of western portions of Tooele, Juab, Millard, and Iron counties, Utah Territory, and attached to Millard County for election, revenue, and judicial purposes until organized.



1856—Carson County extended north to the Oregon line. Humboldt and St. Mary's counties created out of western portions of Weber, Desert, Tooele, and Juab counties, Utah Territory, and attached to Tooele County for election, revenue, and judicial purposes. Beaver County organized from northern part of Iron County.



1857—Carson County attached to Great Salt Lake County, Utah Territory, for election, revenue, and judicial purposes.



1859—Carson County reorganized and no longer attached to Great Salt Lake County, Utah Territory. Humboldt and St. Mary's counties attached to Carson County for election, revenue, and judicial purposes.

Electoral Pattern of the Early Elections, 1849-1853

The early elections in the Great Salt Lake Valley demonstrated the following regularities in electoral behavior among the Mormons:

1. Church leaders directly influenced, and to a large degree controlled, the nomination of political candidates.
2. Only one slate of candidates was presented to the people for their acceptance at the polls. As Philip Taylor observed: "It was customary for an official slate of candidates to be nominated and rare—indeed, it would have been scandalous—for an opposition to appear."⁸¹

Generally, the leading men in the church were selected for, and then elected to, the top political positions. Creer states that "It was natural that they [the Mormons] should choose as their political leaders those who directed their ecclesiastical affairs. . . .

It is not strange, therefore, that President Young should have been chosen Governor; his First Counsellor, Chief Justice; his Second Counsellor, Secretary; and his subordinate bishops, magistrates or mayors or justices of the peace in their respective wards."⁸² Since the vast majority of the people in the valley were Mormons, many of whom desired a theocratic state, the selections were generally consistent with the desires of the people.

The members of the church were expected to approve those candidates selected by church leaders by casting their ballot for the candidates at the polls. In effect, the electoral process was regarded as the equivalent of the church practice of sustaining the authorities of the church. This is shown to some degree by a note which appeared in the *Deseret News* just before the election of 1855: "Remember that the election comes off on Monday next, the 6th, and not withstanding there is no opposition courtesy alone would seem to require each voter to so far respect the nominations and our tried and faithful delegate Dr. John M. Bernhisel, as to take time enough from one day in a year to hand in his vote."⁸³

Brigham Young explained the political unity of the Saints in these terms: "The people only want to know who the right man is, and then they will support him. . . . And if we had a thousand officers to elect—if we had to elect the President of the U.S., you would never see a dissenting vote."⁸⁴ Thus Brigham Young explained the obligation of the church member to observe the "divine selection" of the "right man" and to cast his vote accordingly.

3. Without exception, the early slates of political candidates selected by church leaders and presented to the Mormon people were elected.
4. In most elections, the candidates running for the same office in a county received the same, or very nearly the same, number of votes.

However, it does not appear that the church leadership was willing to rely solely on the behavior reported above. The territorial legislature in January 1853 had passed a law providing for a marked ballot to be used in elections in the territory. This law was a point of contention between Gentile and Mormon until 1878 when it was abolished. This law also provided that the senior justice of the peace was to be the election judge in the precinct. Baskin states that "there was no provision respecting the manner of conducting the election at the poll, but the matter was left entirely to the discretion of a single judge."⁸⁵ The relevant sections of the election laws relating to the above points were:

Sec. 3. The senior justice of the peace shall be judge of elections in his precinct, and shall appoint one clerk, and furnish the necessary stationery and a ballot box; and in the absence of a justice of the peace, the electors first assembled on the day of election to the number of six, may appoint some suitable person to act as judge of that election.

Sec. 5. Each elector shall provide himself with a vote containing the names of the persons he wishes elected, and the offices he would have them fill, and present it neatly folded to the judge of election, who shall number and deposit it in the ballot box; the clerk shall then write the name of the elector, and opposite it the number of his vote.⁸⁶

The rationale given for this practice of numbering ballots was to protect the integrity of the votes. One illegal vote could be extracted from the ballot box without destroying the validity of the entire vote. This, however, gave the church hierarchy the ability to scrutinize the vote and to discover who had cast a vote against the candidates of the priesthood.

The First Electoral Deviation in Utah—The Election of 1854⁸⁷

In this election several voting deviations can be distinguished from the previously examined electoral pattern established in the valley. In Davis County, two slates of men ran for the office of representative to the legislative assembly. Grover and Loveland received 144 votes and 148 votes respectively. Stokes and Brownell, the second slate of would-be candidates, received 25 votes and 29 votes. Ezra T. Clark, running for county representative, received the largest number of votes, 174 votes; consequently Stokes and Brownell received nearly 18 percent of the total vote cast in Davis County in 1854.

In Salt Lake County, of the eleven men chosen by church leaders to run for the office of representative to the legislative assembly, eight received 427 votes, two received 423 votes and one (Albert P. Rockwood) received 341 votes. An opposition candidate, Stephen Hales,⁸⁸ who was put up against A.P. Rockwood, received 83 votes. Juanita Brooks writes of this:

That Albert P. Rockwood, for years Brigham Young's most trusted assistant, should have received eighty-three

negative votes on a slate where all other candidates received unanimous approval would indicate that there was strong feeling against him.

Of this election John Hyde, Jr., then an apostate from the church, wrote: "...among other nominations for representative for Salt Lake County, one was A.P. Rockwood. He was very much disliked; and a few men got up an opposition ticket, substituting the name of Stephen H. Hales instead of this Rockwood. . . . A small body of voters were brought and Hales obtained a majority. . . . Hales was accordingly sent for by Brigham, who gave him a severe reprimand for *daring* to allow his name to be used as an opponent of the Church nomination, . . . compelled Hales to resign the election, while Rockwood had the seat . . . and the per diem."⁸⁹

In Sanpete County another opposition candidate appeared. George Peacock, the nominee, received 74 votes for representative to the legislative assembly from Sanpete County and C.C. Edwards, a write-in candidate received 6 votes. Utah County also had a write-in candidate, Isaac Higbee; Higbee received 30 votes for representative to the legislative assembly compared with the three church nominees: Greene, who received 503 votes; Snow, who received 473 votes; and McArthur, who received 477 votes.

In Weber County abstinence from voting for certain candidates can be seen. Lewis Hardy received 245 votes for county representative, and Erastus Bingham, also running for county representative, received only 236 votes, which indicates that a few voters were unwilling to vote for him.

Elections of 1855, 1856, 1857

The election of 1855 saw a return to the early electoral pattern that was discussed earlier. Carson County,⁹⁰ which by this time had a greater proportion of non-Mormons in relation to its Mormon population than the rest of the territory, had two candidates running in opposition to each other for representative to the legislative assembly.⁹¹ In the race for county representative, one candidate (H.D. Seers) lost thirteen votes to William T. Williams, and twenty-two scattered write-in votes were also cast in the election. But this was an exceptional case. Elsewhere the church reasserted its authority.

Shortly before the election, Hosea Stout was sent to Davis County "to have one of the nominees [Anson Call] withdraw and John D. Parker put on the track in his place accordingly. I called the bishops and other leading men together and laid the matter before them. The plan was adopted & A Call withdraw[sic] & Parker put in his place all to the most perfect satisfaction of all parties."⁹²

The difference in electoral behavior between the election of 1854 and the elections of 1855, 1856, and 1857 possibly had as its basis a movement started in the church which initiated a "vigorous call to repentance." In Provo, Utah on July 13, 1855, one year before the "reformation" was officially launched in the church and one month before the election, Jedediah

M. Grant warned:

The Church needs trimming up, and if you will search, you will find your wards contain branches which had better be cut off. The kingdom will progress much faster, and so will you individually, than it will with those branches on. . . .

I would like to see the works of reformation commence, and continue until every man had walked to the line. . . .⁹³

The Reformation was officially launched at Kaysville in a conference which began on September 13, 1856. According to the *Deseret News*, the last day's session of conference was held at Weinle's Mill and "nearly 500 Saints were immersed under direction of President Grant."⁹⁴

The "Reformation meetings" were attended by frequent calls to repentance and the readministration of the baptismal covenant. Simultaneously there was an intensification of church discipline. In West Jordan, for example, one man was excommunicated for "reviling against his bishop and a husband and wife cut off for unbelief and reviling against the authorities."⁹⁵ The Reformation extended to every aspect of life. Larson points out that:

When attendance was low at a Nauvoo Legion parade, it indicated to the church leaders that "repentance is needed as well as in religion." The territorial legislature met in Fillmore on December 8, 1856, only to adjourn to Salt Lake City. It met again on December 18 in the Social Hall, but according to the Isaac Haight journal, not much business was done except preaching. "Both houses met in joint session and President Kimball required every member to repent of his sins and be baptized for remission of same before any business could be done, preparations were then made and all the members repaired to the Endowment House, were baptized in the font, confirmed, & all were made to rejoice."⁹⁶

The effect of the Reformation was that it strongly reinforced the values and social practices established by the church. Church leaders sought the approval of the members in electing political candidates and also considered support by the members of the church for the church's political choices as a sign of full fellowship in the church.⁹⁷ O'Dea saw the Reformation as a religious reaction against "certain laxness that the experiences of the previous decade had introduced into Mormon behavior."⁹⁸ In considering the effects of the Reformation, O'Dea made the following observations:

It was a kind of Mormon revivalism and was accompanied by inner anxiety and high emotion. People were then rebaptized for the renewal of their covenants and for the remission of sins.

The result and in part the aim of the movement were to increase group loyalty as well as religious enthusiasm and to strengthen the authority of the church leaders. Pressure was put on the lukewarm. . . .⁹⁹

The Reformation may have been responsible for the temper of the elections of 1856 and 1857, which for the most part were quiet elections with little if any opposition to the church slates.

The Election of 1858: The First Organized Opposition

In the election of this year, Jonathan C. Wright, running for representative to the legislative assembly from Box Elder County, failed to receive the full support of the voters of Box Elder County. He received 102 votes while David B. Dilla received 13 votes and L. Carter received 2 votes.

Davis County had a contest for representative to the legislative assembly. Charles C. Rich received 257 votes; the second nominee, Samuel Henderson, received only 180 votes. In opposition to Henderson, Thomas Grover received 74 votes.

Salt Lake County saw an organized effort by certain disaffected Mormons and non-Mormons to oppose the "regular ticket."¹⁰⁰ Hosea Stout in his journal gave the following account of this opposition:

Monday 2 Aug. 1858. To day [sic] was the General Election for County and Territorial officers.

The gentiles and some few apostates as I understand it got up an opposition ticket.

The Regular Ticket was as follows: for Great Salt Lake County Representatives:

1. John Taylor 2. Orson Hyde 3. Danial Spencer 4. A.P. Rockwood 5. Hosea Stout 6. J.W. Dummings 7. J.C. Little 8. Jos. A. Young 9. H.B. Clawson 10. W.H. Hooper 11. E.D. Woolley 12. A. McRae 13. S.W. Richards

Selectman Nathaniel V. Jones

Co. Treasurer John G. Lynch

Shiriff [sic] Robert T. Burton

Co. Recorder Leo Hawkins

Co. Surveyor Israel Ivins

The opposition ticket was [1.] Orson Hyde, 2. Abel Gilbert, 3. John Taylor, 4. Jefferson Hunt, 5. John W. Powel 6. Ed Hunter 7. James M. Livingston 8. S.M. Blair 9. Thomas S. Williams 10. Danl Spencer 11. Albert G. Browne, jr. 12. W.I. McCormick for the Legislature

Selectman William H. Hooper

Shiriff [sic] John B. Kimball

Co. Recorder Curtis E. Bolton

Co. Treasurer Thos. D. Brown & c

The names underscored refused to run on the ticket [sic].

The whole number of votes poled [sic] was about 1050 (in Salt Lake City) and 37 of these were for the opposition in the city, and 1250 (total votes cast) in the county.¹⁰¹

It is interesting to note that at this time Johnston's army was garrisoned at Camp Floyd in Cedar Valley. The Saints had returned to their homes, most of them in July from the "move South"¹⁰² after Governor Cummings had

issued a proclamation on June 14, 1858 informing the Saints of the "full and free pardon for all treasons and seditions heretofore committed"¹⁰³ which had been offered by President James Buchanan. Nevertheless the dissatisfied Mormons and Gentiles may have been emboldened to challenge the church by the presence of federal troops in the valley.

By 1858, the majority of Mormons had left Carson City to return to Salt Lake County under orders of Brigham Young. The migration of the Mormons left Carson County in the hands of Gentiles and disaffected Mormons. This is reflected in the factional electoral politics that took place in Carson based on "local" and not Mormon issues. This is demonstrated by a special election held on October 30, 1858. Although the total vote in Carson was only 58 voters (which constituted only 1.2 percent of the territorial in Utah elections in 1858) it did demonstrate two opposing camps not based on Mormon cleavage. The vote tabulation is as follows:

Representative to the Legislative Assembly

| | |
|--------------|----|
| H.B. Clemons | 57 |
| Mark Stevens | 57 |

County Representative

| | |
|----------------|----|
| M.G. Wyatt | 58 |
| R.D. Sides | 57 |
| J.L. Gary | 55 |
| James McMarlin | 57 |
| Jacob H. Rose | 56 |

Election of 1859

On July 13, 1859, the *Valley Tan*, a Salt Lake City non-Mormon newspaper, carried the regular ticket nominations, although no statement was given as to the procedure which had been used in selecting the Mormon nominees:

UTAH NOMINATIONS
(Regular Mormon Ticket)

For Delegate to Congress,
HORACE S. ELDREDGE

For Commissioners to locate University Lands:
IRA ELDREDGE
CHESTER LOVELAND
S.A. KNOWLTON

Great Salt Lake County
For Members of Legislative Council
DANIEL H. WELLS
ALBERT CARRINGTON
ORSON PRATT, SENR.
FRANKLIN D. RICHARDS
JAMES FURGUSON

For Representative:

JOHN TAYLOR
 HOSEA STOUT
 DAVID CANDLAND
 HIRAM B. CLAWSON
 EDWIN D. WOOLLEY
 JOSEPH A. YOUNG
 SETH M. BLAIR
 A.P. ROCKWOOD
 JOHN M. MOODY¹⁰⁴

A "Mass Convention of the Gentiles of Cedar County"¹⁰⁵ was held at Fairfield near Camp Floyd on July 23, 1859. Andrew Humphreys was elected to act as chairman of the convention and Chief Justice Echels and Judge Cradlebaugh were very prominent in the meeting.¹⁰⁶ Dr. Garland Hunt was nominated by the convention as its candidate for delegate to Congress. The other nominees on the opposition ticket were:

For Council

Wm. H. Lent
 John Bigler

For Representative

Samuel C. Mills
 C.W. Crocker
 J.M. Wallace¹⁰⁷

It is interesting to note some of the nominating procedures used in Sanpete County in the election of 1859. Therald Jensen quotes from the "Manti Historical Record," a contemporary report of the action at a church meeting of July 13, 1859 where George Peacock:

... referred to the Election coming, said this might be a proper time to nominate Delegates to County Convention. Two men were nominated. At the meeting of July 17, Bishop Peacock then read "Union Ticket" for the coming county election. Moved by W.S. Snow that we sustain said ticket. Carried unanimously.¹⁰⁸

This election also followed the early electoral pattern. For example, in Salt Lake County, the nine nominees for representative to the legislative assembly received, within three votes, the same number of votes at the polls. This is significant when it is realized that in this election in Salt Lake County over 1,300 voters cast their ballots.

In Sanpete County, Barnard Snow, the church nominee for representative to the legislative assembly, was opposed; John L. Ivie received 30 votes and Snow received 794 votes.

In Cedar County a number of federal troops turned out to vote in the election. The first vote tally sent to the secretary of the territory by the Cedar County clerk on August 20, 1859, reported only the resident or "legal" votes, as the county clerk referred to them; he disregarded the ballots cast by some of the federal troops, which he called illegal. The three nominees for

representative—Bullock, Brown and Thurber—received 52 votes and three opposing candidates—Mills, Crocker and Wallace—received 22 votes. On October 11, 1859, a second tally sheet was sent to the secretary of the territory; the county clerk said that he was sending the second vote tally in compliance with a request by the secretary for an official vote tally of all the votes cast in the county election. The second vote tally reported some “660-670 illegal votes” which had been cast by federal troops. Most of the federal troops voted for the candidates Mills, Crocker and Wallace, the candidates for representative who, as mentioned above, were reported to have received 22 votes in the first election tally sheet which was sent to the secretary of the territory. It appears that the secretary of the territory intended to count all votes cast both by the local residents and by the federal troops stationed at Camp Floyd in Cedar Valley, but nothing more transpired.

In Carson County the total number of votes cast for territorial and county officers in the election of 1859 was 101 votes; this constituted 1.6 percent of the total territorial vote that year. Both the race for the legislative assembly and the county representative race proved controversial and again demonstrated the factional nature of Carson County electoral politics. The vote tally was as follows:

Representative to the Legislative Assembly

| | |
|---------------|-----|
| C.H. Fountain | 100 |
| J.C. James | 89 |
| Others | 2 |

County Representatives

| | |
|----------------|-----|
| E. Samb | 84 |
| J.M. Suther | 83 |
| S. Drexley | 85 |
| W.G. Armstrong | 101 |
| Others | 3 |

Carson County did not participate in the election for delegate to Congress in 1859.

Summary of the Electoral Behavior of the 1850s

At this point, it is informative to consider the various voting patterns which emerged from the electoral behavior of the inhabitants of the territory of Utah in the decade of the 1850s. Four basic patterns of electoral behavior that can be observed:

1. Where the members of the church, in complete or nearly complete unanimity, voted for a nominee selected by the leadership of the church.
2. Where several or a small number of voters refrained from voting for

one particular nominee; in these cases it is apparent that a handful of voters were antagonistic to a particular candidate and desired to show their opposition by abstaining from voting for him.

3. Where there was minor opposition—usually in the form of several write-in or “scratch” votes for “others,” as the county clerks generally recorded these votes—or where another member of the church knowingly, or as it sometimes happened unknowingly, allowed voters to cast ballots for him. One of the best examples of this pattern was in the election of 1853, where Stephen H. Hales allowed his name to be used on an opposition ticket against A.P. Rockwood, who was one of the nominees from Salt Lake County for representative to the legislative assembly.
4. Where an organized effort was made by disaffected Mormons and Gentiles to form a coalition in an attempt to oppose or contest the “regular ticket” that had been selected by the leadership of the church, or at least approved by the leaders of the church.

Notes

52. Edward W. Tullidge, *The History of Salt Lake City and its Founders* (Salt Lake City, Edward W. Tullidge, 1886), p. 58, writes: "The community grew so rapidly that before the close of the second year it was deemed wise to establish a constitutional secular government, and accordingly representatives of the people met in convention in the month of March, 1849 and formed the Provisional Government of the State of Deseret. A constitution was adopted, and delegates sent to Washington asking admission into the Union." For information on the State of Deseret, see Dale Morgan, "The State of Deseret," *Utah Historical Quarterly*, vol. 8 (1940) pp. 65-251, and Thomas Cottam Romney, "The State of Deseret" (unpublished Ph.D. dissertation, University of California, 1930).

53. State of Deseret, *Constitution* (1849), Art. 5, sec. 4. The Constitution of the State of Deseret can be found in Morgan's article, p. 160.

54. Neff, *History of Utah, 1847-1849*, p. 120.

55. Hansen, "The Theory and Practice of the Political Kingdom of God in Mormon History, 1829-1890," p. 154, has identified this council as the Council of Fifty.

56. "Journal History," March 4, 1849.

57. Neff, *History of Utah, 1847-1849*, p. 120.

58. *Ibid.*, p. 121.

59. Leland H. Creer, "The Evolution of Government in Early Utah," *Utah Historical Quarterly*, vol. 26 (1958), pp. 33-34.

60. State of Deseret, *Constitution*, Art. 5, sec. 4.

61. *Ibid.*, Art. 4, sec. 1.

62. Juanita Brooks, ed., *On the Mormon Frontier: The Diary of Hosea Stout, 1844-1861* (Salt Lake City: University of Utah Press, 1964), vol. 2, p. 348.

63. It was natural that the leaders of the church should desire that the bishops of the wards also be justices of the peace. In cases involving members of the church, the bishop would employ his ecclesiastical authority, while with those not under his spiritual jurisdiction, the Gentiles, the bishop could employ his authority as a magistrate. This method of adjudication was preferred by church authorities since it re-enforced the authority and control of the priesthood. The consequences of this were pointed out by Creer: "Thus the control of the affairs of the colony remained in the same hands, whether under church or state organizations; and these were in a double capacity, those into which the constituents had, whether as citizens or as church members, themselves chosen to confide it." Creer, "Evolution of Government in Early Utah," p. 126. As Creer points out, this served to consolidate political and social control in the hands of a few members of the community who were selected by and/or were acceptable to the church authorities. It would also give the church a greater control over the non-Mormons.

64. Brooks, *On the Mormon Frontier: The Diary of Hosea Stout, 1844-1861*, vol. 2, p. 348.

65. The act of Congress creating the territory of Utah was signed by President Millard Fillmore on September 8, 1850. However, the news of it did not reach the valley until January 1851. President Fillmore had also appointed Brigham Young governor of the territory.

66. This date corresponded to the election date set by the Constitution of the State of Deseret. "On the first Monday of August A.D. one thousand eight hundred and fifty-one; and every two years thereafter, there shall be Elections held, as aforesaid, for the Election of Representatives, Senators, and one Associate Justice of the County Court, in those Districts, or Counties, where the term of those elected has expired." State of Deseret, *Constitution*, Ordinance Regulating Elections (November 12, 1849), sec. 1.

67. Brooks, *On the Mormon Frontier*, vol. 2, p. 402.

68. "History of Brigham Young," MS., Historian's Office of the Church of Jesus Christ of Latter-Day Saints, Salt Lake City, Utah, vol. 2, p. 90.

69. Governor Brigham Young had ordered a census to be made of the territory in April 1851 which gave the following statistics: "6,026 males; 5,328 females; and a total of 11,354." Whitney, *History of Utah*, vol. 1, p. 457.

70. *Ibid.*, p. 458.

71. Edward W. Tullidge, *History of Utah* (Salt Lake City: Edward W. Tullidge, 1889), vol. 2, p. 78. See also, Kate B. Carter ed., *Heart Throbs of the West* (Salt Lake City: Daughters of the Utah Pioneers, 1949), vol. 10, p. 45, which bears this out: "Mr. Rowberry was chosen to act as the first representative. Objections arose to his holding the office as a number of citizens proved he had not taken out or completed his full naturalization papers. After investigation, Brigham Young called for another county election for November 12th, and in the time that passed between the first election in August and November 12th, Rowberry had perfected his naturalization and was again standing as the lone candidate for the territorial representative and was unanimously elected to office."

72. Carter, *Heart Throbs of the West*, p. 41. This was also reported in the *Deseret News*, June 28, 1851 and July 26, 1851.

73. It is interesting to note that at this time President Brigham Young was on his yearly tour of the southern part of the territory at the time of this "general meeting of the citizens of Iron County."

74. Tullidge, *History of Utah*, vol. 1, p. 87.

75. The Organic Act stated that "the time, place, and manner of holding and conducting all elections . . . shall be prescribed by law." U.S., *Statutes at Large*, "An Act to Establish a Territorial Government for Utah" (1850), vol. 9, ch. 51, sec. 4. By statute, the legislative assembly provided "that annually on the first Monday of August, there shall be a general election held in each precinct in the several counties for choosing all officers not otherwise provided for." Utah, *Territorial Laws of Utah*, Chapter 47 (1853), "An Act Regulating Elections," sec. 1.

76. Utah Territorial Election Papers, Utah State Archives, Salt Lake City, Utah, Box no. 1.

77. Brooks, *On the Mormon Frontier*, vol. 2, p. 444.

78. The nomination of Dr. John M. Bernhisel as delegate to Congress was announced in the *Deseret News* on June 18, 1853:

"UTAH NOMINATION.
HON. J.M. BERNHISEL.
FOR OUR DELEGATE TO CONGRESS
IT IS THE WILL
OF THE PEOPLE

That the Hon. John M. Bernhisel shall be re-elected as our Delegate to Congress, at the election to be held in August next; having given universal satisfaction during his last campaign."

79. At the General Conference of the Church in October 1853, a census by the presiding bishop was read which showed the distribution of population to be: "Salt Lake City with 19 wards, 5,979 people; Salt Lake County, 2,273; Utah County 4,064; Juab County, 229; Sanpete County, 765; Millard County, 304; Iron County, 847; Tooele County, 215; Davis County, 1,598; Weber County, 1,932; Total: 18,206." Gustive O. Larson, *Prelude to the Kingdom*, p. 90. Early in the history of the territory, the practice developed of reporting separately the votes from Salt Lake City and Salt Lake County.

80. Hamilton Gardner, *History of Lehi Including a Biographical Section* (Lehi, Utah: The Lehi Pioneer Committee, 1913), pp. 53-55.

81. Philip A.M. Taylor, "Early Mormon Loyalty and the Leadership of Brigham Young," *Utah Historical Quarterly*, vol. 30, no. 2 (April 1962), p. 115.

82. Creer, "The Evolution of Government in Early Utah," *Utah Historical Quarterly*, p. 70.

83. *Deseret News*, August 1, 1855.

84. Young, *Journal of Discourses*, vol. 5 (September 13, 1857), p. 228.
85. R.N. Baskin, *Reminiscences of Early Utah* (Salt Lake City: Tribune Printing Company, 1914), p. 73. Baskin included a chapter entitled "Marked Ballots and the Absurd Election Law," in his book, pp. 73-82.
86. *Ibid.*
87. The election ticket for this year, when published by the *Deseret News* on July 13, 1854, was called the "regular ticket." This was the first published ticket to appear in the *Deseret News*, although election notices had been published regularly in the *Deseret News* before this time.
88. The name appeared as Stephen Hale on the official election record which was filed with the secretary of the territory of Utah.
89. Brooks, *On the Mormon Frontier*, vol. 2, pp. 524-525, quoting from John Hyde, Jr., *Mormonism: Its Leaders and Designs*. Hyde's comment that Hales received a majority of the votes was an error since he received only eighty-three votes.
90. The seat of the county is now Carson, Nevada. Carson was originally established by the Mormons.
91. The vote tally for representatives to the legislative assembly was as follows: Enoch Ruse, thirty votes and Benjamin King, sixty-one votes. In 1856, the Carson County vote tally was as follows:
- | | | |
|--|------------------|-----|
| <i>Representative to the Legislative Assembly:</i> | Enoch Reese | 96 |
| | H.L. Alexander | 32 |
| <i>County Representative:</i> | H.D. Sears | 135 |
| | W. Nixon | 96 |
| | P. Jackman | 96 |
| | James McMarlin | 32 |
| | William C. Allen | 32 |

The Enoch Reese running for the legislative assembly is the same Enoch Reese who ran for that same position in 1855. The vote tally indicates that there was an opposition slate that voted a straight ticket in opposition to the established ticket.

92. Brooks, *On the Mormon Frontier*, vol. 2, p. 559.
93. Young, *Journal of Discourses*, vol. 3, pp. 60-61.
94. *Deseret News*, September 24, 1856.
95. Gustive O. Larson, "The Mormon Reformation," *Utah Historical Quarterly*, vol. 26 (January 1958), p. 53.
96. *Ibid.*, p. 59. Larson quotes from Isaac Haight's journal, entry of December 30, 1856, a typescript copy of which is in the library of the Utah State Historical Society.
97. At the General Conference of the Church held April 6, 1857, Brigham Young gave the following instructions to the male members of the church: "Now comes another item of business. It so happens that this year the election of officers for this city falls upon today, as does also the election of the Lieutenant-General of the Nauvoo Legion, which has been ordered by proclamation by the Governor. Both elections will be held in the Council House and we want the brethren to stop there and give in their votes." Carter, *Heart Throbs of the West*, vol. 7, p. 20.
98. O'Dea, *The Mormons*, p. 100.
99. *Ibid.*, pp. 100-101.
100. The "regular ticket" became a phrase used to designate the ticket or slate which was approved by the leading men of the church.
101. Brooks, *On the Mormon Frontier*, vol. 2, p. 662. Lorenzo Brown also recorded in his journal a comment on the opposition ticket: "Gentiles got up an opposite ticket though but few voted it as their principal men came out with remonstrance and protested against having their names used Declaring they they [sic] were put their [sic] without their knowledge or consent." Lorenzo Brown, "Journal of Lorenzo Brown, 1823-1900," Brigham Young University Library, p. 321.

102. When it was learned that the United States government intended to quarter federal troops in the territory, the Saints resolved to remove to the south, leaving only enough men in the valley to set fire to the houses, orchards and farms. Brigham Young had told Captain Van Vliet, an army officer, that "when those troops arrive they will find a Utah desert." Whitney, *History of Utah*, vol. 1, p. 678. The Saints did migrate, but the bulk of the people had moved no further south than Utah County when word of the pardon reached them.

103. *Ibid.*, p. 686.

104. *Valley Tan*, July 13, 1859. The *Valley Tan* was published in Salt Lake City. It had originated at Camp Floyd in Utah County and was published from 1858 to 1860.

105. *Ibid.*, August 3, 1859.

106. James Richard Greenwell, "The Mormon-Anti-Mormon Conflict in Early Utah as Reflected in the Local Newspapers" (unpublished Master's thesis, Department of History, University of Utah, 1963), p. 51.

107. *Valley Tan*, August 3, 1859.

108. Therald N. Jensen, "Mormon Theory of Church and State" (unpublished Ph.D. dissertation, University of Chicago, 1938), p. 85. Jensen quoted from "Manti Historical Record, Book C, 1859."

What's Being Written

A Venture In History: The Production, Publication, and Sale of the Works of Hubert Howe Bancroft, by Harry Clark (Berkeley and Los Angeles: University of California Press, 1973; 177 pages; illustrations, index; \$).

The *Works* of Hubert Howe Bancroft and the library which he left for later students of North American and Latin American history are monuments to the industry and devotion of an unusual man and a good many dedicated people who joined him in his publishing ventures. The fascinating story of how Bancroft came to produce the first comprehensive history of the Far West and to establish himself as the "leading light" of its historiography has been told by Bancroft autobiographically in *Literary Industries* (1890) and by his biographer, John Walton Caughey, in *Hubert Howe Bancroft: Historian of the West* (1946). Now Harry Clark has produced a more detailed and revealing study of the process of Bancroft's operation and his relationship with his leading literary assistants, whom he employed to do most of the research and writing for thirty-nine volumes of history which were published under his name between 1874 and 1890.

Part of a series of studies in librarianship, Clark's book is not a critique of Bancroft scholarship but is mainly concerned with Bancroft's production and merchandizing techniques; efforts to gain favorable publicity; and his difficulties with assistants and agents. Utilizing new materials, Clark places the bookman's operation in the context of its time. He sees Bancroft as a practitioner of established business and publishing methods whose goal was to advance the race while making a profit.

Originally Bancroft intended to do all, or most, of the final writing himself, but pressures to appear in print, the magnitude of the project, and distractions from his business made this impossible. Consequently, his staff did most of the work, for which he took credit. This bred resentment and retaliation. However, as Clark points out, Bancroft was following an established practice. While possibly unethical, it was not illegal.

One of the most interesting chapters describes Bancroft's later, colorful ventures into the publication of vanity biographies, which, unfortunately, cast suspicion on the scholarship of the *Works*, when the press revealed his rather unscrupulous business practices connected with subsidies.

While Clark's *Venture in History* undoubtedly will appeal to a limited audience, this scholarly study gives new insight into a fascinating and significant literary enterprise and is a commentary on the society Bancroft sought to serve.

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The Last Free Man: The True Story Behind The Massacre Of Shoshone Mike And His Band Of Indians In 1911, by Dayton O. Hyde (New York: The Dial Press, 1973; 264 pages; illustrations; \$7.95).

IN THE SPRING of 1910 unfounded charges of rustling, probably made by the actual criminals themselves to hide their crime, were leveled at Shoshone Mike, causing the aging Indian to leave his seasonal camp near Twin Falls, Idaho. For almost a year Mike and his family group wandered through northern Nevada and parts of California. In January 1911, they were discovered east of the California-Nevada border near Camp Denio having butchered some beef to avoid starvation and killed the four whites who came looking for them. Pursued by posses from several towns, the Indians fled eastward, avoiding capture for more than a month. The desperate band, with broken down horses and facing starvation, was attacked northeast of Winnemucca by a posse, and most of the men, women and children were killed.

Unfortunately little is known of Mike. He became known as Shoshone Mike, but Dayton Hyde concludes that he was a Bannock and believes that he refused to accept reservation life and sought freedom in a semi-nomadic life south of Twin Falls. Descriptions of the battle by participants permit a reasonably accurate account of that event, and it appears clear that violence probably could have been avoided and that the whites, who had pursued Mike from the site of the original incident, demonstrated little restraint. However, information on Mike's thoughts and actions is lacking, and some of the detail included by the author lacks supporting documentation. Hyde has written a popular, undocumented and impressionistic account of Mike and his tragic death. Interviewing numerous people, reading newspaper accounts of the incident, traveling and camping where Mike had been and attempting to live

as Mike had lived, Hyde began to feel at one with his subject. The author's strong feelings are clearly evident.

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Viva La Raza! The Struggle of the Mexican-American People, by Elizabeth Sutherland Martinez and Enriqueta Longeaux y Vasquez (Garden City, N.Y.: Doubleday & Company, Inc., 1974, 353 pages; viii; index; \$4.95).

WRITING HISTORY "from the bottom up" has long been a goal of certain professional historians. Yet too few historical works with that essential perspective and research have appeared over the years. In *Viva La Raza!* American historiography finally has a genuine piece of history relating to the lives of "los de abajo" in American society.

Viva La Raza! is not orthodox history. It is a piquant combination of a certain type of Chicano historiography, sociology, and Chicano and Third World ideology. It is a commentary on history and a document of contemporary history. It was written by two Chicana activists who voice the anguish and rage of a conquered and "colonized" people. Elizabeth Martinez and Enriqueta Vasquez have lived many of the struggles they report. Their primary sources are their own experiences working with the people and the bitter lives of La Raza as reported by the Chicano press and presumably other anti-Establishment publications. *Viva La Raza!* is truly writing history "from the bottom up." Indeed, for sheer outrage and revolutionary fervor, this work rivals such classics of social history as *The Autobiography of Malcolm X* and *Los De Abajo* (The Underdogs) of Mariano Azuela.

The main themes of *Viva La Raza!* are struck in the first chapter. Martinez and Vasquez repudiate Anglo values, "the gringo mind," and the "freak mentality that guides this country." They determine to "throw off the BIG LIES of the Anglo society and its institutions." They consider "putting the truth back into history" a vital function of the Chicano Human Rights Movement. After all, so many positive Raza values emerge from the history of "the natives of this continent." In addition, the issues involving oppression of Chicanos come from out of the past. Thus history is the key to eliminating the effects of what the authors call "The Big Brainwash."

But history also means something very distinctive to Martinez and Vasquez:

To us, history is not just an abstract study of facts, but a study of human beings—their societies and their ideas. Our history must be treated as a history of peoples, cultures, and a land. This means looking at history without the borderline between the United States and Mexico, it

means recognizing that the Southwest was once the northern part of Mexico, it means seeing that there are links between us and Mexico that have not, and cannot, be destroyed. So when we speak of Mexico, we are speaking of a land before there were borders, before there were the concepts of property and land ownership as the Europeans know them. We cannot think of our history merely in terms of the United States. . . .

. . . Let us not look just at the monuments people built or the wars they fought, but also at the kind of human beings they were—how they related to the universe, the land, and to each other; how they thought of life and death, how the young and old related. Let us begin by learning and writing *our* kind of history.

Martinez and Vasquez generally have succeeded in writing that kind of history.

For example, the authors emphasize that in pre-Columbian America cooperation, not competition, characterized the societies of Indio ancestors. These were moneyless societies, treating gold as beauty, not wealth. Indio life epitomized harmony with the cycles and rhythms of nature. In fact, the authors say that many Raza girls still cut their hair in the period of a new moon in order to grow strong, abundant hair. They explain the historical roots of the Chicano diet, which has always been essentially vegetarian. They show the connections between Chicano folk medicine today and the herbal medicine of Indio ancestors.

As *indigenistas*, Martinez and Vasquez consider Europeans and their institutions the original villains in destroying the desirable Indio society. There is some feeling of ambivalence toward Spain, a feature often evident in Chicano historiography. The predominant attitude, however, is one of denigration. For example, in describing the idyllic way of life of Indios and their healthful practices, the authors conclude those folkways persisted "until the Spaniards came and let loose every kind of pestilence." They tell how the Church used the Quetzalcoatl legend after the conquest to convince Indios "to accept the great white father—Spain." The concept of *machismo*, they say, emerged from the Spanish conquest and was "forced" on Indios with dire consequences for the Indian woman. The concept of "original sin" was also introduced to aid in the oppression of the Indian woman. Indeed, Christian baptism symbolized oppression for Indios generally. In essence, the psychological and physical enslavement of Indios by Spaniards and their institutions and the historical and contemporary repercussions for Chicanos prompt Martinez and Vasquez to quote from the 1970 *Plan de Aztlán* which stated: "We will demand compensation from the Catholic Church for the psychological and educational genocide inflicted on our people."

For Martinez and Vasquez "the gringo system" today is the worst enemy. The Alamo in 1836 marked the birth of the gringo, they say, as the Treaty of Guadalupe Hidalgo in 1848 pinpoints when "our long struggle as Chicanos began." Chicanos are defined as Raza who do not identify with Anglo values and the Anglo system. Gringos are defined as racist oppressors,

but "while all gringos are Anglo, not all Anglos are gringos."

The Constitution of the United States, they say, never has worked for Chicanos and their rights. American democracy is "a giant fraud." They refer to "the so-called legal system" in which a double standard of justice prevails. They denounce those who may be named "Montoya" or "Pacheco," people who work in the system and are elected to political office, but who now no longer relate to Raza and therefore must be classed as *vendidos*—sellouts. They explain the problem as one of awakening: "Our people are at different levels of awareness. Some still tend to identify with the system or think that you can make basic changes by working with the system. That is just one example of the problems."

It is significant that the authors deal most extensively with a new kind of Chicano education in two chapters, one entitled "La Raza Unida: Our Own Kind of Politics" and the other, "Viva La Revolución!". It is also significant that in the chapter about Cesar Chavez, which begins with the labor leader's famous oration on manliness and justice, the authors exclude from the oration Cesar's unequivocal dedication to non-violence. Martinez and Vasquez make it clear they despair of passive resistance: "If and when the campesinos and workers begin that struggle [for the land itself], we wonder if it can remain non-violent."

One of the recurring themes in the book is the role of the Raza woman in the past and present. The authors attack those who have abused La Chicana, including the male of her own people: "The young Chicana also learns about life, and often the hard way. She learns through being used and abused by the young Chicano, who is himself trapped by oppressive forces. . . ." Martinez and Vasquez denounce Manuel Armijo as the first *vendido* in Chicano history, because as governor of New Mexico during the Mexican-American War he did not defend the province against the American invaders. At the same time, they call Malinche "the mother of the mestizo, of our Raza," reversing the traditional view of Mexicans and Chicanos who look upon Malinche as a traitor, a woman who willingly became the mistress of the hated Cortés and worse yet a person who helped facilitate the Spanish conquest of Mexico.

There are many significant and interesting facts and interpretations presented in the book. For example, the authors correctly point to the crucial actions taken by the Pentagon and the Nixon administration to undermine the struggles of Cesar Chavez and his supporters in California and the nation. They record the reasons why an authentic war hero such as Guy Gabaldon would return his awards for bravery to President Nixon. But there are also some errors in the book. For example, in discussing the case of Jesús Pallares, they identify the governor of New Mexico as Clyde "Ringley," although the error here may be simply typographical. However, as a symptom of an important technical error, the authors refer to the research of "a Mexican scholar" who considers the Mayan civilization as the seminal culture of the world. Unfortunately, there is no further explanation, no name, no book title, no publisher. Indeed, the lack of bibliographical references is a critical shortcoming of *Viva La Raza!*. Given the embryonic state of Chicano historiography in the United States, one should demand an almost pedantic

regard for such references. Beyond such a professional criticism, however, one would think Martinez and Vasquez would have included some bibliographical material as an aid to La Raza who want to dig deeper into the mines of Chicano historical sources.

If this book should be used in the classroom, and the reviewer thinks it should be, it must be complemented and balanced by works written by professional historians, such as Matt S. Meier and Feliciano Rivera's *The Chicanos: A History of Mexican Americans*, which is the best of the recent survey histories.

Finally, as a Chicano, the reviewer must agree with passive resistance tactics. Morally and pragmatically, Chicano non-violent struggle is the only way. Usually and traditionally, Chicanos have taken the high road of humane struggle. After all, reverence for life is part of our culture. Furthermore, given the overwhelming power of the modern state, violence on the part of Chicanos can only lead to more oppression and even possible eradication of La Raza as a viable cultural entity in the United States. The purpose of any humane movement for social justice is to provide "the good life" of a people; its purpose is obviously not to produce more martyrs and more suffering. At this point in history, revolutionary violence leads irrevocably to the latter.

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Dear Ellen: Two Mormon Women and Their Letters, by S. George Ellsworth, Utah, the Mormons, and the West Series, no. 3 (Salt Lake City: University of Utah Library, 1974; 92 pages; index; \$12.00).

Letters of Long Ago, by Agnes Just Reid, Utah, the Mormons, and the West Series, no. 2 (Salt Lake City: University of Utah Library, 1973; 93 pages; index; \$9.50).

A Mormon Mother: An Autobiography, by Annie Clark Tanner, Utah, the Mormons, and the West Series, no. 1 (Salt Lake City: University of Utah Library, 1969; 346 pages; index; \$10.00).

THESE THREE BOOKS focus on the lives of four western pioneer women: one the polygamous first wife of a Mormon church leader, sharing thoughts and experiences in letters with a monogamous and subsequently divorced wife of another Mormon; one the Mormon apostate (Mormonite) wife of a pioneer Idaho rancher; and one the second (plural) wife of a well-known Mormon educator and church leader. The books, read as a unit, should dispel forever the myths of abundant life in western frontier communities, of lively and supportive western pioneer society, of sisterly affection among plural

wives, and of close and loving ties in polygamous families. Each volume contains first-hand narratives of incredible hardships encountered by Latter Day Saints in maintaining their faith, and profound personal recollections of individual tragedy, heartbreak, and adversity. One could almost believe that human endurance had reached its limits through these indomitable women.

Dear Ellen represents probably the weakest of the three books. In fact, the chatty and relatively inconsequential letters written mostly in the 1850s between the young-to-middle-aged women, Ellen Clawson and Ellen McGary, would have little standing except for S. George Ellsworth's explications, biographical and historical notes, and bibliographic essay. Even under the circumstances, the book contributes little except for the local history buff who would collect every published work on a native state, or one who has not read elsewhere of plural marriages in which Saints suffered persecution or imprisonment for their practices. Ellen Clawson's husband, Hiram, was imprisoned in 1885, convicted for unlawful cohabitation—having four wives and forty-two children. His classic statement on thirty years of polygamous married life has been widely reported.

The book of *Letters of Long Ago* composed by Agnes Just Reid as a sort of biography of her mother is more interestingly written. It is a mark of the esteem held for the book in Utah that this is at least the third time the "letters" (actually not letters at all, but a biography in letter form) have been printed in various editions. The story of Emma Just between 1870 and 1891 is fairly standard frontier stuff: life on a dirt-and-cattle ranch in Idaho, fearful contacts with Indians, lonely bearing of fourteen children—and tending five of those in their dying, interminable optimism that life would shortly become more materially rewarding, and near the end, the assertion that the ranch had become "the very heart of civilization" because the mail carrier came twice a week. Marital difficulties and contemplation of infanticide and suicide seemed not to halt the determination to press on to that particular "happy ending." This book is for the local history collector who has not already acquired one of its earlier editions.

In strong contrast to the other two books, *A Mormon Mother* deserves to be called a classic. Annie Clark Tanner's autobiography (1864-1941) offers the details of what it meant to live as the secret plural wife of a distinguished educator. She raised eight children alone in deep poverty after desertion by her noted husband; she maintained for her sons and daughters a home that they loved and revered and returned to; she educated her young in humanitarian and philosophical and practical ways (two became teachers, two college professors, one a lawyer, one a union official, and one an insurance executive); and she earned and kept the respect of everyone who knew her. To write those bare words about Annie Clark Tanner's life is to ignore the deeper and more engrossing values in her book. The volume's introduction, penned by her son, a professor of philosophy at the University of Utah, points out that the book can be read in a number of different veins: almost as a novel, as a philosophical treatise, as a sociological study, as an important historical document. It is all of those. But more, it is an intensely human account of a woman's courage, endurance, devotion, piety, and love. These old-fashioned virtues seldom have such eloquent interpreters these days; to

find them in an absorbing, well-written, and true life history makes a satisfying experience for the reader.

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The Western American Indian: Case Studies in Tribal History, by Richard N. Ellis (Lincoln: University of Nebraska Press, 1972; 203 pages; bibliography).

EFFORTS TO DEVELOP collective works about American Indians have generally resulted in rambling harangues to the conscience of white America or tweaked an adventurous voyeurism on the part of the reader. Bucking this trend, Professor Ellis promises case studies which will show that the Indian history of Western America consists of "rapid change and cultural oppression." Further, it will "illuminate the impact of white settlement, and especially of official governmental policy and actions, on the western tribes in the post 1850 period." To do this he has excerpted from the works of some of the best Indian historians and created a topical approach on ten key issues of Indian-white relations in the late nineteenth and twentieth centuries.

Treaty making is discussed in two outstanding essays by Alvin Josephy and James Olsen. Josephy uses his article on the Walla Walla Council as an example of how official pressure to obtain land for settlement led to precipitous treaty making followed by Indian reaction, in this case war. The 1866 Fort Laramie Treaty effort described by Olsen, was an obvious comedy of errors conceived in haste, which instead of insuring peace, caused the Powder River War. Both authors clearly demonstrate that treaty-making was an aggressive policy used to achieve specific white objectives, usually land, rather than to obtain a just settlement of differences.

Five articles are based on the Indian wars and the administration of Indian affairs from the Civil War to the 1890s. Grinnell's account of the Washita Battle is a classic. It shows both the fight and elaborates on the human element. Whitner's description of the "successful" Yakima application of the Peace Policy reveals its ragged edges and bureaucratic excesses.

The most impressive articles in the book are ones by Ellis and King dealing with the peacetime role of the military. Both are persuasive in their assessment that Indians and the army maintained the best, though far from perfect, Indian-white relations in the nineteenth century. Indians had a clear understanding of the role of the warrior, but had a hard time with missionaries and philanthropists. For its part, the army contained many officers and men who had little liking for the dubious "glory" of killing Indians and a grudging respect for Indians as people.

Three articles cover the facts of reservation life before and after the Dawes Act. Olsen, Priest, and Berthrong all describe the enforced and steady erosion of cultural identity and practice brought on by a cabal of land hungry

westerners and eastern reformers anxious to help Indians become Americans.

The last five articles cover the twentieth century including the Indian Reorganization Act, the Indian Claims Commission, and Termination. With the exception of Meyer's article on the Santee Sioux, they are generalized, firsthand, and usually too brief.

The *Western American Indian* successfully demonstrates many of the key problems of Indian-white relations in the nineteenth and twentieth centuries. Mr. Ellis deserves credit for his clear and lucid introductions which serve to draw the chapters together in an integrated whole. It shows the treaty as a means of aggression and indicates the origin of many nineteenth century problems. Most importantly, by carrying the discussion into the twentieth century, Ellis indicates that the United States has not heard the last from Indian people. As a collected work, it suffers three faults common to most Indian history. It relies on biased documentation almost completely recorded from a white viewpoint. This is a problem which Indian history must someday find the means to overcome. As a totality, it brings out very little of the human side of the cultural shock suffered by Indian people in the period. That which is present suffers from statistical preciseness or reads like laboratory notes of a rat in a maze. Finally, the lack of Indian input weakens the work's validity.

If, as Ellis states, "Indian leaders have become increasingly vocal in the mid-twentieth century," Indian authors should have been included. The addition of passages from *America Needs Indians* would have balanced Collier's remarks and given some background to the plains tribes opposition to the IRA. An article or two from the *Indian Historian* would have indicated Indian reservations with the Indian Claims Commission. Finally, if complete academic orthodoxy had to be observed, the contributions of D'Arcy McNickle, Alphonso Ortiz, or John Joseph Mathews would have met the test of "systematic studies."

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California, The Civil War, and the Indian Problem: An Account of California's Participation in the Great Conflict, by Leo P. Kibby (Los Angeles: Lorrin L. Morrison, 1968; ix; 68 pages; maps, appendices, bibliography, index).

CALIFORNIA'S part in the Civil War has long been neglected by historians. Leo P. Kibby, the author of several articles on this subject, has attempted in *California, the Civil War, and the Indian Problem* "to identify and discuss aspects of the role the state played in the war and the contributions she made to the Union cause." The result of his attempt, although an addition to the literature, is something less than a definitive study.

The ultimate value of the book depends upon its use. For the professional researcher, it will serve only as an introduction to California's part in the war. Chiefly responsible for its limited value in this regard is a combination of too many topics on too few pages. Discussed in fifty-four pages of text are antebellum California, Union and Confederate views of the West Coast, California's contribution to the Union, the state's military volunteers, its history of difficulties with Indians, and its troubles with Indians during the Civil War. Perhaps if every sentence were devoted to exposition of Kibby's multiple topics, the result would have been more satisfactory. But this is not the case. In several instances, irrelevant material is added for the obvious purpose of lengthening the book. For example, in chapter one, a half dozen paragraphs are given to California's antebellum governors and their lack of accomplishments in office. Moreover, the organization of the material is awkward. Each of the first six chapters is concluded by a summary that would have been better placed at the beginning of the chapter as an expository introduction.

There are positive attributes; and it is because of these that the book would be very useful to the teacher of California history. Foremost among these is the three page seventh chapter. Entitled "Conclusion," this final chapter serves to unite and explain the chronicled facts contained in the first six chapters, even though Kibby's conclusions are the expected ones: California's importance in the Civil War rested on its gold and its position as a door to the Pacific; and that, militarily, its encounters during the war were restricted to Indian battles and a few expeditions into the nearby territories of New Mexico and Utah. In addition, Kibby's writing style is simple and clear. This combined with subheadings within chapters and an extensive bibliography makes the book a worthwhile reading assignment for students in a California history class or a good outline for a two hour lecture on the state's part in the Civil War.

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This Land Was Ours: An In-depth Study of a Frontier Community, by Edna B. Patterson (Springville, Utah: Art City Publishing Company, 1973; x, 329 pages; illustrations, notes, bibliography, index; \$12.95).

This Land Was Ours is about Elko County's Lamoille Precinct (Lamoille, Pleasant Valley, Fort Halleck, Halleck Station) and its history and inhabitants from before the coming of white settlers to the present. A combination of personal reminiscence and researched history, the book represents what undoubtedly will be the definitive work on that area of Nevada.

Admittedly a "labor of love" about the author's long-time home, *This Land Was Ours* contains a wealth of information, photographs and

biographical data on past and present Lamoille residents. It is regrettable only that this mass of material has not been presented differently. The book's topical treatment of subjects such as Indians, settlement, commercial enterprises, educational needs and law and order does not allow a reader the broad, clear picture of development that a more chronological form might have. The work fails to deliver the narrative history of Lamoille—the in-depth study of a community's birth, life and decline—that it seems to promise. Misspellings and numerous typographical errors in the text also blemish the work.

Despite its shortcomings, however, Mrs. Patterson's is an interesting and informative book. It is one of those birds so rare in the historical field—a capable and authoritative local history, and as such it is a significant contribution to the record of not only Elko County but the state.

ERIC N. MOODY
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Remembrances of Centerville, by Frieda Cordes Godecke (Caligraphy & Design by Robert Ellison: Privately Published, 1973; 65 pages).

"SUDDENLY before them lay a panoramic view of mountain-ringed Carson Valley . . . sagebrush, a few scattered buildings . . . patches of cultivated fields. . . ." and thus begins this delightful little history of the Cordes family of Centerville, Douglas County and the story of the life of Frieda Cordes Godecke, the author. It is, in addition, the remembrance of things past that endured and sustained her down through all her days and inspired her to leave this memoir for her children. Where else could one read of the simple pleasures, pranks and pastimes of a rural girlhood at the turn of the century? Of doctors who made house calls? Of first reactions to motion pictures and automobiles? Of senseless death and immutable tragedy? Common experiences, but seldom committed to writing so those of us beyond those times can get a feel for what was, for what shaped our immediate ancestors and, in some deep way, ourselves as well.

It is just such information as that contained in this book that social historians need to fill in the details of periods of history whose larger cultural outlines only are known. Mrs. Godecke is to be congratulated for her efforts; may they inspire many another Nevadan to set down their own remembrances in such a delightful and meaningful fashion.

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What's Going On

MOODY PREPARES INDEX

Mr. Eric Moody, a doctoral student in the UNR History Department and author of the recently published biography of Vail Pittman, has contracted with the Society to index the back issues of the *Papers* and *Quarterly*. The project is funded by the National Endowment for the Humanities and will occupy two years prior to publication.

SOCIETY REVAMPS MUSEUM

The contract for redesign and placement of new exhibits in the Society museum has been awarded to the Exhibigraphics Group of Salt Lake City. This firm has completed many museum renovations in the western states for the federal government and the Nevada State Parks Division.

NEVADA LIBRARY ASSOCIATION CONVENTION

The Society participated in this year's Nevada Library Association Convention in Tonopah by giving a walking tour of the famed old silver camp, and conducting a class on field trip preparation for the attending librarians. The Society hopes to persuade public libraries in the state to offer field trips on local history to their patrons.

JUNIOR HISTORY NEWS

The Conestoga History Club of Sparks Middle School began the new school year with the appointment of Jay Parker as president, Wendy Rutter as secretary, and Katti Cleere as field trip chairwoman.

Due to the tremendous success of the Conestogans' campout at Lewis Mills, three such outings have been planned for the current year: Ichthyosaur

Park, Diana's Punch Bowl, and Lehman Caves.

The appointment of efficient club officers and the interest of reliable families that attend club functions makes the Conestogas a solid unit. Activities have been so well attended that the next annual banquet has had to be scheduled into a larger room; it is hoped that previous members of the club will return and hear the essays written by participating members. This year skits and songs have been added to the festivities at the banquet.