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NEVADA HISTORICAL SOCIETY QUARTERLY

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Alida Bowler *(courtesy of Edward C. Johnson)*

The Organization of the Te-Moak Bands of Western Shoshone

ELMER R. RUSCO

THE CONSTITUTION AND BY-LAWS of the Te-Moak Bands of Western Shoshone Indians of Nevada* was approved by the Secretary of the Interior on August 24, 1938, and remains the governing document of this group. This article describes the process by which the constitution was developed and approved.*

This case study is important for two major reasons. First, the research which led to it grew out of a wider concern for ethnic-cultural pluralism in the United States. Assuming that the survival of separate groups with cultures different from that of the dominant society is desirable, the question I have been concerned with is: what are the conditions and circumstances which will determine whether Native American (or Indian) survival will continue into the future? Clearly, one of the most important factors is the character and strength of Native American governments. Yet, curiously, there has been little study of how present Indian governments came into being and function today. A case study of the origins of one of Nevada's Native American governments can help to fill a scholarly gap.

Second, the Council created by approval of the Te-Moak Bands Constitution has played a crucial role in an important controversy over

* Research was conducted chiefly at the National Archives Building in Washington, D.C., in the fall of 1978 and the spring of 1979. I am grateful to the University of Nevada, Reno, for a sabbatical leave which made this research possible. An earlier version was delivered at the 1980 meeting of the Great Basin Anthropological Conference.

ownership of several million acres in central Nevada.[1] It has been assumed by most Nevadans for some time that most of the lands in Nevada (and almost all of them in the area once occupied by Western Shoshones) are in federal ownership as public domain or reserved lands -- although the state government has recently asserted that title belongs to the state. Traditional Western Shoshones believe that *they* are still the owners of the lands in question; specifically, they assert that their aboriginal title has never been extinguished. The U.S. Ninth Circuit Court of Appeals has ruled that, despite extensive legal controversy for thirty years, the contentions of the Western Shoshones have never been litigated. While a decision in April, 1980 by U.S. District Court Judge Bruce Thompson holds that Western Shoshone title was extinguished in December, 1979, this opinion has been appealed and does not constitute a final determination of the issue; but it does represent a judicial finding that the presumed extinguishment of aboriginal title in the nineteenth century (which has been widely assumed) never took place.[2]

At most times during the last several decades while the land issue has been considered by the Indian Claims Commission and the courts, the Council created by the Te-Moak Bands Constitution has played an important role in the controversy. The Council has been held to be the sole representative of the Western Shoshones before the Claims Commission, although it has never in fact represented more than a minority of all Western Shoshones.[3] The decision of the Council for many years to press for money compensation for the loss of the lands in question, rather than to continue to assert their title claim, was decisive for a long time in preventing judicial consideration of the issue. For this reason too, an examination of the assumptions leading to adoption of the constitution by the Te-Moak Bands and its approval by the Secretary of the Interior is important.

The chief data for the study are the documents surviving in the National Archives; these necessarily give more fully the views of federal

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[1] See Richard O. Clemmer, *Directed Resistance to Acculturation: A Comparative Study of the Effects of Non-Indian Jurisdiction of Hopi and Western Shoshone Communities*, Ph.D. dissertation in anthropology, University of Illinois, Urbana-Champaign, 1972, and "Channels of Political Expression Among the Western Shoshone-Goshutes of Nevada", in Ruth M. Houghton, editor, *Native American Politics: Power Relationships in the Western Great Basin Today* (Reno: Bureau of Governmental Research, University of Nevada, 1973), and the paper by Rusco cited in footnote 2.

[2] See Elmer R. Rusco, "The MX Missile and Western Shoshone Land Claims", unpublished paper, 1980.

[3] Clemmer, *Directed Resistance . . ., op. cit.*, p. 428, estimates that the Te-Moak Bands include only about one-quarter of all Western Shoshones. In 1979 litigation, it was estimated that the Te-Moak Bands include only 700 of approximately 4,000 Western Shoshones. Complaint, *Te-Moak Bands of Western Shoshone Indians v. Andrus and Bergland*, supplied to me by Dean K. Dunsmore, Attorney, Pollution Control Section, U.S. Department of Justice.

government officials than of Western Shoshones, since they are records created by the Bureau of Indian Affairs, but they do provide a basis for describing Indian views as well.

The Federal Government and Western Shoshones Before the 1930s

Although the federal government did not formally recognize the Te-Moak Bands before 1938, the history of prior federal actions toward Western Shoshones is important. Unfortunately, no really thorough study of this history has been made. The Ruby Valley Treaty was negotiated in the 1860s as one of several treaties desired by the United States government in order to assure the safety of travelers through the territory of the Shoshone Nation, which stretched from Wyoming through the north-central Great Basin into California.[4] The chief government negotiator, James Duane Doty, found it convenient to negotiate several treaties with different groups of Shoshones. Evidently the Western Shoshones were at that time organized in a series of bands, each comprising several villages. According to Doty, the signers of the Ruby Valley Treaty were representatives of two bands, the White Knives and Te-Moak's band, although he obviously intended that the treaty should bind all the groups designated by him as Western Shoshones. The map which he drew includes essentially the northern half of what has been recognized by anthropologists and the Indian Claims Commission as the full extent of Western Shoshone territory. Apparently the Ruby Valley Treaty in effect created a Western Shoshone entity, whereas previously only bands had existed.

For several decades after the signing of the treaty, a "traditional council" consisting of members from several bands represented a kind of governing structure for many Western Shoshones. Te-Moak had been leader of a band centered on Ruby Valley, but came to be more widely acknowledged as a leader of several bands, and his descendants have also been considered leaders of this wider grouping.[5] Although this traditional council sometimes included members from Goshute territory (for which a separate treaty had been negotiated by Doty) and Duck

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[4] See Rusco, *op. cit.*, p. 38, and Inter-Tribal Council of Nevada, *Newe: A Western Shoshone History* (Salt Lake City: University of Utah Printing Service, 1976), pp. 46-54.

[5] Julian H. Steward, *Basin-Plateau Aboriginal Sociopolitical Groups* (Washington: U.S. Government Printing Office, 1938) is still the standard source on the state of Western Shoshone political organization at the time of White contact, although the data for the study were gathered largely in the 1930s. Chief Te-Moak is discussed, though not very adequately, on pp. 149-150. See also Julian H. Steward, *Theory of Culture Change* (Urbana: University of Illinois Press, 1963), pp. 101-121. Omer C. Stewart in his "Temoke Band and the Oasis Concept," *Nevada Historical Society Quarterly* XXIII (Winter 1980), 246-261, provides a great deal of historical information on the Ruby Valley Western Shoshone in the nineteenth and early twentieth centuries.

Valley, most of the time it included members from south of Duck Valley (thus excluding the White Knives) to roughly the area of Austin, and thus the Western Shoshones who lived in the southern part of their area were also excluded. The council insisted over several decades that the provisions of the Ruby Valley Treaty had not been carried out by the United States, and that Western Shoshone title to the bulk of the lands within the treaty territory had not been lost. Apparently it was this council which signed a contract with Elko attorney Milton B. Badt in 1932 to seek redress from the federal government, in the form of a reservation and monetary compensation.[6] Probably the same council was the one which took the steps leading to the Te-Moak Bands Constitution.

The Ruby Valley Treaty contained a provision by which the Western Shoshones agreed that they would move to a reservation within the treaty territory when the President so decided. However, the government has not kept this portion of the treaty, and until the present time there are insufficient reservation lands within the area covered by the treaty for all Western Shoshones. For a few years in the 1870s, some Western Shoshones lived on a reservation called Carlin Farms, but this reservation was abandoned when some Whites claimed ownership of it.[7]

In 1877, Duck Valley Reservation was created in northern Nevada and southern Idaho. Although federal officials at the time apparently assumed it was within the treaty area, in fact it was north of the line on Doty's map. In 1879, with the closing of Carlin Farms, some Western Shoshones, almost entirely members of the White Knives band, moved to Duck Valley. However, the Western Shoshones represented by members of the traditional council refused to move to Duck Valley, on the ground that it was outside their territory.[8]

From the abandonment of Carlin Farms until the Indian New Deal, no reservations were created for Western Shoshone except sites for several "colonies," urban locations which provide house sites but no economic resources. The Battle Mountain Indian Colony was established by Executive Order in 1917,[9] and the Elko Colony in 1918. In the case of Elko, the Indians had been pushed out of several earlier sites within Elko, although several Western Shoshone families still live in the Walnut and 5th Street area. In 1931, the Elko Indians were moved again, when a new colony site was purchased for them.[10] Ely Colony was established

[6] U.S. Senate Committee on Indian Affairs, *Survey of Conditions of Indians in the United States, Hearings, Part 28, Nevada* (Washington: U.S. Government Printing Office, 1934), pp. 14807-14893.

[7] Inter-Tribal Council, *Newe, op. cit.*, pp. 59-68.

[8] U.S. Senate Committee on Indian Affairs, *op. cit.*, pp. 14825, 14842-14847.

[9] Inter-Tribal Council, *Newe*, pp. 82-85.

[10] Ibid., pp. 85-88.

by executive order in 1930.[11] In addition to these areas with trust status, Western Shoshones continued to live at various locations within the treaty territory which had been their traditional homes. Anthropologist Omer C. Stewart noted in 1974 that "Strong and often repeated attempts to wean Western Shoshone away from their emotional attachment to their own natal valleys have failed."[12] He and anthropologist Richard O. Clemmer have noted that a list of areas inhabited by Western Shoshones in 1873 is essentially the same as a list compiled by Julian Steward in the 1930s and settlement patterns in the 1970s.[13]

The Indian New Deal and Tribal Government

For several decades prior to the Indian New Deal the official policy of the Bureau of Indian Affairs in Washington was to refuse to recognize tribal governments. Instead it dealt directly with individual Indians, as part of the general intent to destroy tribal existence. However, in various ways the Bureau of Indian Affairs was forced to recognize Native American governments to some degree. While the history of federal government actions toward the Western Shoshone traditional council has not yet been written, apparently before the Indian New Deal it was not formally recognized.

The coming of the Indian New Deal, inaugurated by Commissioner of Indian Affairs John Collier, reversed this policy. It was Collier's aim to recognize existing Native American governments, organize such governments where they had lapsed, and give Indian governments the legal powers of modern corporations.[14] The Indian Reorganization Act (or Wheeler-Howard Act, after its chief congressional sponsors) embodied this point of view. The legal theory behind the IRA was clearly stated to be the notion that the law recognized legal rights to self-government already possessed by Native Americans and repeatedly stated by the courts.[15] However, Sections 16 and 17 of the IRA provided a mechanism

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[11] Ibid., pp. 88-89.

[12] Omer C. Stewart, "The Western Shoshone of Nevada and the U.S. Government, 1863-1950", paper delivered at the 1974 Great Basin Anthropological Conference, p. 3.

[13] Ibid., pp. 4-5.

[14] Much of the material for this article concerning the attitude of the Collier administration toward tribal self-government is based on as yet unpublished research conducted in the National Archives. But see also Kenneth R. Philp, *John Collier's Crusade for Indian Reform, 1920-1954* (Tucson: University of Arizona Press, 1977), and Graham D. Taylor, *The New Deal and American Indian Tribalism* (Lincoln: University of Nebraska Press, 1980).

[15] Felix Cohen stated the legal theory of the Collier administration in the presentation to Congress when the bill which became the Indian Reorganization Act was introduced, in a Solicitor's opinion in 1934 after passage of the IRA, and in his *Handbook of Federal Indian Law* (Washington: U.S. Government Printing Office, 1942). The core of the theory is this statement from the *Handbook*, at p. 122: "Perhaps the most basic principle of all Indian law, supported by a host of decisions . . . is the principle that *those powers which are lawfully vested in an Indian tribe are not, in general, delegated powers granted by express acts of Congress, but rather inherent powers of a limited sovereignty which has never been extinguished.*" (Italics in original).

by which any tribe could adopt a written constitution and a written charter, which upon approval by the Secretary of the Interior would constitute governing documents recognized by the federal government. Given this fundamental theory, the federal government could have simply recognized the existing traditional council of the Western Shoshone without drafting a formal constitution. Why this was not done is not clear, but one possibility is that field personnel incorrectly interpreted Section 16 as a mandate to draw up constitutions.

One of the major thrusts of the Indian New Deal was to increase the Indian land base by consolidation of lands which had not been allotted but still were in trust status, and by purchase of lands to be put in trust status. Within the Ruby Valley Treaty area, there was no necessity to consolidate allotted lands; since there had been no reservations with agricultural lands, there had been no allotments. However, three small reservations were created by purchase of lands during the 1930s and 1940s within the Western Shoshone territory: South Fork Reservation was created by land purchases from 1937 to 1951, Yomba Reservation was created in the Reese River Valley by land purchases from 1937 to 1941, and Duckwater Reservation was created by land purchases from 1940 to 1944. The plans to purchase the South Fork and Yomba Reservations were underway as the Te-Moak Bands Constitution was being developed, and figured in the protracted process of drawing up the document and securing its approval from the Office.[16]

Several aspects of the process of drawing up IRA constitutions in the 1930s have to be understood before a specific case history is presented.[17] First, from the standpoint of Washington, the process was one by which Indians at several hundred locations around the country drew up constitutions which embodied what they wanted, with assistance from Bureau personnel in the field. At least at the Washington level, there was no thought of imposing a constitution written in Washington on the tribes. For example, while the Office considered drawing up a model constitution which could then be modified by various tribes, it did not do so. An outline of the topics which might be covered in constitutions was drawn up centrally, but this did not suggest actual language and constitutions were not required to include provisions dealing with all of the topics covered in the outline. Second, however, constitutions had to be approved by the Secretary of the Interior. This came to mean in

[16] Inter-Tribal Council of Nevada, *Newe*, pp. 89-100. The terms "Office" or "Indian Office" for the national headquarters of the Bureau of Indian Affairs were still widely used in the 1930s.

[17] Much of this information comes from unpublished studies. Available accounts of the actual process of the drawing up of constitutions are scarce and often inaccurate in terms of the factors cited here.

practice that the draft by the tribe, drawn up with local assistance, had to be approved by the Office before it became final. The attorneys in Washington introduced a great deal of uniformity in the wording of constitutional provisions at this stage, and also attempted to delete or change provisions which they believed contravened existing law. Third, tribes were assisted by local BIA officials -- superintendents and their staffs, and also by a network of special agents organized directly from Washington. These special agents had first been appointed, on a regional basis, to supervise the conduct of elections by which the tribes decided whether or not to accept the Indian Reorganization Act itself. In spite of the fact that constitution-making was voluntary on the part of the tribes, Congress had added the requirement that an election be held on each reservation to determine acceptance or rejection of the IRA itself. It was decided in Washington to appoint special agents to conduct these elections; they then continued in the field in order to help tribes organize constitutions and charters, under the general supervision of the Organization Division in Washington.

It is not clear when the first organizational efforts among the Western Shoshones began, but in 1934 the elections to determine acceptance of the IRA were held on several Western Shoshone reservations. The official records of these elections show the following:[18]

Place	Population	Voting Population	Total Yes	Total No	Date
Duck Valley	516	383	191	12	27 October
Duckwater	273	89	73	2	17 November
Battle Mountain	28	14	9	0	14 June
Elko	73	40	34	0	14 June
Ely	64	35	8	6	17 June
Totals	954	561	315	20	

The most striking thing about these elections is that the places at which elections were held did not include more than a fraction of the Western Shoshone population, particularly when it is remembered that perhaps half of the Duck Valley residents were Northern Paiutes.[19] This

[18] Theodore H. Haas, *Ten Years of Tribal Government under I.R.A.* (Chicago: United States Indian Service, 1947), p. 17.

[19] B.I.A. reports on the total number of Indians living on the Duck Valley Reservation vary widely, as collected by Omer C. Stewart, "The Western Shoshone of Nevada . . .," Table 11. According to these figures, in 1932 the total population was 690, of which 273, or 39.6 percent, were Western Shoshones; however, in 1939 the total population was reported to be 552, of which 453, or 82.1 percent, were Western Shoshones.

result was due to the small number of reservations for Western Shoshones. (Surprisingly, an election was held at Duckwater, even though this traditional home of Western Shoshones was not yet a reservation.) Consequently, while the votes in favor of the IRA totaled 56.1 percent of the voting population at these five locations, they were a very small proportion of all Western Shoshones.

Drafting of the Constitution

Several of the top officials in the Washington office in mid-1934, at the beginning of the organization effort, wrote that most superintendents did not approve of the new policies, and they were undoubtedly correct; the administration clearly could not immediately find sufficient numbers of persons with administrative capability who differed fundamentally, as Collier did, with the policy which had been followed at the top for several decades.[20] One of the factors of importance in formation of the Western Shoshone constitution is that the Superintendent involved was one of the relatively small number of local administrators clearly both in sympathy with and knowledgeable about the basic policy of the Collier administration. The group organized under the Te-Moak Bands was under the jurisdiction of the Superintendent of the Carson Agency, Alida C. Bowler. Miss Bowler (who was described by the BIA as the first woman Indian Superintendent in history),[21] had most recently been with the federal Children's Bureau; she had once been an employee of the San Francisco office of the American Indian Defense Association when John Collier was its Director. She had attended an important meeting of the "friends of the Indian" in early 1933 in Washington and had long been identified with efforts on behalf of the Indians in collaboration with Collier. She had directly asked Collier for an appointment in the Indian Service, and was a personal friend.[22]

Another factor in the situation was that the chief field agent assigned to work with the Carson Agency (plus various Northwestern and Great

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[20] Walter V. Woehlke, "Reorganization Echoes," October 13, 1934, and Walter Shepard, letter to Collier, October 13, 1934, both in Regional Organization folder, Collier Office File, in Records of the Bureau of Indian Affairs, Record Group 75, National Archives Building. Since all subsequent references in this paper to B.I.A. records are to materials in the National Archives Building, they will be limited to the citation RG 75 and the broad category and file number.

[21] "Memorandum for the Press, Department of the Interior," for release November 3, 1935, in File "Alida C. Bowler (Miss) 1934-1937 Supt. Carson Agency" in Collier Office File, RG 75.

[22] The letterhead of the San Francisco office of the AIDA listed her as Executive Secretary in 1927. See File "California Claims Bill-JC Personal-1925-6-7-From AIDA Files" in Collier Office File, Reference File of John Collier 1939-45, in RG 75. The letter from Miss Bowler to Collier requesting "to become a part of the Indian service under your leadership" is dated January 12, 1934 and is in File "Alida C. Bowler (Miss) 1934-1937 Supt. Carson Agency" in Collier Office File, RG 75.

Basin groups outside this agency) was George P. LaVatta, a Shoshone Indian from Fort Hall Reservation. LaVatta was clearly one of the more energetic and conscientious of such representatives. In 1943 he was appointed Superintendent of a reservation in Washington.[23] In addition, a Western Shoshone from Battle Mountain was employed on a part-time basis by the BIA during the period when the Te-Moak Bands constitution was being developed. Probably the fact that the persons working directly with the Bands on organization were Shoshones had some effect on the acceptance of the process by Western Shoshones.

The first organizational efforts within the Carson Agency were with those groups which already had reservations. A letter from Field Agent John H. Holst to Walter Woehlke of the Washington office dated August 26, 1935 reports that, as of that date, four constitutions from that agency had been drawn up.[24] He said that these four "represent all of the groups that can be organized at this time" and that Superintendent Bowler "agrees with this idea." Presumably, these were the constitutions for the Duck Valley and Pyramid Lake Reservations, the Reno-Sparks Colony, and the Washoe Tribe, since these were the first constitutions approved for the Carson Agency. Holst indicated that the "landless Indians of Nevada and California," who were to be organized next, "are just now widely scattered at work" so that they could be dealt with more effectively after the summer.

Organizational efforts did not begin among the Western Shoshone until 1936. Both a draft constitution and a "temporary council" of Western Shoshones emerged from a meeting in Elko on May 16 and 17, 1936, but meetings among the Indians themselves and contacts between the Indians and the BIA preceded this meeting, perhaps for several months. A meeting of Western Shoshones held before the Elko meeting (at which "no one from the Agency and no one with a clear understanding of the Reorganization Act was present," according to Superintendent Bowler[25]) produced a letter signed by Muchach Temoak and eighty-seven others. Apparently it was drafted on May 1.[26] This letter, to Commissioner Collier, was written in non-standard English by someone for whom English was a second language. Clearly, the Ruby Valley

[23] Correspondence with Officials, 1934-46, Organization Division, RG 75, contains files by agent detailing the interchanges between the Office and each agent. Those on LaVatta are probably the most voluminous and detailed. On his appointment as Superintendent of the Taholah Indian Agency, effective July 1, 1943, see a newspaper clipping from the *Aberdeen Daily World*, August 9, 1943, in File "G.P. LaVatta 1943" in this collection.

[24] File "Holst, John H.," in ibid.

[25] Letter, Alida C. Bowler to Commissioner of Indian Affairs May 28, 1936, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75.

[26] Letter, Matchuck [sic] Temoak to John Collier, ibid.

Treaty was referred to; for example, the letter asserted that "our great policy is treaty which roll for 50 years from the date and still rolling now today." It also clearly asked for land; for example, there was the question: "Why dont government make settlement for us the reservation under consideration?" It also asked for allotted lands, presumably because its author did not know that the IRA had ended the allotment policy. It also expressed opposition to "self government" in these words: "Indians dont like be self government. Dont know how to handle self government. . . ." Apparently a major reason for this conclusion was that "self government" was equated with paying taxes on land, for the letter asked: "Whenever taxation appear before their face what shall they do?"

In a letter to Commissioner Collier from Superintendent Bowler dated May 28, 1936, she asserted that the letter had been written after a "meeting of Shoshones from Ruby Valley and vicinity" held some time before May 16.[27] She said that Tom Pabowena had prepared the letter, and asserted that he did not know enough English to translate accurately, although he had apparently persuaded some Indians that he could translate. She asserted that "questioning revealed that Muchach [Temoak] did not know exactly what the letter contained. It is highly probable that none of the other reputed signers knew its exact contents." She then went on to say that the IRA and the organization plans were explained adequately at a May 16 meeting in Elko, and that after this meeting Temoak had "a much clearer understanding of the Act, of self-government opportunities, and of the advantages in organization."

There had been BIA contacts with Western Shoshones for some time before the May meeting, perhaps for a considerable period. The Shoshone Field Agent who attended the Elko meeting, George P. LaVatta, did not like to push Indians into action, especially when they had some doubts. In a memorandum of January 7, 1939, explaining his viewpoint toward organizational work, LaVatta indicated his belief that "help or assistance cannot be given any group of people unless that help or assistance is desired by them." He reported that his usual procedure was to meet with Indians

> in tribal meetings and in groups where careful explanation of the Act was given and sufficient time allowed in which they might discuss these interpretations among themselves, and for them to ask any and all questions which they desired. This procedure needed to be repeated many times before a request was generally forthcoming from the Indians for assistance in the preparation of a constitution or a charter.[28]

[27] Letter cited in footnote 25.

[28] File "G.P. LaVatta 1939" in Correspondence with Officials, 1934-46, Organization Division, RG 75.

The May 16 meeting was the first formal step toward the adoption of a constitution, but it had been preceded by at least the May meeting of Western Shoshones and by some contacts between Indians and Bureau personnel. Field Agent O.H. Lipps, a long-time Bureau employee who had been Superintendent of the Sacramento Agency before assuming his organization post, evidently had some contacts with Western Shoshones before this meeting, as had George LaVatta. In a letter to Superintendent Bowler written April 27, 1936, Lipps, who was then on duty in Wisconsin, indicated that he could not attend the May 16 meeting but said that "I do not think they will be greatly disappointed because of my absence as the person they really seemed to want present to assist them with their Constitution was Mr. LaVatta."[29] He reported that he had already told LaVatta that he and Milton Badt, "their attorney in whom they seem to have great confidence, will have no difficulty in drawing up a suitable and workable Constitution and By-Laws."

In reporting the May 16 Elko meeting to Washington, LaVatta indicated that he and Superintendent Bowler had "met with the delegates representing the various Indian groups located at Ely, Ruby Valley, Battle Mountain, Beowawe, Austin and Elko. . . ."[30] He called these delegates a "Constitutional Committee," but did not indicate how they had been selected. He did report that the Indians had requested the name "Te-Moak Western Shoshone" for the constitution and their council. He said: "This was. . .the wish of the Indians as they stated that most of these Indians belong to the old Te-Moak Bands and they desired to retain this name." The members of the "temporary council of the Western Shoshones of Northeastern Nevada" which came out of the Elko meeting were: Jack Temoke (Nixon), Jimmie James (Lee), John Couchum (Elko), Bill Gibson (Elko), Charlie Malotte (Elko), Muchach Temoke (Ruby Valley), Willie Woods (Battle Mountain), and Harry Johnny (Ely).[31]

The draft constitution which emerged from this meeting identified the group involved as "the Te-Moak Western Shoshone Bands, sometimes known as the 'Western Bands of the Shoshone Nation in Nevada' " and identified the territory of the Bands as that described in the Ruby Valley Treaty. The "jurisdiction" of the Bands was to be all lands "that the United States or any other agency has or may set aside for the use of the Te-Moak Western Shoshone Bands within the confines of the territory"

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[29] File "Lipps, Oscar H." in ibid.

[30] Letter, George P. LaVatta to Commissioner of Indian Affairs July 27, 1936, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75.

[31] Letter to the Council from Superintendent Bowler May 28, 1936, in ibid.

described in the Treaty. The same territory was used as the basis for determining membership in the Bands.

The governing body of the Bands, according to this draft constitution, was to be a Te-Moak Western Shoshone Council elected for two year terms. There was no set number of members of the Council, but each "community" was to have at least one representative, with representatives assigned to communities in proportion to population. The communities specifically named in the document were: Elko New Colony, Elko Old Colony, Ruby Valley, Ely, Austin, Beowawe and Battle Mountain.[32] The Council was to elect a "tribal chief," a "tribal sub-chief," and at least a secretary and a treasurer. Thus the draft constitution provided for a representative structure including Western Shoshone bands between those on the Duck Valley Reservation and those south of Austin; this group corresponds basically with the membership of the Western Shoshone "traditional council" as described by anthropologist Richard O. Clemmer in the early 1970s.[33]

Copies of the draft constitution were made and sent to members of the temporary council and other Shoshones. The letter from Superintendent Bowler to members of the temporary council enclosing the draft told them that it "is not finished" and that she wanted the document seen and discussed by "as many different Shoshones as possible."[34] She indicated that meetings would be held soon throughout Western Shoshone territory "to answer questions or consider changes." She planned to get George LaVatta to return to Nevada for this purpose, and then "after these meetings we will have to have another meeting of the Shoshone Council to take a vote of the Council members about whether they want to forward the constitution to Washington to be approved by the Secretary and sent back to be voted on in the various Shoshone communities."[35]

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[32] As noted in the text, the Indian Colony in Elko had been moved several times by 1938. Which of the older areas was referred to as "Elko Old Colony" is not known.

[33] Clemmer, *Directed Resistance,* p. 380, says that the Western Shoshone Traditional Council "consists of representatives of the Battle Mountain Colony, the Goshute Executive Order Reservation community and Ruby Valley Reservation, and individuals from Duck Valley, South Fork, Carlin and Elko." In "Channels of Political Expression," p. 10, he says that the Council consists of "members and constituents from Ruby Valley, Duck Valley, Elko, Wells, South Fork, Beowawe, Battle Mountain, Carlin and Goshute . . ."

[34] Letter, Alida C. Bowler to members of "temporary council of the Western Shoshones of Northeastern Nevada" May 28, 1936, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by Agency, RG 75.

[35] Field Agent O.H. Lipps complimented Superintendent Bowler for her "splendid idea in making a tentative draft of a Constitution and By-laws and circulating it among the Indians for their information, study and criticism preparatory to putting it in final form for submission to the Office." He suggested that "This procedure will serve to prevent the criticism we are continually hearing that none but the members of the Constitutional Committee know what the Constitution and By-Laws contain until the election is called for voting upon its adoption." Letter, Lipps to Bowler June 5, 1936, in File "Lipps, Oscar H." in Correspondence with Officials, 1934-46, Organization Division, RG 75.

Then, beginning in the summer of 1936, the constitution was held up for more than a year by the Washington office, in part because they had a basic objection which will be discussed below. However, Superintendent Bowler went ahead with efforts to explain the constitution and to seek support for it. In transmitting the proposed constitution and by-laws to Washington on July 27, 1936, George LaVatta reported that he had visited Western Shoshones from June 18th through the 20th, at Ely, Elko and Ruby Valley, in company with Frank Parcher of the Carson Agency, immediately after the Elko meeting.[36] He indicated also that "since then, Superintendent Bowler, through her various employees, has contacted the Indians at Battle Mountain, Beowawe and Austin." He reported that from these various meetings, it had been learned that "it is the wishes of not only the Constitutional Committee representing the various Western Shoshone Bands, but some of the individual Indians, that the proposed Constitution contains the wishes and desires of these Indians, and which they desire an opportunity to ratify."

In addition to these efforts, Superintendent Bowler secured the services of William Joaquin, Jr., a Western Shoshone from Battle Mountain, to work with the Western Shoshones for a period of ten months beginning September 1, 1936.[37] In reporting on Joaquin's appointment, Superintendent Bowler reported that he was a "well trained" young man and is "very well thought of by some of the civil engineers in the state for whom, I believe, he has worked." He had evidently already "made one or two trips with Mr. Parcher and Mr. LaVatta on Indian Organization work among his own people, the Te-Moak Bands. . . ."[38] Joaquin spoke Shoshone "fluently" and thus could talk with the many Shoshones who did not know English well.[39] In March, 1937, Superintendent Bowler reported that Joaquin had "spent all of his time [since September] in Shoshone country, canvassing the individual families, talking to families, and to larger groups, about organization and its meaning, its opportunities for self-help."[40]

For several months after submission of the constitution, there was no response from Washington. On October 13, 1936, Superintendent Bow-

[36] Letter, George P. LaVatta to Commissioner of Indian Affairs, July 27, 1936, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75.

[37] Originally, he was employed for six months beginning September 1, 1936; however, he later obtained an extension through June 30, 1937. See various materials in File 9532D-1936-Carson-057 in Organization Division files by agency, RG 75.

[38] Letter, Alida C. Bowler to Commissioner of Indian Affairs August 26, 1936, in ibid.

[39] Note on back of weekly report for week ending February 25, 1939 in File "G.P. LaVatta 1939" in Correspondence with Officials, 1934-46, Organization Division, RG 75.

[40] Memorandum, Superintendent Bowler to Commissioner Collier, March 7, 1937, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75.

ler sent the Washington office a letter asking the deletion of the Austin group from the constitution (although she indicated that she had not discussed this with the temporary council).[41] Her grounds were that this group

> is right on the border line between these Western Shoshones and the Shoshone people who live in the southern part of Nevada and who feel themselves quite distinct from the Te-Moak Bands. They apparently rendered allegiance not to Te-Moak, but to an Indian chief who was called 'Kawich'. At least he was the one who is said to have made a treaty with Government representatives on their behalf at about the same time that Te-Moak made the one for the northern bands.

She suggested that when the constitution was approved the Austin group be allowed to vote on whether they wished to join the Te-Moak Bands. Someone in the Office wrote across this letter, with a date of October 25: "No action taken on this until the legal basis of organization is worked out."

Precisely when the question over the legal basis of organization arose is not clear, but it may have been raised by J.M. Stewart, Director of Lands. In an undated "Memorandum for Indian Organization," he noted that the Ruby Valley Treaty had been made with the Western Shoshones and that they had agreed to move to a reservation when the President so decided.[42] He stated that the Duck Valley Reservation had been "set aside [as] a reservation for the Western Shoshone Indians. . . within the country described in the treaty, apparently in compliance therewith although there is no mention of same in the order." He also noted that while the Ruby Valley Treaty "does not carry a formal or specific cession to the United States. . . Nevertheless, the United States regarded it as an implied cession and took possession of the land for disposal under the public land laws (see Royce's Indian Land Cessions. . . .)" Finally, he noted that "as only a part of the scattered bands of Shoshone Indians moved to and occupied the Duck Valley Reservation, several small tracts were set aside for some of the scattered bands of Western Shoshone Indians." (One of these "tracts" he mentioned was the Winnemucca Colony, which is not in Western Shoshone territory.) In short, Mr. Stewart apparently believed that there was a Western Shoshone division of the Shoshone Tribe or Nation which was divided between Duck Valley Reservation, several small reservations, and "scattered bands."

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[41] In ibid.

[42] In ibid.

On October 23, 1936, Assistant Commissioner William Zimmerman, Jr., sent Superintendent Bowler a letter reporting that the Office did not believe the Western Shoshones could be organized on the basis provided in the draft constitution.[43] This letter said that the IRA appeared to provide for two bases of organization: a tribe or several tribes living on the same reservation; and a tribe living on several reservations. He said that "the situation presented by the Western Bands of Shoshone Indians, however, appears to differ from either of these two authorized forms of organization." The basic problem, he thought, was that the "members scattered over several communities" appeared not to be a "recognized tribe." "In view of these facts, the proposed form of organization does not seem to be authorized."

Zimmerman suggested that these doubts "should not be regarded as foreclosing the matter." He indicated that "if you have any information which would show that these Indians have been recognized as a distinct tribe or band, the Office will welcome it." He also asked for specific information on the "land status" of the various groups; the information in the Office, he said, was that

> the groups at Elko, Battle Mountain, and Ruby Valley, either have land set aside for them by the United States or have been provided for in this respect by Congressional authorization. The group at Ely appears to occupy a tract of land purchased and held outright by the United States. . . . The other two groups, those at Austin and Beowawe, do not appear to have any land.

The Zimmerman letter indicated that "it would seem" that the proposed basis of organization "cannot legally be carried out" but that "each group would have to organize separately as residents of a particular reservation or colony." However, he said, it appeared that the groups with no land could not organize "until land is purchased for them and declared a reservation." Zimmerman then went on to suggest that the separately organized groups occupying reservations could somehow "form a loose confederation, with such powers delegated to the same as might be appropriate, with which the other communities could affiliate as soon as they are organized."

Superintendent Bowler reacted to this objection by trying to persuade the Washington office that they were incorrect in refusing to regard the Te-Moak Bands as a recognized tribe. She asked Frank M. Parcher, an Agency employee who had done work with the Western Shoshones, to review the situation. In a memorandum to her written on November 20, Parcher asserted that

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[43] File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75.

these Indians were recognized as a tribe of Indians when the treaty at Ruby Valley was signed in 1863. This treaty, as you know, definitely established the boundaries of the territory of this group of Indians and the present proposed constitution defines the territory of the Te-Moak Bands exactly as the original treaty did. There is no question in my mind but what the Indians within the territory bounded by the boundaries as set forth in the treaty and in this constitution are a recognized tribe by the Government, by the white settlers, and by the Indians themselves.[44]

The Parcher memorandum indicated that part of the confusion came from regarding the Duck Valley Reservation, and the Western Shoshones living there, as part of the Te-Moak Bands. He said that

We feel that there is considerable distinction between the Te-Moak Bands and other Shoshone groups. As we see it, the TeOmoak [sic] Bands are those bands whose members are descendants of the people who considered old Chief Te-Moak their leader and who were considered as being parties to the treaty of peace and friendship made at Ruby Valley. . . . As you know, this group of Shoshones are still living within the boundaries of their territory as set forth in the above treaty and as you know the Duck Valley Reservation is not within the boundaries of that territory.

Parcher pointed out that Muchach Te-Moak, a "direct descendant of old Chief Te-Moak", was living within a few miles of where the treaty was signed and "declared at every opportunity that the Duck Valley Reservation is outside the boundaries of his tribe and that the Shoshones who are living there have moved away from their traditional home." He said that in general the members of the Te-Moak Bands "are living in this territory . . . because they consider it their home and they feel that the other Shoshones living in the territory are part of their same people and belong to the same tribe. This is the feeling that you get from talking to any of the Indians in eastern Nevada."

Superintendent Bowler transmitted this memorandum to Washington and added her strong defense of the draft constitution.[45] Asserting that "they certainly feel like a 'tribe', even if nobody else will recognize that fact," she argued that "the organization of the little groups on the few homesite colonies under separate constitutions will really be utterly unintelligent and foolish," although "if we have to do that we want to know as soon as possible so we can get at it." She reminded the Office that "this constitution was worked over very carefully indeed by a constitutional committee of elected representatives from the various districts" and that "this constitution. . .is their preference." Replying to

[44] Ibid.

[45] Letter, Alida C. Bowler to Commissioner of Indian Affairs December 16, 1936 in ibid.

Zimmerman's suggestion for a "loose confederation," she said that she did not know what this meant, but that "they want a tribal organization for self-government and for incorporating for the purpose of obtaining credit so that the Tribal Council may in turn through this credit system help various units in proper ways." She reported that a "loose confederation" would not make it possible for the "new reservation being created by purchase in the South Fork area [to] come under any organized group . . . If these Bands are not organized as a tribe and cannot get credit as a tribe where are we going to get funds to help them establish themselves on this new tract?" She ended her letter by asserting that "we would be awfully grateful for an early response."

On February 15, Assistant Commissioner Zimmerman replied that the Office had given careful consideration to her letter and the Parcher memorandum.[46] While he admitted that "there are some grounds for considering the scattered groups of Western Shoshone Indians in Northern Nevada as a separate group distinct from those Western Shoshone Indians who moved on to the Duck Valley Reservation," still "it is believed that in order that their organization may be on a sound legal basis it should await legislation amendatory to the Indian Reorganization Act." He reported that such legislation was being drafted and would be introduced as soon as agreement could be secured on it within the Office. "One of the most important amendments under consideration is one which would permit such groups as the Te-Moak Bands of Western Shoshone Indians to organize regardless of whether or not they have heretofore been recognized as a tribe or band." Thus, the Office was still convinced that the Te-Moak Bands were not a "recognized tribe." Again, Zimmerman indicated that they would hear further arguments from her, but that "You should understand . . . that it seems highly improbable that they do constitute such a group."

Superintendent Bowler continued her efforts to get the proposed constitution accepted, and enlisted John Collier's personal help. Apparently the occasion for Collier's involvement was a "Report on Shoshonean Tribes (Utah, Idaho, Nevada, Eastern California)" done by Julian Steward as a consultant for the Bureau in 1936.[47] In correspondence with Collier over this report (which does not seem to be in the National Archives, but which was discussed in detail by Superintendent

[46] Ibid.

[47] There is no space here to report on the details of Superintendent Bowler's critique of the Steward report, but her letter is six and one-half pages in length, single-spaced. Memorandum, Bowler to Collier March 7, 1937, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75. Apparently Collier agreed in not holding Dr. Steward in high regard. Letter, Collier to Alida C. Bowler ("A.C.B.") in File "Alida C. Bowler (Miss) 1934-1937 Supt. Carson Agency" in Collier Office File, RG 75.

Bowler), she made her case again that the constitution was the one wanted by the Indians and that it was necessary to organize on the basis of the Te-Moak Bands. She began by asserting that the various bands in Nevada seemed to be united under Chief Te-Moak.

> The first signer for the Shoshone was Te-Moak, whose name has always stood out in stories of those early days in such a way as to lead us to believe that he was, in fact, the principal chief to whom a considerable number of 'bands' or groups looked for help in negotiating with the strange white man.

She asserted that these "bands" were "primitive self-help association(s)" though "probably without any political organization." Her main assertion was that the basis of organization proposed in the constitution was essentially recognition of the group of bands which had signed the Ruby Valley Treaty. She wrote:

> In a way the proposed organization of a sort of Federated Council with elected members from the several scattered Shoshone communities, with local self-government, is patterned after that old loose affiliation. The primary purpose of the general council of Shoshone would be to negotiate with the white man's Government, local, State, and Federal, on behalf of the Shoshone people, and through such negotiations to obtain for them land, credit, and other implements with which to help their people to a better life. . . .We see no valid reason why the fact that their old form of union was without any political organization should keep them forever from seeking the strength that comes from political organization in a present-day world. We are strongly of the opinion that there was in the old days enough of a feeling of inter-dependence for mutual help to warrant organization now for these same purposes.

Superintendent Bowler also indicated that another objection to organization on the basis of the "colony" reservations was that these "certainly have no traditional significance. Those home-site tracts were purchased under the law for the use of 'the homeless Indians of Nevada.' " Finally, she indicated that organizing as a tribe would provide a basis for getting credit for Indians to develop the new lands which were being purchased for them; if it were necessary to wait for groups living on the new lands to become organized separately before becoming eligible for credit, there would be unnecessary delays in the efforts of the Indians to make a living on the new lands.

Undoubtedly at least partly in response to this letter, Commissioner Collier, on March 16, wrote Solicitor Margold asking him if he could find time to discuss the question with Superintendent Bowler while she was in Washington that week.[48] He said that "it is important that a way

[48] Memorandum, John Collier to Nathan Margold, March 16, 1937, in File 9571A-1936-Carson-068-Te-Moak in Organization Division files by agency, RG 75.

be found to help the Shoshone people of Northeastern Nevada to organize in order to obtain the help promised by that Act." He enclosed a copy of Bowler's letter and pointed out that the problem was to get an organization which could be used to borrow money for "homes and . . . stock and implements" for the lands being purchased for them.

Pointing out that the constitution drawn up by the Indians with help from LaVatta and officials of the Carson Agency had not been approved, Collier wrote that "all of those privileged to vote on the Act accepted it by large majorities (unanimously in two of the three groups). They have expressed, individually and through their committeemen, a desire to organize." Coming to the heart of the question, he wrote that

> They wish to organize as a Tribe. They recognize the meaningless character of the present 'colony' groupings, which are more or less accidental in character the Shoshone having to live wherever he could find a means of subsistence, regardless of pre-white-occupation groupings. They feel strongly the same old mutual-aid impulsions which brought together their principal men for negotiations with the Federal Government that resulted in the Treaty of 1863 in Ruby Valley. Can we find a way to allow them to organize as a complete group? If not what can we suggest to them, bearing in mind that the present town colony groupings have no traditional significance?

Whether Superintendent Bowler met with Solicitor Margold or not is not known, but in July 1937, the Office finally suggested a series of amendments to the constitution which they could approve, abandoning the notion that an amendment to the IRA was necessary.[49] The Office enclosed a "revised draft" which is essentially the present constitution of the Te-Moak Bands. The main change was necessitated by the contention that the Te-Moak Bands were not a "tribe." The letter said that

> Revision was necessary due to the fact that since the Te-Moak Western Shoshone Indians do not, from a legal point of view, constitute a recognized tribe, their organization must be upon a residential basis. For this purpose it was necessary to select one of the several groups occupying land as the group to form the nucleus of a new organization. The Elko Colony has been selected for this purpose. Under the proposed constitution, this group would first organize itself and then take in the various other groups and scattered Indians which are eligible to come into the organization.

A number of other changes were made in the draft constitution, some of which appear to be inconsistent. For example, one change was to

[49] Letter, Assistant Commissioner William Zimmerman, Jr., to Alida C. Bowler July 23, 1937, in ibid.

refer to the Te-Moak Bands as a "tribe" because the IRA "clearly envisages the establishment and incorporation of tribal bodies." However, in line with the determination that the Bands were not a tribe, the constitution was changed to eliminate the power to tax, on the ground that only a tribe can have this power. Other changes required the bonding of the treasurer, a change in the quorum requirement for Council meetings, and other minor changes. This letter ended with a suggestion that the new draft be presented to the Indians for their consideration "and for such changes as they believe to be necessary," so that an election to accept or reject the constitution could be held as soon as possible.

Following this decision by the Washington office, apparently the matter was delayed for several months at the Agency. In October, 1937, George LaVatta returned to Nevada and visited various Western Shoshone groups on October 19 through 22.[50] Then, on October 23, "a general tribal meeting was held at Elko, Nevada, at which not only delegates from the various colonies and communities were present, but also the present members of the Council representing the Te-Moak Bands of Shoshone Indians." The result was the acceptance of the constitution without changes. A resolution by the Council dated October 23 stated that the "duly elected members of the present Council of the Temoak Bands of Shoshone Indians" had resolved that

> the Secretary of the Interior be notified that the amendments to the proposed Constitution submitted by them last year have been studied discussed and accepted and that the Secretary be requested to call an election at as early date as possible so that the members of the Reservation known as the Elko Government Colony may ratify the attached Constitution and By-Laws.

This resolution contained the thumb mark of Muchach Te-Moak and the signatures of Charlie Malotte, John Couchum, Jimmie James, Sam Johnny, Bert Tybo, and Bill Gibson.

A minor legal question arose at the last minute, when the Acting Solicitor stated that a provision of the membership section excluding from membership persons with less than one-fourth degree of Indian blood might raise questions of voting rights or "privileges of occupancy" for members of the colony. On being assured by the Acting Superintendent of the Carson Agency that there were no Indians living on the Elko Colony with less than one-fourth Indian blood, the Office dropped this objection, and the Constitution and By-Laws were approved by a vote of forty-seven in favor to two opposed at an election

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[50] Letter, George P. LaVatta to Commissioner of Indian Affairs November 2, 1937, in ibid.

held on the Elko Colony on May 31, 1938, more than two years after the first draft constitution was approved by the Indians. The Secretary of the Interior approved it on August 24, 1938.[51]

Drafting and approval of a charter occurred in a much shorter space of time. The charter was discussed and drawn up at meetings in Elko on May 29-31, 1938, at the same time as the revised constitution was being explained and voted on. It was transmitted to the Office by George LaVatta August 9, with a note pointing out that the Indians wished authority for the Council to loan money not only to members but also to community councils so that they could "re-lend to . . . members or associations of members within the community." The charter was accompanied by a petition asking for an election on it. The Office recommended approval of the charter to the Secretary of the Interior on October 22, and the election approving it was held on December 12. The vote approving it was thirty-seven to two, a smaller turnout than for the constitutional election.[52]

Summary and Conclusions

This study justifies some conclusions about the nature of the constitution-making process in the case of the Te-Moak Bands in the 1930s. Clearly, the Collier administration at the national level intended a process which would put into written form Indian desires regarding governmental structures. But just as clearly, on the key organizational issue of whether the group was to be a reservation, or the wider entity recognized by the Indians as meaningful, the Office refused to grant the Indians what they wanted. At the same time, the local representatives of the Bureau of Indian Affairs, particularly Superintendent Bowler, sided with the members of the Te-Moak Bands. The result was a compromise, the significance of which is difficult to assess precisely.

The resulting constitution did not include all communities represented on the traditional Council. On the other hand, a provision was included allowing additional groups (beyond Elko Colony) to join the Bands, if they were based on reservations. Today, there are three groups in addition to Elko Colony which belong to the Te-Moak Bands, but there are still groups outside the structure. The result of the constitution-making process was to split the Te-Moak Bands as it existed in 1936, with the traditional council continuing to represent the wider group but the Council created by the constitution functioning as a government for

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[51] Ibid.

[52] Ibid.

part of the group. If the proposal of the Indians in 1936 had been accepted by the Office, apparently this split would not have developed.

The bifurcation of the Te-Moak Bands governing structures presumably had important consequences for the land controversy mentioned at the beginning of this article. Until recently, the Te-Moak Bands Council consistently sided with the attorneys in the claims litigation, who insisted that the land had been lost and that, therefore, the Bands could only press for monetary compensation, while the traditional council just as consistently asserted its contention that Western Shoshone aboriginal title had never been lost. If there had been one government representing all groups of the Te-Moak Bands, presumably the land claims would have been pushed earlier. Thus, the consequences of the refusal of the federal government to recognize the Te-Moak Bands as a "tribe" may have been very great in terms of its impact on the conflict over land ownership.[53]

[53] Other aspects of the process of developing the Te-Moak Bands Constitution will be left for further study. One of the areas to be investigated concerns the question whether the governmental structures and practices represented by the constitution reflected EuroAmerican patterns imposed on Native American ones or whether the constitution merely put into written form what the Indians desired at that point. Data bearing on this question are scarce; there is little information from presently available sources about actual governing practices among the members of the Te-Moak Bands both before and after the 1936-1938 period when the constitution was being developed. As in so many other areas connected with Native American governance, further research is necessary.

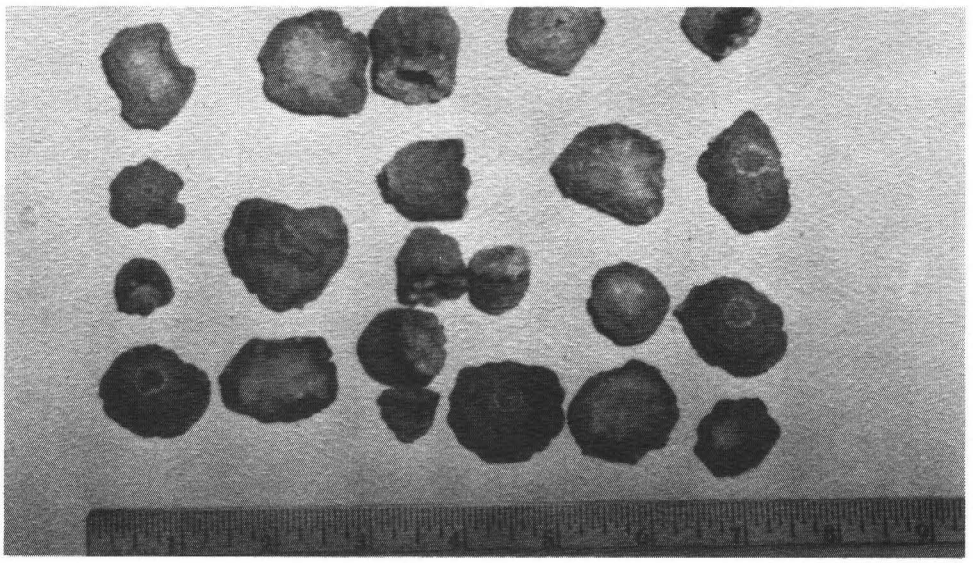
The History of Peyotism in Nevada

OMER C. STEWART

USING ONLY THE TRADITIONAL methods of history, which heavily depend on published or unpublished written records, or ethnography, which rely on data collected by interviews with native informants and knowledge obtained by participant observation, would leave a very incomplete and distorted picture of Peyotism in Nevada. Notwithstanding the fact that Peyotists have always been a small minority in the total Nevada Indian population, they have become known world-wide and provide examples of a number of the peculiar circumstances connected with the whole history of the Peyote religion in the New World. Involved in that history is the nature of the unusual, small, spineless cactus called by the Aztecs *Peyotl*, Peyote by the Spanish, Mexicans and Indians in the area of its abundant growth along the Rio Grande in south Texas and northern Mexico, and by botanists named *Lophophora williamsii* (Lemaire) *Coulter*. Also important is the strong American tradition whereby some citizens try to legislate against behavior of which they disapprove, exemplified by the Eighteenth Amendment to the U.S. Constitution which prohibited use of alcohol. The history of Peyotism in Nevada is incomprehensible if not placed in the national context.

In October of 1937 I learned of the presence of the Peyote religion in Nevada during a conversation with Washoes Ben Lancaster and Sam Dick, following our participation in a Peyote meeting in Randlett, Utah, on the Uintah and Ouray Ute reservation. It was known by officials of the Bureau of Indian Affairs (BIA) that Lancaster had started to hold Peyote ceremonies among the Washo in October 1936, only a few months after my first ethnographic research in the area. I did my field research for a Ph.D. thesis in the fall of 1938.

My ethnohistorical studies in recent years allow me to reconstruct an outline of the history of Peyote in Nevada before the return of Lancaster as a Peyote proselytizer. Christian missionaries and BIA officials announced their opposition to Peyotism when it was first discovered in Oklahoma in 1886, and they continued that opposition actively until John Collier became Indian commissioner in 1933. Until Collier, the BIA and missionary societies both collected data on Peyotism and disseminated reports throughout Indian country to combat it. The process



Peyote buttons *(Omer Stewart)*

of data collection itself spread knowledge. For example, the earliest documents on Peyote in Nevada were copies of three letters sent to BIA agents in Stewart, Fallon and Owyhee in 1916. These I found in the National Archives in Washington, D.C. The tone of the inquiry suggests danger and opposition. For example, "Please let me have a report from you immediately, giving the number of Indians addicted to its use, and the extent and frequency of its use. Who are the leaders? Where do they get their supply from, and how? What is the effect on the users as shown by your own observations and from reports of employees, missionaries, and others . . . What is physical condition of users . . ." The letter was signed Chief Special Officer, i.e. detective, of the BIA.

The next reference to Peyote in Nevada is the state statute regulating the Sale and Use of Poison, Section 5082, paragraph 8, which added "anhalonium (peyote or mescal button)" in February 1917 as a substance prohibited except on prescription. I have found only one hint of local Nevada influence to bring about that anti-Peyote amendment. In a 1922 letter from the agent of a Crow reservation to the BIA during his campaign to have an anti-Peyote law passed in Montana, Agent C. H. Asbury wrote to the Commissioner: "I had something to do with getting special legislation against the use of certain drugs in Nevada and I found no particular difficulty in having the proper words inserted in the law." Asbury had been the Indian Agent at the Duck Valley reservation for a number of years until transferred in the fall of 1916. National forces against Peyote may have been important in Nevada at that time, as they

were in Utah and Colorado where Peyote was outlawed also in February 1917.

The next mention of Peyote in Nevada is in a report of Special Agent Dorrington dated May 12-13, 1917. Surprisingly, it refers to Jack Wilson, the Messiah and originator of the Ghost Dance of the 1890s. Wrote Dorrington:

> *Use of peyote and mescal.* There is absolutely no evidence indicating that either peyote or mescal is used on the reservations or that the Indians know anything about it . . . Jack Wilson resides in Mason Valley . . . He is the 'Messiah' and the originator of the 'Ghost Dance'. He appears to attract but little attention from Indians in this locality but apparently has considerable influence among distant tribes and he seemingly keeps in close touch with them; that he is corresponding with certain individuals in Montana, South Dakota, Wyoming and Oklahoma . . . It is further learned that even delegations have paid him a visit . . . He is also known as a 'medicine man' and practices some among his people, but most of his time is believed to be spent visiting the distant and more prosperous tribes and individuals from whom he procures large sums of money . . . Jack Wilson is a very dignified and striking Indian . . . From all accounts he has always been friendly with whites . . . A recent picture of Jack, taken by myself, is attached. It cost me the sum of one dollar, that is, Jack made a 'touch' for that amount after the picture had been taken . . . After careful inquiry I am satisfied that Jack Wilson does not use peyote or mescal, nor has he encouraged its use by others . . . he is very temperate in his habits . . . he is constantly advising the Indians to abstain from the use of all drugs and intoxicants."

The next important BIA document prepared and widely disseminated nationwide was shown to me by missionaries and officials when I was studying Washo-Northern Paiute Peyotism in 1938. It was a thirty-eight page pamphlet prepared by Dr. Robert E. L. Newberne, *Peyote, An Abridged Compilation from the Files of the Bureau of Indian Affairs,* published in 1922. Newberne summarized historical information on Peyote starting with Spanish padres, and presented anti-Peyote reports of American missionaries to the Indians. He included samples of data collected in 1919 by means of a twenty-one item questionnaire sent to Indian service employees such as agents, physicians, farmers, field matrons, directors of Indian schools and sectarian missionaries. Three hundred and two answers were received in Washington, D.C. from 116 Indian agencies, for which 87, including 6 located in Nevada, reported no use of Peyote. The Nevada Indian population was listed at 10,854 and included no known Peyotists.

From interviews with Indians in 1938 I learned of a Sioux Indian Peyote missionary, named Sam Lone Bear. Lone Bear had been proselytizing since 1914 in Utah, Wyoming, Montana, and Idaho. He

conducted Peyote rituals at Fallon and Pyramid Lake during several months in the summer of 1929. His success at "doctoring" attracted participants to his Peyote meeting at Nixon, Nevada, from as far away as McDermitt, Nevada, and Bishop, California. Lone Bear made his headquarters with Joe Green, a well-known and respected Paiute medicineman residing on the Pyramid Lake Reservation. In 1938 Joe told me of his conversion to Peyotism notwithstanding his being an active and convinced Episcopalian, and also a practicing shaman. He had no difficulties being simultaneously a leader in three religions, a situation I have found repeatedly among Indian Peyotists.

In 1929 Sam Lone Bear used the name Leo Old Coyote (which I heard as Leo O'Kio) in Nevada because he was trying to avoid being arrested under a federal warrant for violation of the Mann Act. He was arrested in 1932, tried, and sentenced to three years in the federal prison at McNeil Island, Washington, but was paroled in two years. On his way home he stopped at Fallon, Nevada, and courted Mamie Charley, the sister of a Shoshone he had converted in 1929. Sam and Mamie were married in South Dakota and lived on Sam's allotment on Lone Bear Creek, Pine Ridge Reservation, until he died on February 5, 1937.

No Nevada Indians learned how to obtain Peyote or acquired the equipment and knowledge to conduct Peyote ceremonies from Sam Lone Bear. Consequently no Peyote meetings were held in western Nevada until about 1932 when a Ute Peyotist named Ralph Kochampanaskin, usually called Raymond Lone Bear, married a Washo and settled in Minden. One of his followers was Sam Dick, an active old-fashioned Washo medicine man. After an initial success, Ralph lost his following because he failed to live up to the non-drinking rule of the Peyote religion.

During my interviewing in the fall of 1938 at the Indian School near Carson City a woman from Owyhee, Nevada, told me that Peyotism was introduced to the Duck Valley Reservation from Fort Hall, Idaho, years before, but she could give me no details. Later I found a 1939 letter from Owyhee in which the Indian Agent reported that members of the tribal council agreed Peyote was first used during a curing ceremony at Duck Valley in 1915. During my first field work in Fallon in 1936, my Northern Paiute interpreter praised the Peyote religion; I learned in 1938 that he had been converted during a visit to Fort Hall in 1920. Since then he had traveled regularly to other states to attend Peyote meetings but had not introduced the ceremonies to his people in Nevada.

Jim Street, a Shoshone living in Fallon, told me in 1938 that he had been converted to Peyotism on the Goshute reservation at Ibapah, Utah, in 1932, but had not attended any more Peyote rituals until shortly before I interviewed him.

It is evident that the Indians of Nevada had gained considerable experience and heard many rumors about Peyote before Ben Lancaster firmly established the religion among the Washo and Paiute of western Nevada. It is Lancaster's ceremony which attracted the support of about 300 of the 2257 Indians in the area. It is now appropriate to describe the Peyote ritual of Lancaster and to summarize some of his teachings. It should be said at the outset that the Washo-Northern Paiute rituals I observed in 1938 were nearly identical to the rituals I had seen among the Ute a year earlier; these Ute rituals closely paralleled ones observed by anthropologists in Oklahoma and elsewhere who supplied me information for a 265 item comparative table published as part of my thesis.

A canvas tipi is the most desirable place to conduct the Peyote ritual, but I attended services with the Washo and Paiute in a canvas walled "corral" and at regular residences. Before the participants assemble, a sand crescent altar about four inches high and four feet long is constructed on the west side of the meeting place. A fire is laid on a protective mound or on the ground east of the altar. At dusk the congregation meets at the entrance on the east side of the structure where the leader, called the roadman, prays to Jesus, God, Mary and Peyote for guidance during the ritual and for health and wisdom throughout life. When the devotees enter, they always move clockwise to find seats. They follow the same pattern whenever leaving or entering. Four officials direct the ceremony — the roadman, chief drummer, and cedarman, who are seated on blankets on the ground west of the altar, and the fireman or doorman just inside the entrance. The normal equipment consists of a water drum, bird-tail feather fans, gourd rattles, a staff, dried Peyote, or Peyote tea, Bull Durham tobacco, and a large-size Peyote button to place on the altar. The equipment is incensed in cedar smoke at the beginning. After all pray through Bull Durham cigarette smoke, the roadman passes clockwise the sack of Peyote buttons. Each adult participant takes four buttons, the ceremonial number, to prayerfully eat. Then the roadman kneels and holds the three-foot staff and a fan in his left hand. He shakes the rattle and sings four hymns, in which he is accompanied by the chief drummer. Each male participant in turn receives the paraphernalia, and sings while accompanied on the drum by his neighbor to the right. The singing, drumming and praying continue until dawn except for a midnight recess

and water drinking. At dawn, a ceremonial meal of water, fruit, meat, and maize is blessed and passed clockwise; all present take four spoonfuls of the food and four sips of the water. The water from the dismantled drum is poured on the sand altar and the ceremony ends. Women of the congregation prepare a banquet, which is usually eaten about noon, and then members return to their homes.

With the Peyote plant, dried with the appearance of home dried peaches, Nevada Indians acquired beliefs and attitudes about the bitter-tasting cactus which have been associated with it since they were recorded by early Spanish explorers in Mexico in the 1500s. Peyote itself is sacred, they emphasize, and has many powers to help mankind. It is also a messenger to supernatural powers, now usually named God and Jesus. When eaten and prayed to in the proper ritual context, Peyote helps cure all diseases and reveals many things: the location of lost objects or persons, future events, and proper behavior, among others. Peyote protects from the evil intentions of witches. It brings knowledge for proper living, which includes avoiding alcoholic beverages and always acting according to strict Christian ethics — to love your wife and children and kin, be patriotic and law abiding, and to respect authority, God and elders.

When asked why they supported the Peyote religion, devotees cited the success of Peyotists in curing. In tracing the history of Peyotism in Nevada from the mid 1930s to the mid 1970s, one discovers the interplay of a number of individuals, first the Indians and BIA officials, then state and local authorities and the general public. From the public emerged a few citizens who actively opposed Peyotism and some who defended it. Christian missionaries and their supporters disputed with Peyote religion sympathizers, such as anthropologists and members of the American Civil Liberties Union.

Lancaster and his rituals soon came under opposition by both civil and religious authorities, but of course an awareness of Peyotism and opposition to it was present in Nevada when it was prohibited by law in 1917. Alida C. Bowler, Superintendent of the Carson Indian Agency, reported to the BIA that she was suspicious that Lancaster was a dope peddler. About three months later, the Reverend S. R. Dunlop, a Baptist missionary to the Washo, reported that Lancaster, in order to defend himself and Peyotism, was saying that Commissioner John Collier's son Donald had participated in Peyote rituals. (Donald Collier had attended a Peyote meeting with the Kiowa in 1935.) Bowler maintained her suspicions until she left the Nevada Indian Service at the end of 1939. For three years, BIA detectives kept an intermittent watch on Lancaster, and his car was searched several times as he passed the Nevada-

Sam Dick and Peyote devotees following all-night Peyote meeting. Mono Lake, California, July 1938. *(Omer Stewart)*

Around the Peyote altar at the end of a Peyote meeting, Mono Lake, 1938. After the midnight recess, all members took their individual fans and gourd rattles and shook them in unison with the leader of a hymn. *(Omer Stewart)*

California state line. Samples of materials in his car were chemically analysed for Bowler and instead of the morphine she suspected, Lancaster was transporting ground Peyote and sagebrush.

A number of Indians reacted to the Peyote religion as Joe Green did, that is by adding it to their lives but still maintaining the Christian denomination they followed, and continuing to call on Indian medicine men from time to time. The majority of the Indians rejected Peyotism, however. In April a delegation of Washo presented a petition to Bowler requesting that Peyote meetings be stopped. The Indian opponents used the same arguments as the whites -- "Peyote kills" -- while converts said "Peyote saves."

While organizing the data I accumulated at the Carson Indian Agency and trying to acquire a firmer basis to judge Miss Bowler's opinion that Ben Lancaster was not a proper Peyotist, I wrote to Mack Haag, President of the Native American Church (NAC), a Cheyenne residing in Calumet, Oklahoma. He replied that he knew Lancaster well and that "he is well qualified" to start Peyote meetings in Nevada.

Inasmuch as the BIA in Washington in 1937 successfully opposed an attempt to enact a national Peyote prohibition, and replaced the anti-Peyote pamphlet by Newberne (published in 1922) with a mimeographed report favorable to Peyote entitled "Documents on Peyote," a new and widely publicized campaign against the NAC which developed in Nevada in 1940 is surprising. Accounts of these efforts, which resembled some of those used in 1937 and 1938 which I evaluated in my Ph.D. thesis, were recovered from the National Archives. Newspaper reports from Nevada dated May 1940 contained opinions that several deaths had occurred because Indians took Peyote in Lancaster's rituals. The coroners' verdicts were that the deceased suffered from advanced stages of tuberculosis before they attended the NAC ceremonies.

Opponents were not convinced and had reinserted into Nevada's narcotics law a prohibition against Peyote in February 1941. Under provisions of the amended law, Lancaster was arrested in Reno in October 1941. A full account of his arrest and the people who brought it about appeared in a half-page article in, surprisingly, the *New York Sunday News* of November 30, 1941. The item, "special to the News", included a photograph of Ben Lancaster and one of Dr. Charles Lee Tranter, a neurologist, with the caption "Tranter. . . .and Malcolm Easterlin, attorney, who are leading movement to outlaw use of peyote, 'Sacred mushroom of the Aztecs', among Indians of the West, asserting addiction is spreading." The article outlined a campaign against Peyote very reminiscent of those which took place from 1914 to 1937 to support bills introduced in Congress to prohibit Peyote. The *News* article reported:

Lancaster's arrest came at the end of a long investigation. The official finger was put on him by the Rev. Samuel R. Dunlop. . . .Baptist missionary. . . .The Rev. Dunlop has been in Nevada since 1935, having come from Wisconsin where he administered to the Winnebago, who also used peyote. . . .

While he [Lancaster] was gathering a congregation around him, the whites were observing with more and more alarm the growing use of peyote. Chief among these were Dr. Charles Lee Tranter. . .who heads the Association for Prevention of Peyotism, and Malcolm Easterlin, New York and Washington attorney. Also active is Representative Frances Bolton (R-Ohio), who is a member of the Indian Affairs Committee. . . .

The article stated that Commissioner Collier had said that Peyote as used in Indian ceremonies is not habit forming and not harmful.

Also in 1941 an article appeared in *Scribner's Commentator* (Vol. 11, pp. 77-82) with the title "Peyote -- Indian Problem No. 1," by Malcolm Easterlin. It started with a disparaging evaluation of Commissioner Collier and then presented a short history of Peyote; it faulted him for opposing the anti-Peyote legislation. Easterlin conveyed the impression that only Collier had opposed laws to prohibit Peyote, whereas while he was in office he worked against only one bill to outlaw Peyote. Eight earlier similar bills had been sponsored by the BIA from 1916 to 1926 but were rejected by Congress. Easterlin praised Dr. Tranter and accused Ben Lancaster of doping Indians in order to get all of their money.

On March 17, 1942, Judge William McKnight dismissed the charges against Lancaster on a legal technicality -- the 1941 legislature had voted to amend a "repealed and non-existing former act." But that did not stop Tranter, who was joined by Dr. Walter Bromberg, a psychiatrist who had worked for the New York Criminal Courts until he moved to Reno in December 1941. In June 1942 Bromberg and Tranter presented a paper to the Western Regional Conference of the Home Mission Council of North America during its meeting at the Indian School in Stewart, Nevada. Data presented came from earlier publications, yet the paper was published in *The Journal of Nervous and Mental Disease* (Vol. 97, pp. 518-527), under the title "Peyote intoxication: Some psychological aspects of the Peyote rite." The article was condensed and distributed at five cents a copy by the National Fellowship of Indian Workers and was published in a letter of August 6, 1943. An article less blatantly critical of Peyotism by Bromberg appeared in *Nature Magazine,* October 1942, entitled "Storm Over Peyote."

A really scurrilous article, containing many inaccuracies, written by Charles L. Tranter, M.D., under the title "Peyote -- New Dope Menace," appeared in the national scandal-mongering magazine *PIC,* on December 8, 1942. Included were pictures of old Indian women said to be

under the influence of Peyote, but who actually were known to never use Peyote. Representative Frances Bolton inserted the article in a hearing of the Committee on Indian Affairs and it was printed by the government without the photographs in December 1944. Nothing more by or about the leaders of the 1941-1942 campaign against Peyote in Nevada has come to my attention. Except for a few news items over the years reporting that NAC members had successfully opposed new bills submitted to the Nevada legislature to outlaw Peyote, since 1944 nearly all information on the subject coming from Nevada has originated in anthropological research.

Publications by anthropologists began in 1940 with the notice by Jack Harris about the Shoshone at Duck Valley which is mentioned above, and the appearance in the *Proceedings* of the Sixth Pacific Science Congress, in which I published a short paper. This was the first report on Ben Lancaster in a publication distributed internationally. My Ph.D. thesis was issued in print in January 1944, and a review appeared in the *American Anthropologist* in 1946.

In 1954 Warren d'Azevedo began research among the Washo and was soon invited to participate in a Peyote meeting held by Ramsey Walker at Woodfords, California. He produced several unpublished reports before he and musicologist Alan P. Merriam published an article in the *American Anthropologist* (1957, Vol. 59, pp. 615-641) entitled "Washo Peyote Songs." (In 1976, I discovered a listing in a *Schwann Guide to Tapes and Records* an album by the same title issued as No. 4384, by Folkway Records. I have not been able to ascertain if the two are related. A Northern Paiute originally from McDermitt, Wilbur Jack, recorded Peyote songs on Canyon Records, ARP 6054.) Other anthropologists who have written on Washo Peyotism are James Downs and John A. Price; d'Azevedo attempted to promote a general public understanding of Peyotism with a long article in the *Native Nevadan*, September 3, 1968, entitled "Peyote: Fact and Fancy."

Until his death in 1953, Ben Lancaster made annual pilgrimages to Oilton, Texas, to collect and dry a year's supply of Peyote. By not furnishing Peyote to others he strengthened his own role as leader. As early as 1939, I assisted some other Indians in receiving Peyote by mail, but because the State of Nevada had passed a law against the transportation of Peyote, commercial suppliers could not send it by U.S. Mail into the state. Others began traveling to Texas and making arrangements with Indians in Oklahoma to transship packages of the sacred cactus.

Lancaster had been active with officials of the NAC before becoming a Peyote proselytizer in Nevada in 1936; and although the NAC organization has never attempted to control or direct Peyotist mission-

aries, it did attempt to intercede in his behalf with the BIA when he was being harassed by Dr. Tranter in 1941.

Copies of large quantities of official NAC correspondence came into my possession from the estate of Sidney Slotkin after his death in 1958. From letters in that file a clear record emerges that others began communicating with the NAC by 1954. That year Harry Sam of Smith, Nevada, and Burton John of Gardnerville sent word to the president of the NAC that they would attend a regional meeting at Fort Hall.

By 1955 and 1956, as shown in the Bulletin of the NAC edited by anthropologist Slotkin in Chicago, and by other documents from the Slotkin file, Washo and Northern Paiute Peyotists numbered about sixty in and near Gardnerville. Louise Lancaster, the widow of Ben, was one of the leaders and in 1955 contributed $115 to the international organization of the NAC. Her financial support probably stimulated the international officials to appoint her the "Regional Representative of NAC for Nevada and California" at the 1955 annual convention.

Reubin Hardin of McDermitt wrote to Slotkin in 1956 to subscribe to the NAC Bulletin, and in 1958 Hardin was put forward as a leading Peyotist in Nevada by Peyotists in Idaho. Reubin Hardin was named a "Delegate-at-Large" by NAC officials when he was present at the annual convention of the Peyote Church during its 1978 meeting in Laredo, Texas.

The participation of Nevada Indians in the international affairs of the NAC brought Vice-President Frank Takes Gun to the state in 1958 so that local people would incorporate the NAC of Nevada under the laws of the state. This was completed on May 20, 1958 with Washo, Paiute and Shoshone signing as incorporators with Crow Indian Takes Gun.

In 1972, I had an opportunity to again talk with Peyotists on the Goshute Reservation, and in Duck Valley, Pyramid Lake, Fallon, Gardnerville, Elko and McDermitt. At McDermitt I was allowed to be a participant-observer in a Peyote meeting conducted by Grover Tom.

It was remarkable that a number of circumstances I had discovered present among Peyotists in other states were duplicated in Nevada. Several were exemplified by Grover Tom, roadman at McDermitt. First was the surprise I felt that he was a leader of Peyotism for the Paiute at McDermitt, yet he was a Shoshone who learned to speak Paiute after he married a McDermitt Paiute woman in 1950. He was thus an alien Peyote preacher to those Paiute. Grover Tom insisted that his Peyote ritual was different from others in Nevada because he had studied with Comanche in Oklahoma for extended periods from 1939 to 1942 to learn the original ritual. But he also said he remembered attending a meeting conducted by Sam Lone Bear for the Shoshone on the Goshute

reservation when he happened to be visiting relatives there in 1929. He had attended meetings with Washo and with a Sioux conducting a meeting at Fort Hall. Foreign Indians, that is, Indians from other tribes, conducted meetings for the Paiute at McDermitt. Grover named Ramsey Walker, a Washo, and Ralph Turtle, an Arapaho.

Stanley Smart, a McDermitt Paiute who had been fireman at the meeting I attended there named additional visiting roadmen from Fort Hall, Idaho, Wind River, Wyoming, and Oklahoma. Stanley had attended meetings with Northern Cheyenne in Montana, with Ute in Utah, with Navajo at Aneth, Utah, and others. He has been invited to be roadman at Healdsburg, California, Fort Hall, Idaho and Gardnerville, Nevada.

My most unusual discoveries in 1972 involved Sam Lone Bear, such as the instance related by Grover Tom above. Several families in Fallon remembered Sam Lone Bear, and knew that Mamie Charley, a Shoshone of that town, had married him. An old Peyotist at Pyramid Lake recalled that Willie Hardin of McDermitt had been nearly dead and had been cured by Sam at Pyramid Lake.

Most remarkable was finding a Shoshone Indian, Sam Long, on the Te-Moak Reservation south of Elko who had as a sacred object a carved staff that his father had received from Sam Lone Bear in 1929. I visited him a second time in 1978 and learned more about the new rules for conducting a Peyote ceremony he said he had learned directly from God through Peyote. God had told him to reverse the ceremonial direction from clockwise to counter-clockwise. He had no fire in the ritual and used a cloth altar. His following is so small it is unlikely that his special ritual will survive him.

The Native American Church of Nevada has converted a very small percentage of the total Indian population in Nevada. However, cultural and social patterns connected with Peyote are found similar to those elsewhere in the United States. Opposition to Peyotism arrived from outside the state even before Peyote ceremonies were practiced. The Nevada NAC has had regular encouragement from outside Indians, and Nevada Peyotists since 1936 have been regularly bolstered by visits with Peyotists in other states. In 1978 the vitality of Peyotism in Nevada suggested it would continue indefinitely.

In Nevada, I discovered what appeared at first to be a unique behavior pattern. Joe Green, an active Paiute medicineman, was at the same time a devout Episcopalian and a devotee of Peyotism. He believed in and practiced three religions at a time. Since I became aware of that religious phenomenon in 1938, I have found it many times among Peyotists throughout the United States and Mexico. In time I came to realize (and then I confirmed this from published examples)

that human beings universally appear able and willing to add religions together and practice them alternately, yet maintaining them discrete. Except for peoples reared in or fully converted to Christianity, Islam or Judaism the ability to easily carry on three or more religions simultaneously appears to be the rule.

The Breweries of Nevada

ERIC N. MOODY AND ROBERT A. NYLEN

COPPER KING, TAHOE, MOUNT ROSE, New Style Lager, Sierra, Riter's Elite Steam--these are just some of the many beers once brewed in Nevada. In the Silver State, as in other parts of the country, the production and bottling of beer was a colorful "local industry" during much of the nineteenth and early twentieth centuries. Beers produced locally or, in some cases, beers made elsewhere but shipped in bulk to a local bottling works, engaged in lively competition with "foreign" beers (as local brewers contemptuously labelled out-of-state products). Whether because of the superiority of home beers or simply native pride, the local products held their own. Local brewing flourished until Prohibition, increased production costs, and the more efficient distribution and advertising of larger companies combined to extinguish all but a handful of small brewing concerns.

The local brewing industry of the United States has now all but vanished. Vestiges remain, however, in the form of fading bottles and cans, old breweries and bottling plants, yellowed pieces of advertising, photographs and company records; they are intriguing reminders of the industry's former stature. In Nevada, the beer business dates back to the early 1860s, when the first mineral booms brought hordes of miners into the region. Part of an overwhelmingly male society, these wealth seekers spent considerable time gambling and drinking, and the resultant demand for beer encouraged the establishment of breweries in many communities. These fluctuated in number and prosperity with the fortunes of the mining industry and the growth or decline of the state's population.

Nevada's first brewery was established either in Carson City, where Jacob Klein and his partners in the Carson City Brewery began selling beer for $3 per gallon in 1860, or on the Comstock, where a small army of brewmasters were practicing their craft by the early 1860s. The Nevada, Virginia, St. Louis, Union, California, and other breweries were active in Virginia City, and had counterparts in Gold Hill, Silver City, and American City. Other western Nevada breweries flourished in such places as Genoa, Crystal Peak, and Washoe City.

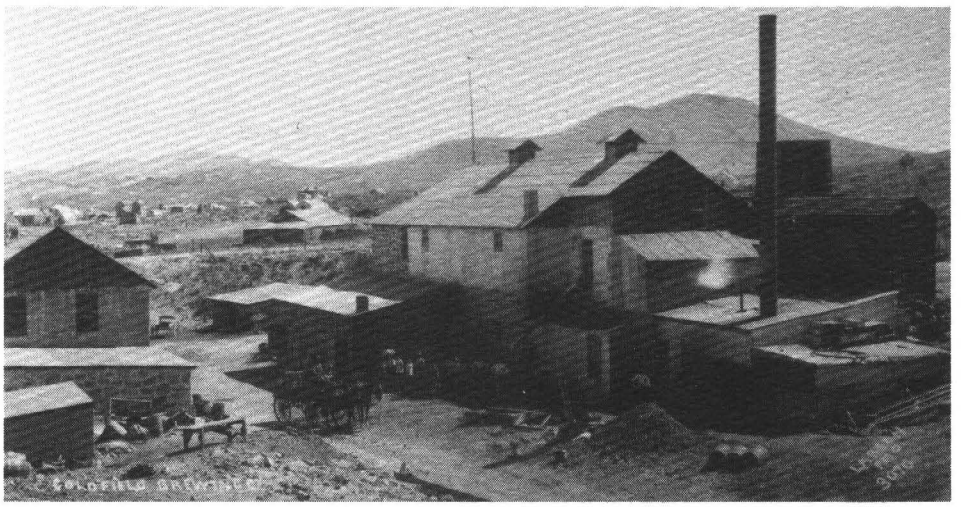
Carson Brewing Co., Carson City *(Nevada Historical Society)*

The Nevada Brewery, Virginia City, as a private residence in the 1950s. *(Walt Mulcahy photo, Nevada Historical Society)*

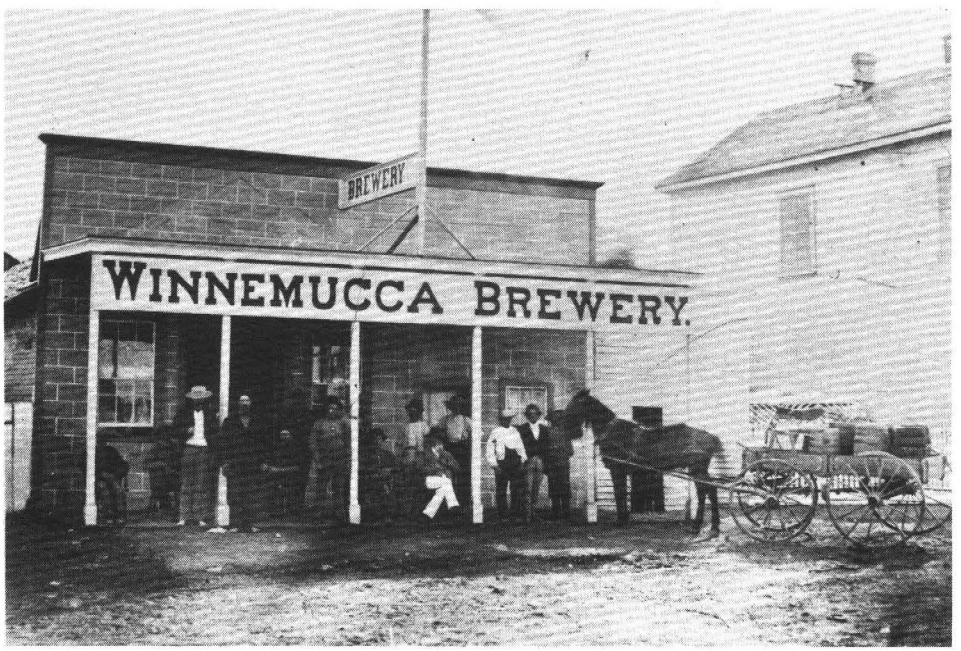
As prospectors fanned out into the interior of the state and established new mining camps, brewing activity also spread. The year 1863 saw Ploshke and Betz open Austin's first brewery, the Pioneer, and begin marketing their Pioneer Beer. During the 1860s and 1870s, many more breweries appeared at Austin and other significant mining camps—among them Belmont, Aurora, Unionville, Eureka, Pioche, Grantsville, Tybo, Tuscarora, and Hamilton (where in 1869, Davison and Wagner's Philadelphia Brewery became the first in White Pine County). Wadsworth, Battle Mountain, Elko, and Winnemucca—railroad towns that appeared along the Central Pacific's transcontinental route in 1868-69—also boasted breweries. In Winnemucca, which became a station on the rail line in 1868, two rival breweries appeared. Soon after passenger service began in May, 1869, Head and Krinkle's Winnemucca City Brewery and Charles Kesler's Empire Brewery were both doing business on Bridge Street, competing energetically for customers. Agricultural communities also fostered breweries, albeit to a lesser extent than mining camps and railroad towns. Genoa and Paradise Valley were two farming or ranching centers in which commercial breweries existed.

As Nevada's population grew during the third quarter of the nineteenth century, Reno became the leading railroad and transportation center. As such, it was Virginia City's principal rival for the title of beer manufacturing capital of the state. In the bustling city by the Truckee River, as in other places, the industry was monopolized by German immigrants. Frederick Hertlein opened his Reno Brewery, the community's first, on Commercial Row in 1868. John George Becker, one of several Beckers involved with area saloons and breweries, built the Washoe Brewery in 1870, with an associate, Charles Knust, and the Pacific Brewery eleven years later. William Hoffman, who purchased Hertlein's building in 1873, shortly before it burned to the ground, later acquired Becker's Washoe Brewery. By the 1890s, Henry Riter, afterward owner of the renowned Bowers Mansion resort in Washoe Valley, was running his Elite Brewery at the old Washoe Brewery location and producing Elite Steam Beer.

It should be pointed out that not all activity in the beer industry involved brewing. After rail transportation made distant markets more accessible, out-of-state brewing companies began shipping their products into Nevada in large quantities. Barrels of these "foreign" beers were unloaded at "beer depots," which were receiving and shipping centers, usually located on railroad spurs and often with bottling works attached. The beer was then either bottled, distributed in kegs to local saloons, or reshipped by wagon or truck to towns with no rail connections. Reno's leading depots after the turn of the century, all of which had bottling



The Goldfield Brewery as it appeared in 1905. *(Courtesy of Arnold Millard)*



Winnemucca Brewery in the 1870s. *(Nevada Historical Society)*

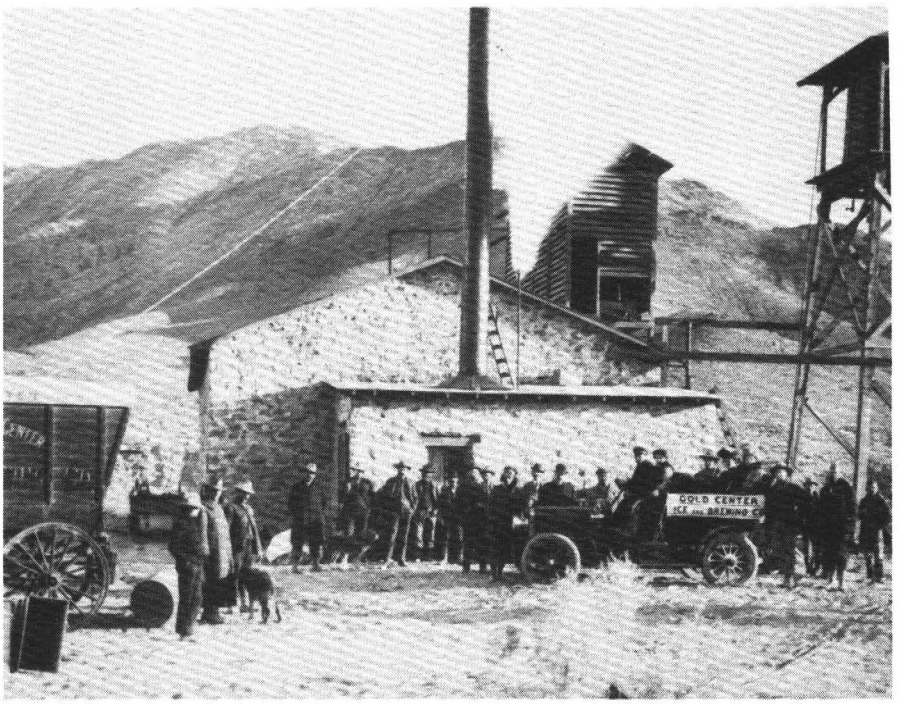
facilities, were the Rainier Bottling Works of the Seattle Brewing and Malting Company, on Spokane Street; the Buffalo Beer Depot, on Commercial Row; and the John Wieland Bottling Works, specializing in lager from San Francisco's massive John Wieland Brewery, which German-born Otto Benschuetz managed at 251 Ralston Street.

The 1900 discovery of silver at Tonopah ushered in a new mining boom, thereby greatly increasing demand for the products of Nevada's beer makers and bottlers. A new Reno Brewing Company, incorporated by some Montana entrepreneurs, commenced production of a line of beers in 1903. Within two years this firm absorbed its principal competitor, Riter's Elite Brewing Company, built impressive new brewing and bottling plants on East Fourth Street, and became the largest beer manufacturer in the state. In 1905, it contemplated, but did not build, a brewery in Tonopah; and it continued to prosper despite the advent of beer manufacturing in such new mining centers as Goldfield (where Munich native Max Stenz, formerly with Riter's Elite and later owner of the Carson Brewery, became the leading industry figure), Ely (where the Consumers Brewing and Malting Company produced its Copper King Beer), and Gold Center, the short-lived camp in Nye County near Beatty.

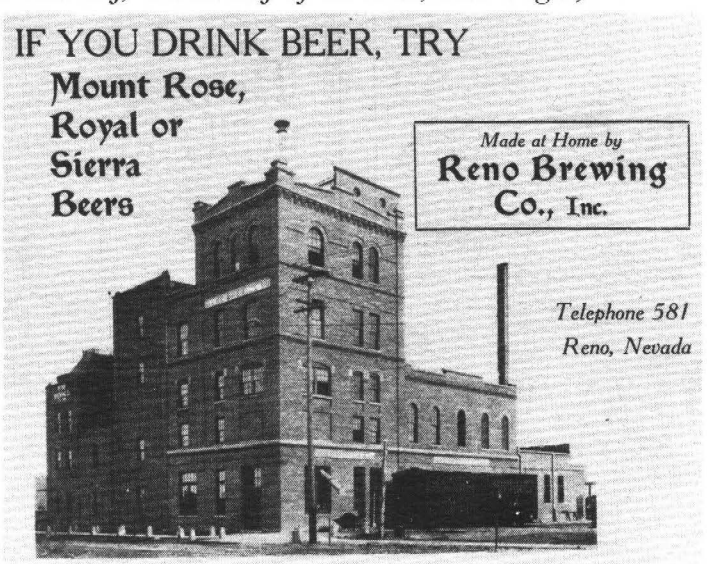
In places that did not acquire breweries, beer depots often appeared. Among these were Tonopah, where the John Wieland Company occupied a stone storage building in 1901, and Las Vegas. By the summer of 1905, a cold storage warehouse for the Maier and Zobelein Brewing Company of Los Angeles had been completed and was supplying beer to the swelling populace of Las Vegas as well as thirsty inhabitants of booming mining camps to the north.

The local beer industry in Nevada and the rest of the country virtually ceased to exist at the end of World War I. Prohibition commenced in Nevada in 1919, under state law, a year earlier than it did nationally. Most small breweries closed and never reopened. In Nevada, only the modern Reno Brewery and the prestigious old Carson Brewery, both of which converted to the manufacture of legal "Volstead" or "near" beer during the dry years, were still around to resume production of real lager when Prohibition ended in the 1930s. However, increased competition from larger, more efficient out-of-state breweries soon forced even these survivors to shut down. The Carson Brewery produced its last Tahoe Beer ("Famous as the Lake") in 1947, and the Reno Brewery's famed Sierra Beer disappeared in 1956.

Not much remains today of the buildings that once housed Nevada's native beer industry. There are a few inactive breweries--Carson Brewery and Virginia City's Nevada Brewery--and a small number of "re-

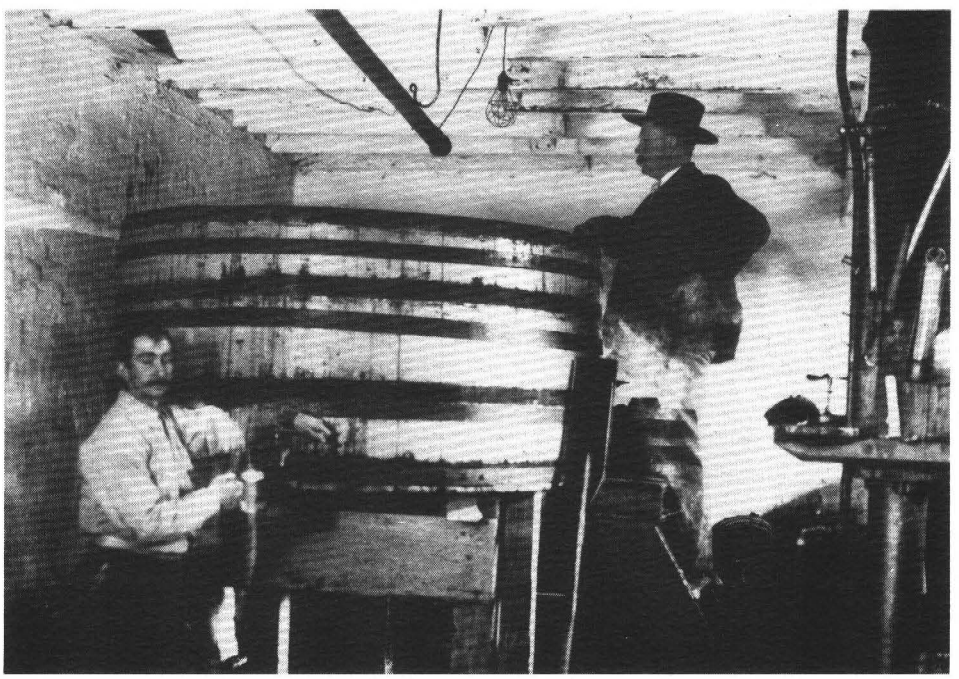


Brewery at Gold Center, a short-lived camp in the Bullfrog District *(Dickinson Library, University of Nevada, Las Vegas)*



The Reno Brewing Company building as it appeared early in this century. From an advertisement in the *Reno Industrial* Journal, March, 1910.

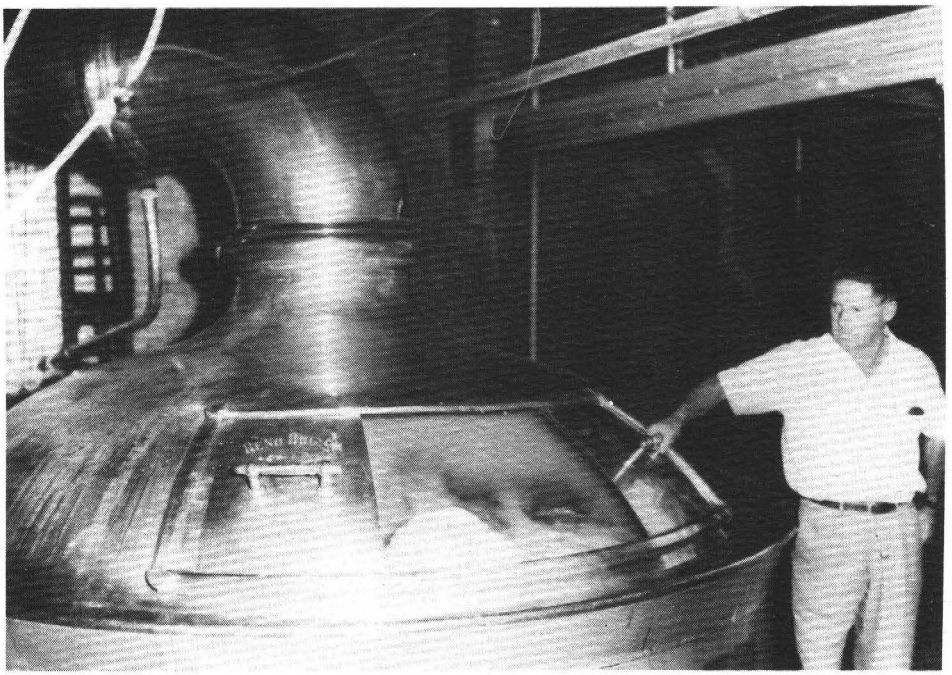
cycled" bottling works--including Reno's Rainier, Wieland, and Reno Brewing Company buildings. In Tonopah, the modest storage structure erected for the John Wieland Company is still in use as a private residence.



Owner Albert Schnitzer (right) in his Nevada Brewery, Virginia City, c.1900. *(Nevada Historical Society)*


RENO BREWERY,
Opposite the Depot, Reno, Nev.
Proprietor.
COPPER KING Bock Beer
Is on draught in all parts of the Ely district
RENO BREWING CO.
INCORPORATED
Royal
IT CAN'T BE BEAT
RENO, NEVADA.
ONE SOUND STATE
BOTTLED AT THE BREWERY
RENO BREWING CO., INC. RENO, NEVADA
ST. LOUIS BREW
DAYTON, NEVADA.
This Brewery has the reputation of brewing the
BEST LAGER BEER
C. P. BREWE
H. VORBERC, Proprie
LAGER BEER AND PO
A LARGE AND COMMODIOUS SALO
Eureka
PATRONIZE HOME INDUSTRY
COPPER KI
BEER
CONSUMERS' MALTING &
SIERRA
BEER
CONTENTS 11 FLUID OZS.
RENO BREWING CO. INC. RENO, NEVADA
Nevada
REICK & RAPP,
CARSON
Carson
WAGNER & KE
Tahoe
BEE
FAMOUS AS THE LAK

Floor plan of the Consumers Malting and Brewing Company building in Ely. From a 1912 Sanborn Fire Insurance map of Ely.



Brewmaster at the cooking vat, Reno Brewing Company, in the 1950s. *(Walt Mulcahy photograph, Nevada Historical Society)*

NOTES AND DOCUMENTS

Dan DeQuille on the Hunt in Nevada

PHILLIP I. EARL

OF THE HUNDREDS OF COMMENTATORS on life in Nevada who have appeared in print over the years, few have written with the precision, clarity, humor and downright earthiness of William Wright, who was known as Dan DeQuille to his contemporaries. Born in Ohio, he moved to Cedar Falls, Iowa at the age of eighteen and began his working life on the staff of the Cedar Falls *Gazette.* Lured to California's gold fields in 1857, he prospected in Nevada County, Mariposa County and the Mono Lake District before moving on to Nevada's Comstock Lode in 1860. As a hardrock miner in the Yellow Jacket and the Crown Point mines, he gained a practical knowledge of the underground workings which served him well when he gave up mining for a desk at the *Territorial Enterprise* in 1862. He had already established a literary reputation with his contributions to San Francisco's *Golden Era,* but his contemporary, Mark Twain, who joined the *Enterprise* that same year, is better remembered, although his stint on the Comstock lasted a mere two years. DeQuille was to remain with the paper for the next thirty-one years, far longer than any writer who ever got a start in Nevada.[1]

Like most journalists of the time, DeQuille combined the roles of news reporter and columnist. He reported regularly on mining developments and local news, but he was also a keen observer of men and manners. From a literary point of view, he was at his best when he wrote of his fellow Virginians—the miners, the ever-present Paiutes on Virginia City's streets, the roughs in the saloons, the hard-working Chinese, the drifters who passed through, quack medicine salesmen and all manner of humanity coming to his attention in the course of his daily rounds. He was also an insightful commentator on the fads and foibles of his times. Among the latter was the yearly trek into the Sierra Nevada

[1] For a summary of DeQuille's life and work, see Richard G. Lillard, "Dan DeQuille, Comstock Reporter and Humorist," *The Pacific Historical Review,* XIII (September, 1944), 251-59, and C. Grant Loomis, "The Tall Tales of Dan DeQuille," *California Folklore Quarterly,* V (January, 1946), 26-71.

for the deer hunt. The following DeQuille satire first appeared in the *Carson Free Lance,* October 12, 1885; it was reprinted widely in succeeding weeks. In these days of diminishing herds, drawings for a limited number of tags and frequent unsuccessful hunts, Nevada hunters should take this item to heart — as should their long-suffering wives and children.

BLOOD ON THE MOUNTAINS
NEVADA NIMRODS — THEIR DREAMS AND THE REALITY

It is at this season, and about this time, that his bump of destructiveness annually urges the average Nevadan to gird on his armor and go up into the mountains to "bring in sorrow to the grave the grey hairs" of the "grim grizzly," and to lay low the "antlered monarch" of the high Sierras. Murderous are his thoughts in his waking moments and devastation directs his dreams. In dreams he sees the everlasting snows of the lofty peaks red with the blood of slaughter, while the savor of roasting venison rises from all the valleys contiguous — the Nimrods of Nevada offering up sacrifices to Diana. Beautiful! It is now, if ever, that he will hand you $5.

Both in his sleeping and waking moments he has dreams of those mountain heights on which "freedom" and the bald eagle are supposed to "shriek." He hears the voice of the wind over his head in the trees, and the prattle of the brook under his feet among the rocks. In watching the flight of the clouds, he forgets the flight of time. The odor of pines fills his soul with the "odor of sanctity." The nine daughters of Zeus and Minemosye whisper to him in the wilds. He becomes poetical and with hand aloft and swelling heart, exclaims aloud

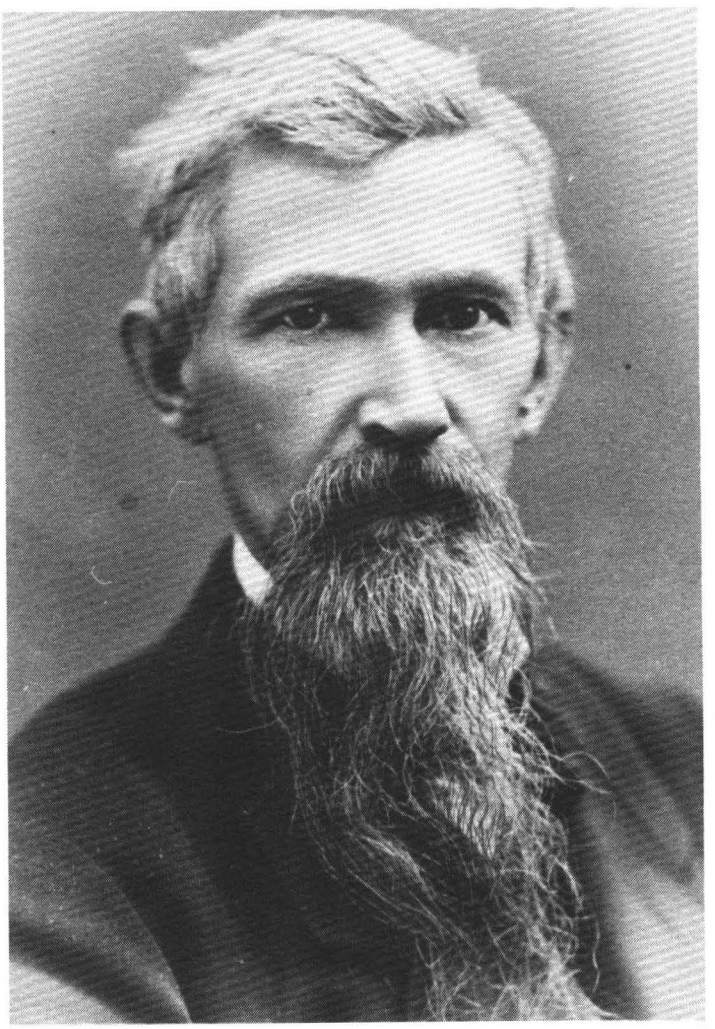
These mountains, piercing to the sky,
With their eternal cones of ice
Change not but still remain as ever,
Unwasting, deathless and sublime,
And will remain while lightings glimmer
Or stars the hoary summits climb,
Or roars the thunder chariot of eternal time.

In his beautiful day-dreams, he looked down into the dizzy depths of the awful chasm where darkness broods, he lifts his eyes to the grand pinnacle whose tops tower to the clouds. As he thus stands midway between unfathomable depths and immeasurable heights, he feels the littleness of man and the greatness of God. The world is naught and the riches thereof is but dross. His wife may ask him for $10 and he will dream on.

But on his return from the mountains, beware of him. On his return he will have left behind his good humor, his veneration of nature, his love of God, his hopes of future salvation, his poetic soul, the soles of both boots and all save a few tattered remnants of his once proudly spreading coat tails. His good humor will have been left at the place where his friends permitted him to cook

breakfast four mornings in succession; his veneration of nature where he tumbled over a ten-foot water-fall; his love of God on the mountain where he was pelted by a thunder-storm; his hopes of future salvation where his gun snapped when aimed at the only deer he saw; his poetic soul in the canyon where he met the grizzly; the soles of his boots among the rocks along down said canyon, and the tails of his coat on all the chapparal in the high Sierras.

Speak no man to him of the babble of brooks, nor the voice of winds in the pines. The odor of the forest is as a stench in his nostrils. The "sacred pines" are hurdy-gurdies and harridans. There are no clouds but those on his brow. The blood that was on the mountains is now in his eyes. Speak not to him of haunch of venison or rib of bear. Avoid his presence. For a whole month he will be rank poison.



Dan DeQuille *(Nevada Historical Society)*

Book Reviews

History of Nevada. By Hubert Howe Bancroft and Frances Fuller Victor. (1890; reprinted in the Vintage Nevada Series, Reno: University of Nevada Press, 1981. xix + 322; foreword, notes, bibliography, index)

FOR NEARLY A CENTURY, Hubert Howe Bancroft's *History of Nevada, Colorado, and Wyoming, 1540-1888* has been a landmark on the horizon of Nevada historiography.* Produced initially as Volume XXV of Bancroft's *Works,* it has long been out of print and few people have been able to include this bit of Nevadiana on their shelves.

In deciding to reproduce the Nevada portion of the book in the Vintage Nevada reprint series, we have chosen to correct a historical injustice by adding a name to the title page. Bancroft wrote very little of the prose that appears between these covers. The crafty and imaginative historical engineer who assembled the massive collection of materials on Western North America from Alaska to Panama and who conceived and planned the thirty-nine volume *Works* between 1874 and 1890 relied heavily on "ghost writers." There is much information on several of those who did research and writing for Bancroft in his "literary workshop" during those years, and his procedures have been well documented.[1] The person whose name would have appeared on the title page if Bancroft had not insisted upon anonymity for his writers is Frances Fuller Victor. We have overruled Bancroft by choosing to place her name beneath his on our title page.

Let us pause to recognize the talents and accomplishments of Mrs. Victor, as Bancroft himself did briefly at one point. She was born in New York in 1826 and demonstrated literary skills there, in the Middle West, in California, and in Oregon as a young woman. She had an admirable

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* This review by Professor James W. Hulse of the University of Nevada, Reno, originally appeared as the Foreword to the Vintage Nevada Series reprint of Bancroft's *History of Nevada.* It is reprinted courtesy of the University of Nevada Press.

[1] The basic source on Bancroft's practices is his own *Literary Industries* which appears as Volume XXXIX of The Works of Hubert Howe Bancroft (San Francisco: The History Company, 1890). Scholarly evaluations of Bancroft's operation are John Walton Caughey, *Hubert Howe Bancroft: Historian of the West* (Berkeley, Los Angeles: University of California Press, 1946), and Harry Clark, *A Venture in History: The Production and Sale of the Works of Hubert Howe Bancroft* (Berkeley, Los Angeles, London: University of California Press, 1973).

list of books and articles to her credit, including two volumes on the Pacific Northwest, when Bancroft engaged her. Twice married and twice separated (her family name was Fuller; her second husband was named Henry Victor), she was required to make her own living. In 1878 when she was 52 and when Bancroft persuaded her to leave her Portland home for San Francisco to help prepare the *Works*, only five of the thirty-nine volumes had been published. Of the remaining thirty-four volumes in the set, Mrs. Victor contributed significantly to at least eight.

That Bancroft hired and retained Mrs. Victor in his employ for more than ten years is remarkable. He had a low opinion of the intellectual capabilities of women, but Mrs. Victor he recognized as an exceptional member of her sex. In the last volume of his *Works*, subtitled *Literary Industries*, Bancroft wrote (and there is good reason to believe that *this* came from his own pen):

> I know not why it is, but almost every attempt to employ female talent in connection with these Industries has proved a signal failure. . . .
>
> I have to-day nothing to show for thousands of dollars paid out for the futile attempts of female writers. What it is they lack, justly attributable to their sex, I hardly know. That a woman has not the mental or physical force and endurance of a man does not seem a sufficient reason. True, in literary labors, strength is taxed to the utmost. . . .
>
> Hard work, the hardest of work, is not for frail and tender woman. It were a sin to place it on her. Give her a home, with bread and babies. . . .[2]

Bancroft went on in this vein at some length, explaining why he had forsworn "petticoats in my library." But then he made a single exception, "if for no other reason than to deliver me from the charge of prejudice."

> I have found in Mrs. Frances Fuller Victor, during her arduous labors for a period of ten years in my library, a lady of cultivated mind, of ability and singular application; likewise her physical endurance was remarkable.[3]

Bancroft paid one other brief tribute to Mrs. Victor when he inserted her biography in *Literary Industries:* "In ability, conscientiousness, and never-ceasing interest and faithfulness Mrs. Victor was surpassed by none." This was as far as his recognition went. One would hardly know that she had written about 15 percent of the *Works*.

Mrs. Victor wrote virtually all of Chapters III through XI of this volume. It is generally conceded that the first two chapters were written by another, and obviously Bancroft or an associate edited Victor's work

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[2] The Works of Hubert Howe Bancroft, Vol. XXXIX, *Literary Industries* (San Francisco: The History Company, 1890), pp. 236-237.

[3] Ibid., pp. 237-238.

and altered some of it in the interest of pleasing patrons who were buying the set or individual volumes. Bancroft gave Mrs. Victor rather explicit instructions about how to proceed as she was beginning work on *Nevada, Colorado, and Wyoming* late in 1884. He arranged for the Mormon materials that she was to include and instructed her as to the general plan of the volume. He also gave specific advice on several individual topics.[4] This was consistent with his policy of exercising overall control of the *Works*, and it confirms the conclusion that the research and writing of the work was largely hers.

At one point she wrote to a confidant that "Mr. B" had at times cut and slashed her text and had insisted on adding the names of subscribers with little regard for the historical significance of the subject.[5] We cannot hope to establish precise individual responsibility for the material presented here, but we shall be nearer to the historical fact if we regard the work as a kind of collaboration of Bancroft and Victor than if we attribute it to Bancroft alone.

Another piece of evidence that commends Mrs. Victor to us is her testimony—written early in the period of her employment with Bancroft—that she was accustomed to working fifty-four hours a week—from 8:00 A.M. to 6:00 P.M. Monday through Saturday "with one hour at noon for exercise and luncheon." She followed this regimen for fifty-one weeks of the year.[6] Her salary, at the time she wrote these lines in 1880, was $23.10 per week. We may infer that it was not substantially different in later years. It is perhaps understandable that Mrs. Victor finally turned against Bancroft, as did most of his other leading assistants on the *Works*, when the scandals over his methods came to light in the 1890s.

Much has been written about Bancroft's unscrupulous practices in gathering material and in soliciting financial support in exchange for the promise of favorable treatment in his volumes. There is no doubt that he used tactics that would be denounced as unprofessional in our day, and indeed they created much controversy in his own time. One of the most troublesome scandals broke in June of 1890, only a few months after the publication of *Nevada, Colorado, and Wyoming*. Among the revelations was that the former Comstock bonanza king and Nevada senator, James G. Fair, had been persuaded to pay $5,000 for a tribute to him to be published in Bancroft's *Chronicles of the Builders of the Commonwealth*.[7]

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[4] Caughey, pp. 265-266.

[5] Frances Fuller Victor to Judge Deady, as quoted in Hazel Emery Mills, "The Emergence of Frances Fuller Victor—Historian," *Oregon Historical Quarterly* LXII (December 1961), pp. 329-330.

[6] Clark, p. 33.

[7] Ibid., pp. 138-139.

Soon thereafter, more revelations appeared, and in 1894 Bancroft was deprived of his standing as an honorary member of the Society of California Pioneers. In the previous year, Mrs. Victor had displayed four volumes of Bancroft's *Works* to which she had contributed at the San Francisco Winter Fair, labelling them as her own rather than as Bancroft's.[8]

The *History of Nevada, Colorado, and Wyoming* was one of the last of the thirty-nine *Works* to be issued. It appeared in January 1890, shortly before Bancroft's credibility came into serious doubt. It is difficult to say whether the cloud over his reputation affected the sale of this volume, but it may have. Initially, his History Company had taken orders for more than 10,000 copies, but payments could not be collected for more than about two-thirds of that number. The printing order for Volume XXV was for 6,000 copies, and it appears that there were fewer single-copy orders for that volume than for some of the earlier ones. It is, of course, possible that the reduced printing resulted from the fact that there was a much smaller market in the thinly-populated inland states than there had been in California. Also, there was much less excitement about the mining possibilities in the inland states in 1890 than there had been fifteen years earlier.

The first two chapters of Bancroft's *Nevada*, dealing with the geography of the Great Basin and of the explorations prior to 1833, appear to have been developed by writers who prepared the earlier volumes on California. Mrs. Victor's portion of the narrative, beginning in Chapter III, starts with the "Passage of the Emigrants," and in the treatment of the earliest emigrant parties of the 1840s, she had access to many primary sources which continue to form the basis of our information on this subject. Those familiar with the standard histories of Nevada in the middle of the twentieth century will notice two unusual omissions: there are no treatments of the Donner Party of 1846 or of the gold rush of 1849. These episodes are treated elsewhere in the *Works*.

Bancroft's prodigious efforts in collecting and preserving primary historical material bore fruit in Nevada. Victor was able to produce a remarkably full and generally accurate account of the experiences of the early emigrants, of the earliest settlements and mining discoveries, and of the early governmental and cultural development because Bancroft's collection was already the richest archive available on those topics.

At the time Victor wrote, little beyond the Comstock Lode, Carson City, and Carson Valley had received much attention from historians; few historical resources were available for the outlying regions of the

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[8] Ibid., p. 148.

state. It is understandable that most of the narrative from Chapters III through VIII is focused on the Mormon beginnings at Genoa, the mining activities in and around Virginia City, and the evolution of territorial and state governments. The documentation for other aspects of Nevada history was generally meager. Mrs. Victor summarized a central theme at the beginning of Chapter V:

> The state of Nevada came into being through the discovery and development of the Comstock Lode. No doubt the corruption of the federal judiciary hastened the formation of a state government. Nowhere else in the annals of the world do we find a society springing up in a desert wilderness, so wholly dependent on a mountain of metal, so ruled by the ever-changing vagaries attending its development, and which finally attained the full measure of a fair and prosperous commonwealth. Hence it is that the history of the Comstock lode is to a great extent the history of Nevada.[9]

The Bancroft/Victor *Nevada* provides a kind of obituary for the Comstock bonanza era. By the time Mrs. Victor wrote, there was no significant silver or gold mine operating within the state, whereas only a decade earlier the Big Bonanza was at its peak on the Comstock, Pioche and Eureka were still thriving, and expectations were high. The other important *History of Nevada* published in that era, the so-called Thompson and West history, edited by Myron Angel and published in Oakland in 1881, went to press too soon after the peak of the bonanza era to be able to offer a thoughtful perspective on the rise and fall of the Comstock financial empires. The Bancroft/Victor chapters on the Comstock provide a useful supplement to Angel's history; in some places Angel's treatment is richer and fuller, but in others Bancroft/Victor have brought us closer to the events by the annotations and the conclusions.

At times in these pages, the reader will notice Bancroft/Victor taking the entrepreneurs to task. Inserted here and there one finds an ethical judgment that encourages reflection. That Nevada's first leaders and developers had exploited the state's wealth without regard to any needs or future of the state is explicitly stated:

> What advantage to Nevada has been her mountain of silver? What advantage her organization as a state? Some, no doubt, but more to individuals than to the commonwealth at large. . . . California assumed in the beginning, and kept until the end, the mastery of affairs. San Francisco without the Comstock was a different city from San Francisco with a long list of Nevada mines, paying large dividends, on the stockboards.
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> I wish I could say that Comstock ethics were likely to mend; but . . .[10]

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[9] The Works of Hubert Howe Bancroft, Vol. XXV, *History of Nevada* . . .(San Francisco: The History Company, 1890), p. 92.

[10] Ibid., p. 224.

Our authors seem to have been preparing the ammunition for a significant indictment, but having done so, they left it for others to discharge.

One example of this schizophrenic approach to history can be seen in the treatment of William Sharon, the famous Comstock promoter who was the representative of the powerful Bank of California in Virginia City. In general, the judgment of historians has been harsh toward Sharon: he has been widely regarded as a manipulator who used the bank's mills and money to exploit local mines and governments. His term in the United States Senate (1875-1881) is widely regarded as an example of the abuse of money and power to achieve high national office. In the main text where Sharon's Senate career is discussed (p. 192), one reads:

> Sharon did not take his seat until February 1876, and was continually absent from the beginning of the session, commencing in October 1877, to January 1880, attending to his money matters. No honor accrued to him or to the state through such representation.

If the attentive reader continues, however, to the footnote in which Sharon's biography appears (p. 204), one learns that:

> In 1875 Mr. Sharon was elected U.S. senator from Nevada, serving with honor and credit.

It would be an educated guess that Mrs. Victor wrote the first passage and reflected the attitude generally prevalent in Nevada and in the testimonials of those who knew the state's politics. The latter passage was probably inserted by Bancroft or one of his agents who had received a subsidy with the understanding that a biographical résumé would be included.

One who is even moderately well informed about Nevada history will notice immediately some of the things Bancroft/Victor did not do. They treated the Indian problem rather superficially, accepting a highly distorted version of the Pyramid Lake battle of 1860 when a fairer, more accurate account was available in the sources at Bancroft's disposal. There is little or no meaningful treatment of the communities beyond the Comstock area. We find here precious little about the early Mormon efforts in Nevada except the account of the earliest efforts in Carson Valley. Although there were a substantial Chinese population and many European-born settlers of prominence in the era when *Nevada* was written, we find little notice of this. Our standards and interests have encouraged us in the latter years of the twentieth century to look at more aspects of the social scene than Bancroft/Victor were considering.

The first nine chapters of *Nevada* are roughly equal in length and are developed according to a predictable pattern, partly chronological and partly topical. These early chapters are about 20 to 30 pages in length and constitute logical units. In the last two chapters, X and XI, Bancroft/Victor have provided a panorama of historical detail on "Material Resources and Development" and "Progress of Events," condensing and updating information that in Angel had been spread over several chapters. Chapter X is some 85 pages long, and into it Mrs. Victor crammed more than twenty categories of information, including more data on mining, transportation, and communication, agricultural and natural resources, brief descriptions of the counties and a few towns, a listing of the religious, benevolent, and education institutions, a listing of newspapers, and a bibliography. It is a superficial panorama, but has some merit for historical explorers. Bancroft's design encouraged this encyclopedic approach, and while the organization of the data is crude, the compressing of it into a latter chapter provides a handy still-life portrait of the institutional structure of the state approximately a hundred years ago. Mrs. Victor has supplied us with a verbal diorama of Nevada's economic and cultural scene that would not otherwise be readily available. Chapter XI is largely an effort to bring the political and economic history up to date as of 1887 and to provide a euphemistic conclusion to a historical narrative that had occasionally been too candid to be entirely favorable.

The reader of the 1980s will find much here both to placate and to whet an appetite for Nevada history. While the standards of history writing in the 1880s were somewhat different from those recommended by professional historians in the 1980s, Bancroft did the work of collecting his source material remarkably well and Mrs. Victor used that material with considerable skill.

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A River No More: The Colorado River and the West. By Philip L. Fradkin. (New York: Alfred Knopf, 1981. xviii + 360 pp., illustrations, maps, bibliography, acknowledgments, preface, and index. $15.95).

THIS BOOK OFFERS a multi-dimensional treat for the reader who wants to know more about the Great West, as it was once known, whose unity and twentieth-century prosperity finds its origins in the Colorado River system that drains so much of it. The author was attracted to "his" river because it is "the most used, the most dramatic, and the most highly

litigated and politicized river in the country, if not the world." On one level this most attractively illustrated book offers a travelogue with the author popping up at different sites such as the four sources of the river, sampling the topography, climate and attitudes of the locals whose ownership of the river is taken for granted. Then the reader shares the adventures of a rafting party's descent of the Colorado River through the Grand Canyon. (It is now much tamer because of the Glen Canyon Dam than in Powell's day.) Finally, one is impressed with the ultimate truth of the book's title as Fradkin and his companion navigate by kayak the various channels of the uncharted Colorado Delta and find salt and silt blocking their egress to the Gulf of California.

A literary craftsman of no mean talent, the author descants upon the purity of water, of air and scenery in the upper basin, and the wistful yearnings of old timers for the wilderness and pastoral simplicity that was. Now it is being crowded out by the energy rush of people to the Overthrust Belt or the Sunbelt migration and the urban exodus to recreational sites. His environmental concern is apparent in his well-turned metaphors and axioms, which show disdain for Westerners' use and management of the Colorado's water resources. He calls the Colorado's dams, reservoirs and diversionary canals "a vast plumbing system." Also noteworthy is his characterization of the West as an "oasis civilization" with an "archipelago of small privately owned islands within a vast federally owned sea." Incidentally, that vast federal domain is notable for its cattle industry which is the principal consumer of Reclamation Bureau water. The history of Indian tribal claims is summed up by the statement that "water flows toward the powerful and rich," to explain how the Indians were "dealt out" of their water rights. Finally, having traversed the course of the Colorado River from its sources to the Delta sinks, the author alludes to the once mighty Colorado as "a graded ditch" beyond the point of further engineering but still available as a conduit for augmented flows imported from the Northwest or Alaska.

It is as history that the book makes its greatest contribution. The author is as keen an historian as he is an observer. His historical observations are interspersed with descriptive accounts associated with noteworthy sites along the river. His list of devoirs for documentary sources is impressive, and includes the interviews and collected papers of Herbert Brownell, Stuart and Morris Udall, Wayne Aspinall, Carl T. Hayden and, most significantly, the "group of nameless bureaucrats who never get credit for what they write." They are the ones whose technical reports and environmental impact statements are the single most important source of information on the contemporary West.

It is the historical thread of the narrative that carries proof for one of the themes of the volume. The unity of the Western water interests, which first coalesced as a potent political force with the Colorado River Compact of 1922, was expressed as an Iron Triangle. They were the local economic developmental interests in the seven Colorado River Basin states, combined with the Bureau of Reclamation engineers and the powerful committee chairmen and Western blocs in the two houses of Congress. They have had their way in harnessing the Colorado River for the multipurpose benefits of water, power, flood control and recreation that have sparked a regional urban and industrial boom since World War II. Now the water in the Colorado River is all used up, and these political leaders, seeking heedless economic growth, have betrayed their public trust, and we witness the environmental damage and profligate uneconomic use of the West's indispensable natural resource.

Fradkin recounts the great achievements of this coalition. They include apportionment of the Colorado's churning, flood-threatening waters between the upper and lower basins, and their initial control at the Hoover Dam and subsequent dams downstream; these primarily benefited California. These stimulated upper basin development, as well as the Central Arizona Project. Of interest is the familiar battle of the environmentalists against dams in Dinosaur National Park, 1950-1956 and in the Grand Canyon, 1963-1968. The Sierra Club and Wilderness Society forces blocked the Bureau of Reclamation. The cost was high in damage at Rainbow Bridge National Monument. The 1968 statute created environmental impacts, and the substitute Black Mesa coal generating plants and Bureau of Reclamation weather modification system. The Western cohorts of the Bureau were able to exact from Congress in 1968 a national commitment to augment the flow of the Colorado River. This coup was finessed by additional legislation in 1972 with a promise by Congress to subsidize desalinization projects in the upper basin as well as the mammoth filtration plant Mexico had wrested from the U.S. negotiators.

Neither the onslaught of the Carter Administration against Western Water projects nor the widespread drought of 1976-1977 dimmed the prospects of a unified Western coalition. Their victories in Congressional water politics were truly awesome. Readers of this book may well ponder with the author the costs of further victories of the magnitude described in this entrancing volume.

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Cowboy Culture: A Saga of Five Centuries. By David Dary. (New York: Alfred A. Knopf, 1981. xii + 384 pp. Notes, bibliography, index, maps, photographs. $17.95.)

THE PREFACE TO *Cowboy Culture* contains the puzzling assertion that the book "is not intended to be a history of the cattle industry" (p. xii). Although indeed the focus is on "the culture of the cowboy from its roots in New Spain to modern times in the American West" (p. xi), the book treats all aspects of cattle raising, not just "cowboy culture," and the approach is generally chronological. So rather than shying from the word "history" and implying that "history" somehow excludes "cultural aspects," call this book what it is—a history, narrative and descriptive, of the range cattle industry in North America from "The Spanish Roots" to the "End of the Open-Range Culture." Call it also a fine, readable synthesis of most of what is commonly known about the topic and much that will be new even to historians of the West.

To be sure, David A. Dary commits a few clinkers that will make historians wince. One is the shameless commission of anachronism. For instance, he likens the *vaqueros* of New Spain to "young people of the counterculture today" (p. 13). What is "the counterculture," and when is "today?" In a few places he apparently just fails to think through a statement before galleys—the only way to explain a claim such as, "Ranching would be the only Spanish institution to survive in Texas and the American West" (p. 68). The introduction, too, is a bit troubling, partly because it perpetuates the myth that Francisco Vasquez de Coronado visited the Flint Hills of Kansas, and partly because it devotes several pages to description of that idyllic region—to which the ensuing text never returns.

Yet Dary, a Professor of Journalism at the University of Kansas, successfully defines and handles his topic. His delineation ("New Spain to modern times") may seem broad, but it also is exclusive. First, it limits discussion to the Hispanic cattle-raising tradition moving into the western United States from the southwest, precluding treatment of the Anglo stock-raising culture flowing into the same region from the east. Second, it concludes with the passing of the open range and makes no attempt to carry the history of cattle-raising into the twentieth century. Neither of these limitations can be counted as a flaw, however; if the writer makes cowboy culture the focus of his book and defines it as a Spanish tradition, then he need not discuss the influx of Anglo cattle-raising culture or its eventual triumph in the twentieth century.

Cowboy Culture is a good reference work because it covers the major developments in the range cattle industry—its establishment in New

Spain, its spread into Texas and California, the trail drives northward to markets and new ranges, and the flowering of the industry on the public domain of the Great Plains and Rocky Mountains. More notably, there is a freshness to this account not attributable simply to the author's gift for good narrative. It results mainly from his introduction of the everyday lore of the cowboy—his tools, apparel, methods, and values—thereby imparting to the modern reader the experience of cattle-raising, not just the significance of it. It comes also from Dary's unabashed affection for this subject. Too often Western historians, dismayed by the mythology and fokelore that fill their field, react by stripping their subjects of any hint of romance. Purveyors of popular images such as film-maker Sam Peckinpah go the historians one better by converting the western hero into a contemptible, perverted anti-hero. Dary objects. "The real American cowboy *was* colorful," he insists. "He *was* a romantic figure, even before writers embellished his life and culture" (p. 336). *Cowboy Culture* recaptures the authentic cowboy who was neither a knight nor a drudge nor a felon, but rather a hard-working man whose job happened to place him horseback on the open range.

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Mormonism and the American Experience. By Klaus J. Hansen. (The University of Chicago Press, 1981; ix + 257 pp., notes, index, bibliography, $15)

ONLY THE DURABLY FLINTY could resist the evangelical-capitalist ethos. Neither revivalist nor flaming millenarian (and surely not based on the cult of the individual), the faith of Mormons was based in much of the nineteenth century on communalism, with a dash of nostalgia for Federalism. Revivalists helped establish the capitalist mode via the Jacksonian individualist free-for-all. Those pumping for it were winners; Mormons and others favoring Federalist stasis were losers, viz., converts to the Mormon faith who were confused or turned off by evangelism, who fervently were promoting a counter-ideology establishing a "new heaven and a new earth," a social revolution founded in religion. For their trouble they were hounded by religious Protestant zealots who insisted on the political, economic, and social values of antebellum America: Mormonism interfered with the function of the new pluralistic, capitalistic value system. To obstruct was to risk persecution. Or so asserts Klaus Hansen in his chapter on "Mormonism and American Culture" and elsewhere in his work,"*Mormonism and the American*

Experience. Hansen is not the first writer to labor over the thesis that Mormonism was counter-capitalist at its roots, later to roll over and join competitive Americans in order to survive. This premise is gaining in popularity—but is it reductionist?

One reads this cerebration and mutters, "What! Another book on Mormonism? Is this one unique or necessary?" The University of Chicago's Martin Marty, editor of the series *Chicago History of American Religion,* is certain the work adds something to extant scholarship on Mormonism. Moreover, Marty has added Hansen's effort as the seventh title in his series. There are three reasons: he wants us to become acquainted with the complex history of the Church; more specifically Marty desires we learn of the way in which the Mormon religion helps believers contend with the ubiquity of death; and finally he says the author shows that the Mormon faith is part of the *buon Fresco* titled *America.*

A professor of modern history at Queen's University, Ontario, author Hansen did his undergraduate work at the Church of Jesus Christ of Latter-day Saints' Brigham Young University. He pokes around pretty effectively in this volume, and the book is acknowledged by Jan Shipps and Melvin Smith, past and current presidents of the Mormon History Association. To Hansen's credit he belongs to a group of flourishing historians who are attempting to appraise Mormonism "objectively." These examiners of the Faith are avoiding the extremes of eulogizing or pillorying Mormonism in either a fawning or hysterical manner.

Hansen is a competent explainer (I use this term as I would to characterize *The Ascent of Man*'s Dr. Bronowski, explicator non pareil), who mainly describes his selected aspects of the Mormon faith with energy and clarity—if without much distinguishing stylistic flair. Missing for example are Mark Leone's resonances, found in his *Roots of Modern Mormonism.* Nonetheless, one should not deprive Hansen of his accomplishment: he gives us a synoptic, reasonably lucid penetration into Mormonism. His purpose is to among other subjects elucidate upon the virtuosity and complex nature of the founder Joseph Smith; the adeptness of the leadership to transform the church in accord with whatever is the prevailing socio/political American direction; the doctrinal thanatopsis; and past and present marriage and sexual morés.

Joseph Smith, the first leader, comes off exceedingly well. The author sorts through both established and current hypotheses concerning Smith's production of the *Book of Mormon,* agreeing with present currency that it was indeed written by Joseph. Proving its veracity as a celestial edition empowered by God, as Mormon apologists insist, is something else. Hansen holds that Latter-day Saint traditional reliance upon scientific

evidence to link historically and geographically Mayan, Aztec, and Toltec ruins to *Book of Mormon* tales about the Middle Eastern origins of the North and South American Indians and their vicissitudes does not wash. Still, the faithful feel that God in his own time will unearth these links.

How was this book produced? Sifting suppositions, Dr. Hansen adds his by introducing Julian Jaynes' bicameral mind theory as an explanation. Psychologist Jaynes' argument goes something like this: ancient peoples, for instance in the fertile crescent or in South America could not "think," i.e., move sensations to concepts as we do today. Jaynes' primitives experienced auditory phantasmagories—really "hearing" Old Testament or Iliadic voices; these emanated from the brain's right hemisphere, instructing an individual. One might "think" a god was speaking to him and this would especially aid him through stressful times. Jaynes surmises that cataclysmic events forced man to learn consciousness, perhaps as recently as 3,000 years ago. The kinds of cognizance Jaynes examines include the bicameral or god-directed person; the contemporary or problem-solving Western man; and atavistic samplings of bicamerality, including hypnotism, schizophrenia, and religious frenzy. Jaynes' fascinating ruminations have been called "Imaginative speculation with no hard evidence."

Joseph Smith, Hansen guesses, might have had this kind of superabundant imagination. Is it unfair to request that historians elide conclusions drawn from sheerest speculation from their writings? Inferences based on meager, if any, hard data are disconcerting. Speaking of the "complexity of the Mormon movement," Dr. Hansen says on page 54, "Perhaps I have been too insistent on discovering a consistency that the historical record simply will not sustain . . ." Apply this to Jaynes/Smith. If the reader is a Fawn Brodie *No Man Knows My History* fan, he will not be surprised to learn that Hansen prefers Jaynes' bicameral mind theory over Brodie's imposter proposition. But does it matter beyond the intriguing historical footnote how Smith did it, and further whether he wrote the *Book of Mormon* at God's behest? Indeed, it would be satisfying to identify the beginning of this church and the composition of this volume as divinely teleological. A method this obvious for one's affirming his own individual immortality is a hedge against the insecurities of death. However, it is enough that Mormonism is pragmatically true: it works in people's lives. Still it would be comforting if the pragmatic results could be traced empirically to a divine source guaranteeing personal immortality.

In his chapter titled "The Mormon Rationalization of Death," Hansen gives us a history lesson in the evolution of American consciousness of

death from Puritan/Calvinist fire and brimstone to the Mormon picture of the post-earth life as one of eternal glory. Hansen says Smith's doctrines about the reality of free choice, punishment only for one's own sins, the remote possibility of being passed over by death, and exaltation in the afterlife, ultimately were a comfort to folk eking out a nasty, short, and brutish existence. The dogma worked with citizens' rising expectations about the duration and the quality of life in America. The author says Mormon philosophy offered seventeenth-century stability and cohesion because of its communitarianism and nineteenth-century optimism with, among other notions, their ideas about death. Smith offered the seductiveness of philosophic naive realism. Things are material and indeed are as they appear. And matter is eternal.

The infinite duration of matter (one's spirit is matter) led Joseph Smith to establish everlasting marriage ties as a criterion for the majesty to come after death. Ancestor worship is a spinoff from the Mormon realism: the faithful work in temples as proxies for the dead to enable these persons to participate in the apotheosis. Death is virtually ignored: of importance is a vast post-mortal future. This plan the prophet considered part of a "comprehensive religious and social movement that addressed itself to the fundamental problems confronting mankind. . . . The vitality of Mormonism derived to a large extent from its unique confrontation of that seemingly greatest enemy of mankind, death."

In Nauvoo, Smith presented another of his unorthodox ideas, polygamy, which he asserted privately was an important part of the social order of the kingdom of God. "Recent scholarship has shown conclusively that it was Smith who inaugurated plural marriage in theory and practice." As he does regarding the writing of the *Book of Mormon*, Hansen sorts through theories explaining why Mormons adopted the practice, settling for Lawrence Foster's notion that it was a counter-culture solution to family and marriage patterns for reestablishing "social cohesion and kinship ties in a socially and intellectually disordered environment." Hansen agrees further with Foster that polygamy symbolized more than anything else Smith's challenge to the burgeoning pluralistic, revivalist, capitalist social order.

Public criticism of polygamy turned Mormons inward on themselves. Introspection about sexual matters motivated them to adopt a perfectionism which would out-Gentile the Gentiles. There could be no sensuality in polygamy. Did Parley P. Pratt really say (as Hansen insists) that sensual men would have their wives given in the next life to pure, continent men? (Apparently this was termed "deferred compensation.") Further, the author states that Mormons have eliminated mind/body dualism so that sexual activity no longer represents the corruption of the

flesh against the sublimity of the spirit. (If this teaching is in their books of Holy Scripture many Mormons must be unaware of it.) More: divine sexuality is an elevated form of human sexuality. Jesus begat children. Both Christ and God are married. In matters sexual, males are under a greater obligation than females to do right, and are under greater condemnation if they sin. Hansen does not say if his interpretations concerning matters of sex are found in the Latter-day Saint canon. Hansen's excellent "Notes" to his sources indicate not.

A note of protest. Because early Mormons said little in their writings concerning the sin of masturbation, Dr. Hansen assumes they were more laid back about this problem than their Protestant fellows. It seems to me there is considerable risk involved in drawing conclusions from a lack of evidence.

Hansen agrees with Mark Leone that Joseph Smith would not recognize the contemporary church. The political kingdom, economic cooperation, and plural marriage are gone. Communalism, sexuality, and polygamy all changed to a large extent because of the influences of Federalist/Jacksonian evolution, which moved from paternalism to individualism. An argument exists among some Mormon scholars that after the Civil War Latter-day Saints began conforming to the forces of modernization, for example by introjecting their perfectionist sexual mores. This was in "response to cultural change to which the institution must adapt itself if it wishes to survive." Mormons developed a high degree of assimilation not only to endure but also to influence. Hansen and Leone see this as the key to modern Mormonism: the "Self-revising value system." The Church of Jesus Christ of Latter-day Saints no longer represents alienation from our dominant culture, nor an autonomous establishment. And Hansen concedes the church became moribund in this sense with the demise of polygamy, signifying "the beginning of the end for Mormonism as a total institution."

Mormonism and the American Experience is a conduit to a great deal of information about Latter-day Saints past and present. The reader of it must exercise some judgment regarding which conclusions of Hansen's he accepts and which he must put on the shelf to wait for the results of further scholarly exploration. Nevertheless, this volume should interest the sanguine scholar of Mormonism, and its accessibility should make it intriguing to the recreational reader.

Robert Dalton
Dixie College

The West and Reconstruction. By Eugene H. Berwanger. (Urbana, Chicago, and London: University of Illinois Press, 1981. xi + 294 pp.; notes, appendix, bibliography)

IN THIS STUDY, Eugene Berwanger, an authority on pre-Civil War racial attitudes on the frontier, makes an important contribution to the historiography of the postwar era. He notes correctly that the issues of the late 1860s and early 1870s—those of the restoration of the former Confederate states to the Union, the impeachment of President Andrew Johnson, the enfranchisement of blacks, and the centralization of federal power in Congress—have not received sufficient attention from historians. As an initial attempt to remedy this situation, he presents an overview of these issues in the western states (California, Kansas, Minnesota, Nevada, and Oregon), in the western territories (Arizona, Dakota, Idaho, Montana, New Mexico, Utah, Washington, and Wyoming), and in the territories which became states during the postwar years (Colorado and Nebraska). He excludes Iowa from this overview because of what he considers its unique development; he also omits Arkansas and Texas (western states where slavery formerly existed) and Oklahoma (Indian territory) from his study.

Berwanger bases his study on voluminous work in private papers, newspapers, manuscript collections, monographs, and scholarly articles. He believes postwar attitudes evolved in the West along lines similar to those followed by other sections of the nation. Following President Lincoln's assassination, Andrew Johnson initially enjoyed overwhelming support in the West; this support disappeared quickly because of his stubborn and uncompromising actions. In particular, a growing concern with Johnson's southern policies led western Republicans to conclude (as was the case with Republicans in other sections as well) that the enfranchisement of blacks in the former Confederate states was essential to the survival of the Republican party and to the securing of the fruits of victory. Like northerners, however, westerners were less enthusiastic about giving the franchise to blacks at home. As was also the case with northerners, westerners soon began to face new problems—for example, political corruption in states such as Kansas and in various territories—which lessened greatly their interest in national and southern issues.

Berwanger's comments on some matters are too brief, a problem which is probably unavoidable in a broad overview. This reviewer, for example, would like more detail on the congressional campaigns against polygamy in Utah and "peonage" in New Mexico. These problems, however, are more than compensated for in other areas. The book, for instance, is especially strong in explaining the resurgence of the Demo-

cratic party on the Pacific slope. While quite weak in most other areas outside the South during the late 1860s, the Democracy was able to heal old internal divisions in two far-western states and win elections there by exploiting anti-black feeling (in Oregon), and by arguing that the ratification of the Fifteenth Amendment would lead to the enfranchisement of Asians and to Chinese domination (in California). The book also offers especially valuable information on the relationship between Congressional-Presidential conflict and statehood politics in Colorado and Nebraska, on the types of voters who opposed or supported referendums on black enfranchisement in Kansas and Minnesota, and on the relationship of local politics to the vote of Kansas' Senator Edmund G. Ross against conviction in Andrew Johnson's impeachment trial.

Berwanger's monograph is rich with detail; it also makes a number of generalizations about the postwar West. Some of these—such as the one that westerners usually followed the lead of opinion makers in other more settled regions in forming their postwar political attitudes—are not surprising. Others, such as the conclusion that westerners were generally less interested in reform than were easterners, are quite interesting and provocative. The comparison of the Democratic revival on the Pacific slope with that party's improved fortunes in several Atlantic coast states (such as Connecticut and New York) is also interesting, as are comments concerning new local problems in the West (such as Republican factionalism in California) which contributed significantly (as they did in other sections) to a growing disillusionment with Reconstruction.

This well-researched and well-written monograph contains excellent detail on grass-roots western politics of the post-Civil War years. It is especially strong in describing the political situation in one area—Democratic-Republican strife in Idaho and Montana—and then contrasting it with the local situation in another area—the one in Minnesota where relative Republican hegemony existed. It relates all this detail well to larger racial and sectional issues, and it illustrates clearly the role some westerners (such as Senator William Stewart of Nevada) had in shaping the outcome of these national political struggles. Berwanger's achievement is impressive. He has presented a concise and long-overdue survey of Reconstruction in the West, and he has suggested a number of areas for study which go beyond his groundbreaking effort.

Richard L. Hume
Washington State University

The Ambidextrous Historian: Historical Writers and Writing in the American West. By C.L. Sonnichsen. (Norman: University of Oklahoma Press, 1981. 120 pp., bibliography, index. $9.95)

THIS IS A COLLECTION of the author's "reflections on history, historians, and historical writing in the western states." It is unfocused, over-opinionated, perhaps anti-intellectual, and not a little condescending. It is also thoroughly delightful.

Sonnichsen's premise, although hardly original, is that the practice of history is gravely ill, a situation which he finds "incredible and deeply disturbing." The solution, he suggests, lies in the re-recognition that history is essentially the study of people, and that their story should be recorded with caring, with excitement, with poetry. Those chroniclers most likely to do so, he contends, are the "grassroots historians," the nonprofessionals who labor in the local and state archives, who pour over family records and remembrances. Through the recognition and encouragement of their efforts lies, presumably, the path to historical regeneration. This is a crucial task and Sonnichsen is not inclined to minimize its importance. He argues passionately that without a sense of the recorded past "we remain as we were in the beginning— a little higher than the porpoises."

The book begins inauspiciously with an antagonistic discussion of Oscar Handlin's recent remarks on the state of the profession. Centering upon Handlin's proposal for upgrading historical standards, Sonnichsen concludes that increased professionalism will only lead to a greater use of social science jargon and an accompanying narrowing of the historical audience, assumptions which are not really warranted. Moreover, to suggest that the man who wrote *The Uprooted* is unappreciative of grassroots history is at best silly.

His second essay, as does much of what follows, argues for poetry in history, as well it should. Sonnichsen laments the fact that far too many academicians, having once begun their life's work with a sense of joy and passion, become "In a few years . . . dry and dull and a weariness unto student flesh." Much of the academician's problem he attributes to professional fear. Given the tenuous nature of academic employment, imaginative expression is simply exchanged for safe but invariably dull prose in hopes of avoiding criticism. "We know what can happen to us if we are caught in an error, and anyone who has attended a historical convention and seen an established scholar make mincemeat out of a junior member . . . knows how much blood a man can lose and still live."

In the title essay Sonnichsen decries the parochialism of much historical writing, arguing that all historians need to become "ambi-

dextrous," that is to acquire a second background, ideally folklore or popular culture, in order to correctly delineate their chosen subject. Although he tends to become tedious as he extolls the virtues of the ambidextrous historian, there is clearly much to be said for the approach. Certainly those who make effective use of folklore or popular culture fashion history that is not only enjoyable but broader and more representative as well. At their best they expand our sense and definition of what history is, and they remind us that throughout our past visceral needs and social pleasures have been far more important to the vast majority of humanity than foreign policy or the balance of payments.

Likely the most successful essay is "John Doe, OMH," a paean to the collective nature and behavior of the nonprofessional practitioners, or members of the "Order of Minor Historians." He identifies their distinguishing and largely endearing characteristics: members of the OMH are those delightful souls who gladly and selflessly share their sources and material with near strangers; who, when reviewing less than stellar works, will at least praise the author's intentions and effort if they cannot in good conscience praise his product; and who have a pronounced susceptibility to "footnote fever," and utter contempt for those who write as if unacquainted with the joys of absolutely exhaustive documentation.

Less charming is Sonnichsen's penchant for hasty generalizations and shallow prejudices. He is clearly impatient with Indian and environmental concerns, and his simplicity and hostility in discussing them is more than occasionally irritating. It is also unworthy of him.

In arguing for a broadening and deepening of the historical endeavor, Sonnichsen is essentially returning to the time-honored question of the nature of history. Is it properly a social science or a part of the humanities, at its best a verifiable model of accuracy; or is it a work of literature, perhaps even art? For the discipline to survive do we direct our efforts to expanding its humanism or to improving its methodology? Sonnichsen of course would have us pick the former over the latter, but must we make the necessarily restrictive choice? Can we not have the benefits of both orientations and avoid the liabilities of each? Cannot our history approach literature in its writing and science in its methodology? Cannot it be accurate without being boring? Precise and yet not technical? Inspiring and yet professional? Should we settle for anything less?

The Ambidextrous Historian is a unique if not altogether satisfying work, full of wit and wisdom and disturbing implications. It is, as the author forthrightly states, "directed at the nonprofessional to whom history is at least a joy, and perhaps a passion." At its best it reminds us

what our field can and should be, and for that, if nothing else, we should readily embrace Sonnichsen's cause, and forgive him his faults.

Gary L. Cunningham
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The Medicine Calf. By Bill Hotchkiss. (New York: W.W. Norton and Company, 1981; 408 pages, $13.95)

THE MEDICINE CALF, by Bill Hotchkiss, is based on the life of mountaineer James Beckwourth (1798-1866). I agreed to review the book as a novel, since I run as a literary critic, and to leave questions of authenticity to the competency of historians.

The novel itself, however, forced me to admit the naïveté of my condition. Unlike Frederick Manfred's treatment of Hugh Glass in *Lord Grizzly* or Vardis Fisher's use of Jeremiah Johnson in *Mountain Man, The Medicine Calf* requires of readers a double vision. In terms of genre, Hotchkiss has attempted art and history as palimpsest.

The primary historical source of *The Medicine Calf* is T.D. Bonner's *The Life and Adventures of James P. Bechwourth* (1856), which, in turn, was "told" to Bonner by Beckwourth. As Hotchkiss states in the foreword, historians now believe that the Bonner-Beckwourth account is more accurate than it was originally thought to be. Still, we have the palimpsest. First, Beckwourth tells his story to Bonner, but oral history—as even an English professor knows—cannot be taken at face value. Then Bonner writes the story, a *re*telling that cannot be checked against what Beckwourth actually said. Now Hotchkiss retells it once more, and the novel is, to a surprising extent, a rewriting of the Bonner text.

In General Ashley's farewell speech to his mountain men, for example, Bonner's version begins, " 'My friends! I am now about to leave you, to take up my abode in St. Louis.' " In *The Medicine Calf,* General Ashley says, " 'My friends, my companions, I am now about to leave you, to take up a different type of life at my home in St. Louis.' "

Bonner's—or Beckwourth's—repeated claims of an enormous amount of slaughter make one skeptical; but they are repeated by Hotchkiss without significant change. For one battle, Bonner's "one hundred and seventy three scalps" appears in *The Medicine Calf* as "a hundred and seventy-three scalps." "The trappers had seven or eight men wounded, but none killed" becomes "Eight trappers wounded, but none gone under." "Our allies lost eleven killed in battle" becomes "Eleven Snake Indians killed. . . ."

The Bonner-Beckwourth version of Indian speech is also repeated with slight modifications. The following is a fair example, first from Bonner, then from Hotchkiss:

" 'I am the loser of a daughter, and her brothers have lost a sister; you have lost nothing. She was the wife of the trader; I gave her to him.' "

" 'I have lost a daughter, and her brothers have lost a sister. But you have lost nothing. She was the trader's wife--for I gave her to him.' "

In general, Hotchkiss rewrites white man's speech to make it less formal, more idiomatic. Changes in Indian speech are characterized by the addition of conjunctions (note the insertion of "but" and "for" in the speech quoted above). The advantages of the changes are obvious: white man's speech is made less formal or "literary," Indian speech is made less abrupt. High rhetoric *was* common in the nineteenth century, however, especially in a speech or an altercation; and one characteristic of native languages is parataxis, the omission of cause and connection.

For the historian, the conclusion is unmistakable: a literary rewriting of the second-hand account of one individual is not reliable. For the literary critic, the conclusion is mixed. Personally, I would like for the novelist's imagination to tell us what history cannot know. Stephen Crane has told us what might have happened in the consciousness of a Civil War private. What happened in the consciousness of James Beckwourth? Why did he scalp and—on occasion—behead Indians? What did he feel when the knife touched bone? Being part Negro and thus also a victim of racism, what was his motivation? Here is a typical description: "Beckwourth and La Jeunesse took hair, a first-time experience for both men. Cutting the circle was easy enough, but Jim was surprised at how hard he had to pull to tear the scalp off."

The writing itself varies from questionable fragments ("Walked toward that.") to dime novel prose ("The steel drank flesh.") to metaphors which suggest that Hotchkiss is a first-rate literary talent. Beckwourth, for example, is impressed by his first glimpse of the mountains, "the great ranges of peaks that rose like dreams in the back of his mind." Later, hearing Beckwourth approach, two owls "slid down the air, silently knifing away through the moonlight." Ironically, at least for this reader, the best narration comes in several inner stories not found in Bonner.

Hunting, trapping, Indian humor, tall tales—mandatory for mountain man novels—are included, along with detailed descriptions of horse stealing and fighting. In fact, if one sets aside troublesome questions of genre and authenticity, *The Medicine Calf* is interesting and often exciting. I enjoyed reading it, and perhaps that is all Bill Hotchkiss would want.

Max Westbrook
University of Texas, Austin

NHS ACQUISITIONS

Nevada Nurses' Association Records

Records of the Nevada Nurses' Association (formerly the Nevada State Nurses' Association) were donated to the Historical Society in July. Correspondence, membership records, publications, and scrapbooks from the period 1931-1980 constitute a significant collection of materials relating to the history of nursing and health care in the state. Arrangements are being made to periodically add additional materials to the collection.

We wish to thank the Nurses' Association for a major donation, and the Association's Executive Director, Pat Smith, for her efforts in effecting the transfer of the records.

Manhattan Silver Mining Company Records

Coincidental to our acquisition last year of an 1867-1875 letter book of the Manhattan Silver Mining Company, a companion volume for the immediately preceding period has been given to the Society.

This recent addition to our holdings contains company correspondence for the period from December, 1865 through November, 1867, and provides much new information on the early development of the most important mining firm in Austin, Nevada. Included are copies of letters by company officers John Boyd, Allen A. Curtis, and, particularly James Bowstead. The latter's detailed letters throw new light on the formative years of the company and his own pivotal role in its success.

Bess Lucas of Spokane, Washington, has donated the letter book, which was once the property of her father, Stanley J. Baldwin, a former Austin resident. We wish to express our thanks to Mrs. Lucas for her generous gift and also to acknowledge the efforts of Kenneth D. Baber, whose interest in the volume's history led to its donation.

Contributors

Elmer R. Rusco is a professor of political science at the University of Nevada, Reno. He has done research on ethnic groups in Nevada, and is currently completing a study of federal policy toward tribal government in the 1920s and 1930s. Since 1974, he has been a member of the Indian Rights Committee of the American Civil Liberties Union.

Omer C. Stewart is a professor emeritus of anthropology at the University of Colorado, Boulder. He is the author of numerous studies dealing with the ethnology of Great Basin Indian groups, which he has been actively researching since the mid-1930s.

Robert A. Nylen is the Director of the Historic Engineering and Industrial Sites Survey for Nevada being undertaken by the National American Engineering Record (NAER) of the United States Department of Interior. The author of several articles on Nevada history, he previously was employed as a researcher by the Nevada Historical Society in Reno. Currently he is the President of the Washoe County Historical Society.

Eric N. Moody is the Curator of Manuscripts of the Nevada Historical Society. He is the author of a number of articles on Nevada history, and of a biography of Vail Pittman, *Southern Gentleman of Nevada Politics.* Mr. Moody compiled *An Index to the Publications of the Nevada Historical Society, 1907-1971,* and he edited *Western Carpetbagger: The Extraordinary Memoirs of "Senator" Thomas Fitch.*

Phillip I. Earl is the Curator of Exhibits of the Nevada Historical Society, and the author of a number of publications on Nevada history. He is a part-time lecturer in history at the Truckee Meadows Community College, and is currently working on a book-length study of famous prizefights held in Nevada.

NEVADA HISTORICAL SOCIETY

FOUNDED IN 1904, the Nevada Historical Society seeks to advance the study of the heritage of Nevada. The Society publishes scholarly studies, indexes, guidebooks, bibliographies, and the *Nevada Historical Society Quarterly*; it collects manuscripts, rare books, artifacts, and historical photographs and maps, and makes its collections available for research; it maintains a museum at its Reno facility; and it is engaged in the development and publication of educational materials for use in the public schools.