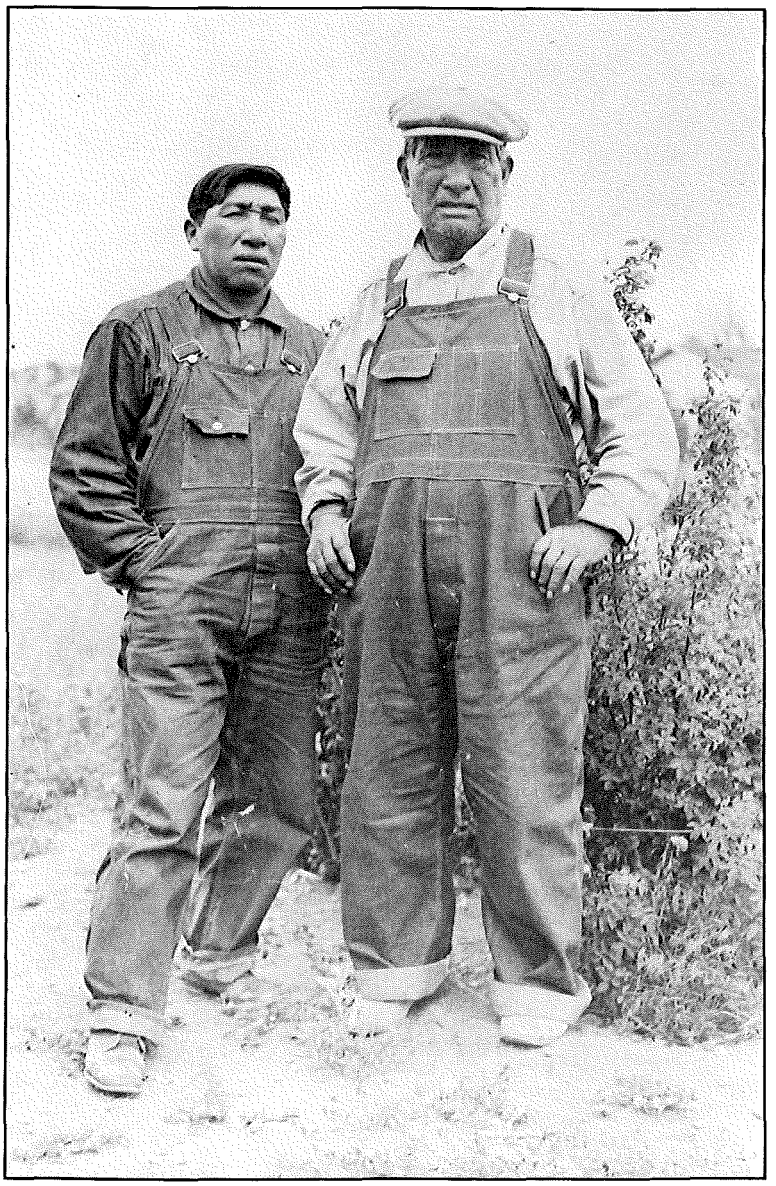
NEVADA HISTORICAL SOCIETY QUARTERLY



WINTER 1987

NEVADA HISTORICAL SOCIETY QUARTERLY

The *Quarterly* solicits contributions of scholarly or popular interest dealing with the following subjects: the general (e.g., the political, social, economic, constitutional) or the natural history of Nevada and the Great Basin; the literature, languages, anthropology, and archeaology of these areas; reprints of historic documents (concerning people, flora, fauna, historical or archaeological sites); reviews and essays concerning the historical literature of Nevada, the Great Basin, and the West.

Prospective authors should send their work to The Editor, *Nevada Historical Society Quarterly*, 1650 N. Virginia St., Reno, Nevada 89503. Papers should be typed double-spaced and sent in duplicate. All manuscripts, whether articles, edited documents, or essays, should conform with the most recent edition of the University of Chicago Press *Manual of Style*. Footnotes should be typed double-spaced on separate pages and numbered consecutively. Correspondence concerning articles and essays is welcomed, and should be addressed to The Editor.

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THE COVER: Harry Sampson (left), Chairman of the Reno-Sparks Tribal Council, and his father-in-law, Nick Downington, were highly respected Tribal Leaders and Tribal Elders. Photo taken in June, 1936. (Photo courtesy of Clayton Sampson)

Foreword

This issue of the *Nevada Historical Society Quarterly* is special in that it is devoted entirely to articles presented at the 20th Annual Great Basin Anthropological Conference held in Las Vegas on October 9-11, 1986. The bi-annual conference attracts professional and avocational archaeologists, anthropologists, historians and ethnohistorians with special interests in the western U.S. and particularly the Great Basin. We are delighted to publish some of the most outstanding papers presented at the conference.

The Nevada Historical Society would like to extend its gratitude to guest editor, Richard Clemmer for his hard work in compiling and writing articles for this issue. His patience and skill in working on this issue is obvious when you read through the journal. In addition, we would like to thank the referees for the expertise they exhibited during the review process. And last, but not least, we would like to thank the authors for their dedication in working with us to make this issue one of the most interesting ones in print. We sincerely hope that our readers join us in our enthusiasm and enjoy this special issue.

Cheryl A. Fox
Editor

Introduction

RICHARD O. CLEMMER

FOR THE FIRST TWENTY YEARS OF THE CONTACT PERIOD, the Great Basin saw only minimal and sporadic entry by non-Indians. This twenty-year period began with Jedediah Smith's trek across the Basin in 1826, and for another 15 years, only trappers and explorers penetrated its depths. The last trapping party exited with much sound and fury in a pitched battle at Humboldt Sink in 1845. But in 1841 a new breed of visitor began entering the Great Basin: the emigrant. In 1845 emigrant parties surged across Basin trails in a steady stream, and in 1845 this stream became a flood, cresting in 1850.

This special issue of the *Nevada Historical Society Quarterly* is concerned with the events and contexts initiated with the Emigrant Era and with the particular exigencies which the Basin imposed on the social and economic adaptations which Basin residents made. We are concerned with three groups: emigrants, settlers, and Indians, and we are most concerned with the physical artifacts and social institutions which these three groups used, or tried to use, to adapt to the Great Basin's environment and to each other. Great Basin Indian cultures—Ute, Paiute, Bannock, Shoshone, and Washoe—are well known in their historic and prehistoric forms. But the cultures of the emigrants, the settlers, and the post-contact Indian communities are less well known. It was not so much the outstanding historical events such as the killing of an emigrant party or the massacre of an Indian band that shaped these cultures, but rather it was the pace and activity of quotidian life. Sometimes the pace and activity of that quotidian life seems so mundane that it hardly seems worth comment. But when the adaptations represented by the pace and activity of daily life fail, then we experience a void that causes us to interpret that void as history! Our point here is to examine not the void of history, but its stuffing. Each of the following papers explores the constraints and opportunities presented by the social and physical environment of the Great Basin in order to elucidate some of the parameters within which the histories of emigrants, settlers, and Indians have unfolded. All of the papers are products of the 20th Biennial Meetings of the Great Basin Anthropological Conference, and we are particularly pleased to be given the opportunity to blend anthropology and history in the *Quarterly*'s forum.

Our first paper by Donald Hardesty explores one of the most notorious vignettes of the emigrant era—one that has almost come to epitomize emigrant life and hardships for many school children: the starvation and near-starvation of the Donner Party in 1846-47. This band of eighty-seven emigrants started from Independence, Missouri as part of a larger wagon train in May 1846. At Fort Laramie some of the train continued by mule, leaving the Donner Party to lumber along by wagon and ox-cart, additionally slowed by some members' personal cattle herds. On the Fort Laramie road, they were persuaded by Lansford Hastings to try a new route out of Salt Lake City. Hastings was an intrepid pioneer who had persuaded veteran trail-blazers James Clyman, Caleb Greenwood, and Greenwood's two sons, eastbound from California, to try to find a "shorter" route across the desert from Salt Lake to the Humboldt Trail. This "shorter" route would cut off several hundred miles because it would make it unnecessary to go north through the Cache Valley; west along the Fort Hall Road; and south through Goose Creek and Thousand Springs Valley. Hastings knew that John C. Frémont and Christopher "Kit" Carson intended to explore the Great Basin for just such a route. Having gotten the jump on Frémont by going to California in 1842—a year prior to Frémont's arrival there—and having tested the political waters that Frémont would soon capture, it is possible that Hastings also wanted to outdo Frémont as a path-finder. He did. On May 28, 1845, Hastings and company set out across the Great Salt Desert, arriving on the eastern side twenty hours later, beating Frémont's and Carson's westbound trek by two months.

Hastings quickly printed up an *Emigrant's Guide to Oregon and California* that extolled the advantages of this new route across the Great Salt Desert, which would come to be known as "Hasting's Cutoff." The Donner Party were its first victims. The cutoff may have been fine for packers on foot or for mule trains, but it was disastrous for the Donner train, which had twenty-odd wagons loaded with household goods hauled by draft oxen as well as cattle that had to be driven, herded, and corralled at night. The trail proved non-existent; the water holes hard to find; and the wagons ill-suited for the desert. Several wagons got mired in mud and oxen, wagons, goods and all had to be abandoned where they stuck. Adding people and some goods from these wagons to others made the going even slower, and the Donner Party did not reach the Humboldt Trail until September 20.

Normally the journey from the junction of the Fort Hall Road and the Salt Lake City Road to the Humboldt Trail took about two weeks; going through Salt Lake City and the Hastings "Cutoff," it had taken the Donner Party three weeks. Those extra seven days turned out to be crucial in determining the party's fate. By mid-October, the party was still on the Humboldt and knew they were in trouble. Two volunteers were sent ahead to Sutter's Fort for relief. At the foot of the Sierra the relief party met them with five mules laden

with dried beef and flour, but instead of using the supplies to press ahead across the mountains, the party dallied in order to fatten their cattle at Truckee Meadows.

The snow started flying and the party was caught. If they had elected to stay in Truckee Meadows, they might have had to eat all their cattle, but they would have fared better than they did at Donner Lake. Instead, however, they started for the pass in the midst of the snowstorm, pressing ahead just when they should have held back. By the time they neared the summit, a blinding blizzard had dropped the fattened cattle in their tracks, covered them over, and had fragmented the would-be pioneers into little coveys of straggling refugees stranded in a foreign land.

The subsequent few months saw an unfolding of events spawning tales and stories, myths and legends, rife speculations and eyewitness accounts that made "the Donner Party Tragedy" a household phrase for pioneer hardships. But what really did happen in the cabins that winter? Donald Hardesty utilizes archaeological method to settle a number of questions raised in the documentary record: How lucid were survivors' memories about the space they inhabited during that gruesome winter? What did they remember about eating—or not eating—in starvation conditions? And how accurately did General Stephen Kearny describe his disposition of the human remains at the camp sites in the spring of 1847?

Striking facts about the Donner Party holed up in Murphy's Cabin are that they ignored or did not comprehend the significance of the signs of the passing of autumn; that they spent the winter in country that was known to be uninhabitable except in summer; and that they were woefully ill-equipped in terms of skills and tools to exploit the resources around them, apparently securing only one bear as a source of meat during their stay, aside from the oxen that they had managed to keep with them. In these deficiencies the emigrants presented a sharp contrast, of course, to the native inhabitants: following a transhumant settlement pattern, Washoes had retreated to lower elevations. Paiutes ventured across the passes and into the deep recesses of the Sierra only in summer. And, as Hardesty points out, in contrast to the Donner Party, if hard times did strike, Great Basin Indians had the equipment and the know-how to grind bones into an eatable meal, and apparently also knew about the nutritional value of doing so.

Trapped in their reliance on civilization, the emigrants were transparently transient in their relationship with the Basin. But what was the nature of emigrants' quotidian dealings with the Basin and its permanent inhabitants, the Indians, on their journeys? This question has been more easily posed than answered, since even reconstructive ethnography would not begin until the 1870s and would not be fully undertaken until the 1930s. Only the diaries of the emigrants themselves can offer any insight into the nature of Indian-emigrant interaction, and into the possible opportunities for cultural exchange

and acculturation which that interaction may have offered during westward expansion.

My article on emigrant diaries is an initial attempt to extrapolate data on this and other points. The diaries are the only documentary sources we have for assessing the degree to which emigration actually changed the configuration of culture-to-nature relationships in the Basin. We can indirectly surmise that emigrants' stock and draft animals chewed up a lot of seed-bearing plants along the trail, and the Indian custom of poaching an occasional cow or horse is well known. But when did the raids by "predatory bands" begin? And why did they begin? Were they in direct response to resource depletion? Did "predatory bands" form in response to emigrants presence? Or were they the last vestige of an earlier system of territorially-based bands? And just how large did the possibility of "Indian depredations" loom in the emigrants' experiences on the Humboldt? My article addresses these and other questions through the use of emigrant diaries.

Monique Kimball's paper documents a lesser-known vignette than that of the Donner Party or other emigrants' hardships: the unsuccessful attempt by Mormons to establish a community on the Big Muddy River in southern Nevada. The Muddy Mission reflects a contrast with other Mormon settlements in the southern Utah-southern Nevada area in the degree and nature of its relationships with local Indians. St. George, Utah was the headquarters of the Church of Jesus Christ of Latter-day Saints' Mission to the Indians, and settlements in the Santa Clara, Provo, and Salt Lake areas were important in providing human and economic resources that supported Brigham Young's religious and secular policies toward the Indians and eventually resulted in a mission and settlement being established as far south as the Hopi villages, in Arizona. The Muddy Mission initiated economic interaction with several nearby Indian communities, but eventually it proved unsuccessful for ecological and economic reasons. This failure resulted in acculturative contact with nearby Indians being discontinued until some years later.

Kimball utilizes archaeological and documentary sources to investigate the proposition that, despite the importance of ideological values such as cooperation and equality among Mission members, it was more concrete things such as the failure to successfully develop trade and to make appropriate technological applications to the local ecological conditions that ultimately overwhelmed the Mission. In fact, it may have been a failure to adapt to local conditions in combination with international conditions, over which the settlers had no control, that made the Mission unsuccessful. Just as the settlers began producing cotton in wholesale quantities for the commercial market, prices began to sag because international cotton buyers were shifting their purchasing from the Americas to Egypt where Nile River irrigation made cotton plentiful, and where peasant sharecropping made its production cheap.

Rick Morris' important treatise on horseshoes brings the settlement era into full swing. Morris offers a previously little-used methodology for assessing function and period of historic ranch and settlement sites: the sizing, typing, and the provenience of horseshoe artifacts. Shoeing economics could, and did, affect economic development in the western Great Basin. The unavailability of horseshoes may have discouraged Indians' use of the horse for anything except the roasting rock and the stew pot in the rocky terrain of the Great Basin, and Morris makes a good case for the introduction of mass-produced, cheaper machine-made horseshoes finally tipping the scales toward economic viability for Nevada's ranches. Not only does this paper give much food for thought to the economic historian, but it also raises some important questions for the archaeologist. For example, what would the predominance of horseshoes that had been made for work horses indicate if found in a pony express site? Would the existence of horseshoes and ground stone in the same level necessarily reflect a multi-component site? Or might ground stone be compatible with certain kinds of horseshoes if an acculturation model were employed?

Certainly the entire topic of interaction between Indians and non-Indians in the settlement-mining-ranching era warrants extensive investigation. However, it seems that increasing mechanization and a slow but steady atrophying in the third, fourth and fifth decades of the twentieth century caused the ranching economy to have increasingly less dependence on Indian farm hands. Consequently, some Indians sought work closer to urban centers; other Indian communities remained close to areas where mining was still viable or had only recently ceased. The federal government gradually became aware of these communities and created little enclaves of trust land whose boundaries were often coterminous with those of the communities. These small enclaves were first known as "camps," and later as "colonies."

Elmer Rusco discusses some crucial events affecting one of these "colonies" in the 1930s in his analysis of the political history of the Reno-Sparks Indian Colony. These events reflect the federal government's first attempt to deal with Great Basin Indians on a systematic basis since the treaty-making period of the 1860s. As part of the Indian New Deal of the 1930s and early 1940s, all Indian communities were to adopt corporate charters; develop governing constitutions; and receive certain forms of economic assistance. But Rusco's analysis suggests that the social and political dynamics of Indian communities were poorly understood even by those who counted themselves among the proponents of Indians' self-determination. The Reno-Sparks Colony is important because of its pivotal role in establishing the legal basis of Nevada's Indian "colonies."

Thus, the papers in this special issue cover nearly a century of Great Basin history and employ archaeological and documentary methods to elucidate some vignettes of the emigrant, settlement, and urbanization periods that

provide us with insight into the daily pace and context of life of which history is made. All five papers are especially concerned with the ecological, economic, and political parameters of adaptation to the Great Basin culture area. In bringing papers that focus on various strategies employed by more recent entrants into the Great Basin ecosystem—emigrants, settlers, ranchers—together with papers that deal with Indians' political, social, and economic responses to these strategies, we intend to make this point: that the making of history was a multidimensional process resulting from the activities of individuals and groups of different nationalities and ethnicities interacting within a broad context of conditioning factors in which no one had the ultimately final say or the unquestionable upper hand for very long. It should be clear that there is no "Indian history" without "non-Indian history," and likewise that there is no "emigrant history" or "settler history" without "Indian history." History consists as much of changes, continuities, and even disruptions in daily life's expectations as it does in clear-cut milestones and lauded accomplishments. Careful attention to the interstices of history's epochs as they are expressed outside the North American mainstream in areas such as the Great Basin, may reveal more about the hallmarks of those epochs and their complexities than have heretofore been appreciated.

The Archaeology of the Donner Party Tragedy

DONALD L. HARDESTY

FEW EVENTS IN AMERICAN HISTORY ARE BETTER KNOWN than the tragedy of the Donner Party. Among the earliest of the emigrants coming overland to California and Oregon, the Donner Party was forced to camp in the Sierra Nevada during the winter of 1846-1847.[1] Of the group of eighty-seven taking the ill-fated Hastings Cutoff south from Fort Bridger, Wyoming, only forty-seven survived.[2] Five perished before reaching the Sierra, and the others who died either starved or froze to death in the mountains before the last survivor left the camp on April 21, 1847. Many of those who survived may have done so by cannibalizing the dead, giving a certain notoriety to the event.

During the summer of 1984, the University of Nevada, Reno, with assistance from the National Geographic Society,[3] began an archaeological project at the site of one of the Donner Party winter camps near Truckee, California (Figure 1), now commemorated as Donner Memorial State Park; more work was done in 1985. The purpose of the project was fourfold. First of all, the excavation was intended to confirm or refute the presently marked site of Murphy's Cabin, the only surviving cabin site at the Donner Lake camp. Written accounts of the cabin suggest that it was built against a large boulder, of which there are several within the park boundaries; however, one boulder in particular has been considered as the most likely spot and has been marked as such with a bronze plaque since the early part of the twentieth century (Figure 2). It is this site that the excavation should confirm or refute. Second, we hoped to provide an architectural reconstruction of the cabin based upon archaeological data. No contemporary eyewitness accounts give detailed information about construction details, especially size. Third, the excavation was intended to recover material remains of the people and the events that took place in the cabin. And, finally, we hoped to confirm or refute the legend of a mass burial in the cabin floor. Eyewitness accounts of General Stephen

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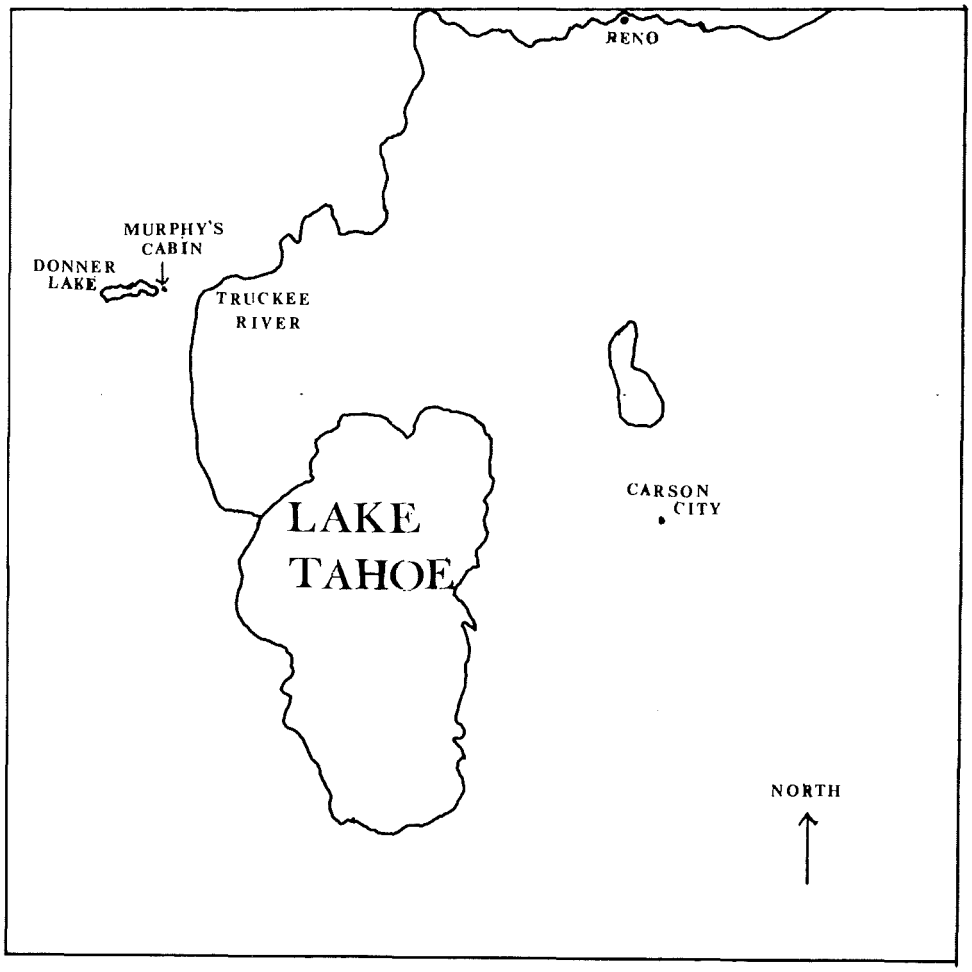

Fig. 1. Map of the Donner Party winter camp. *(Map courtesy of author)*

Watts Kearny's expedition through the abandoned camp on June 21, 1847, refer to a detail being dispatched to collect the scattered human remains and to bury them in the floor of one of the cabins: the cabin then was burned.[4] The Murphy's Cabin has been assumed to be the place.

Documentary Images of the Tragedy

Most of what is known about the Donner Party ordeal comes from written accounts—especially contemporary diaries (e.g., those of Patrick Breen and James Reed and the later accounts of Virginia Reed Murphy, Eliza P. Donner Houghton, and William Graves) and somewhat later accounts based upon oral histories.[5] These sources suggest that two separate but nearby mountain

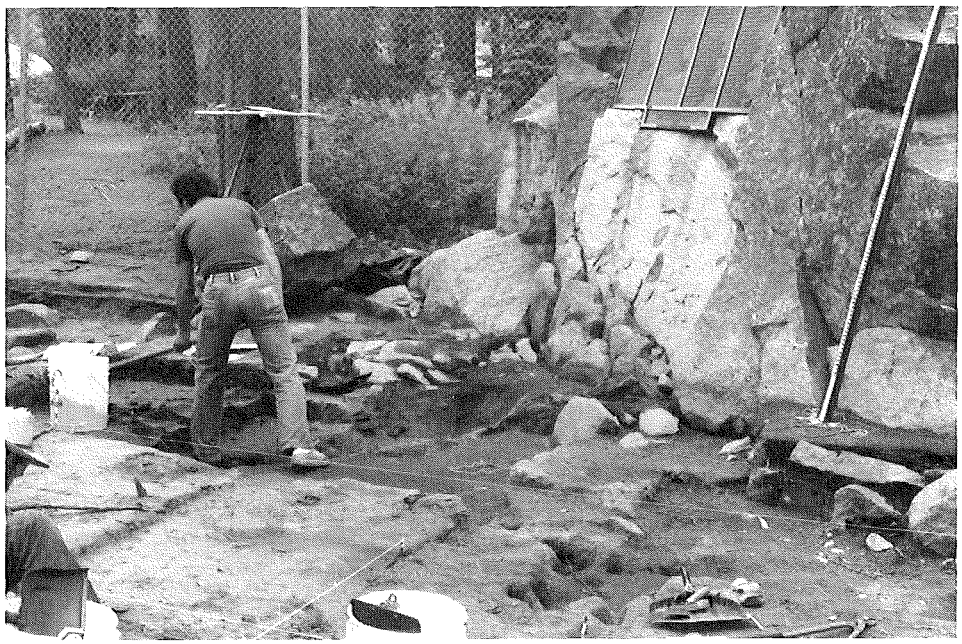

Fig. 2. The Murphy's Cabin site, showing the boulder and the archaeological excavation in progress, summer, 1984. *(Photo courtesy of author)*

camps were established. One, the Lake camp, was on Donner Creek at the south end of what is now Donner Lake. The Murphy's Cabin was closest to the lake. About 150 yards downstream, the Breen family occupied the old Shallenberger cabin, built two years earlier, together with the Keseberg family, who had attached a small lean-to. Further still downstream on Donner Creek was the Graves cabin, in which resided the Graves and Reed families. The remainder of the party, the Donner family itself, stopped by deep snow from reaching the lakeside camp, established another camp about five miles away on Alder Creek.

Murphy's Cabin was actually occupied by sixteen people organized into three families—the Murphys, the Fosters, and the Eddys; the first two families were related by marriage. According to written accounts, the cabin was started on November 2, 1846, by William Eddy and William Foster; it was finished on November 3.[6] What the cabin looked like is suggested by the sketch entitled the "Camp at Donner Lake" included in Thompson and West's 1880 *History of Nevada County, California* (Figure 3). The sketch is based on the reminiscences of William Murphy. Here, the cabin is shown as a relatively small log structure with a flat roof covered with canvas and skins and with a doorway at one end. William Murphy described the cabin as a "one room shanty"[7]; however, Virginia Reed Murphy remembered that "all of the

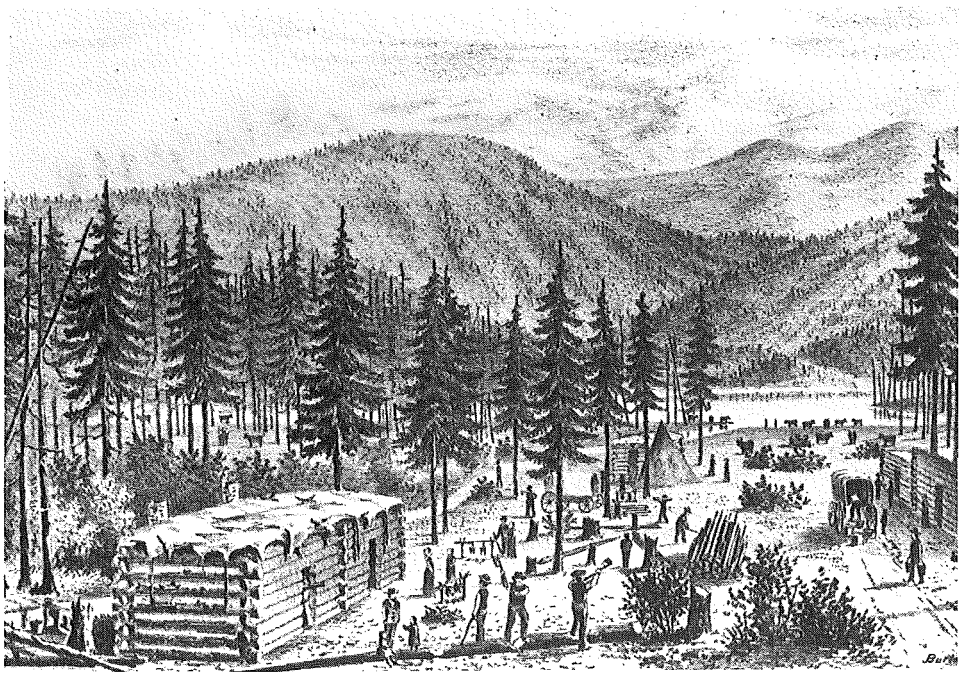

Fig. 3. The "Camp at Donner Lake" sketch in Thompson and West's 1880 *History of Nevada County, California.* Murphy's Cabin is illustrated as the small building next to the pyramid-shaped rock. *(Nevada Historical Society)*

cabins were double."[8] Birney's novel of the Donner Party tragedy makes the cabin two-roomed, separated by a narrow passageway.[9] No size is given for the Murphy's Cabin in early written accounts, but Birney's novel uses a figure of 10 feet by 12 feet for each of the two rooms.

An Archaeological Image of Murphy's Cabin

The image of Murphy's Cabin and its occupants that comes from eyewitness accounts and other documentary sources is at the same time detailed, sketchy, and contradictory. Historians have evaluated the reliability of written accounts and created their own images[10]; that is, after all, what historiography is all about. Still, what comes down to us as "evidence" of the past is not limited to what people observe, remember, and write down. The participants in any historical event make a tangible impression in the landscape, often leaving behind material objects that, if they survive to the present, are clues to what happened. Together these impressions and objects make up an "archaeological record" that is a form of historical evidence *independent* of written accounts. In this sense, the observation and evaluation of the ar-

chaeological record create yet other images of the past, images that may contradict, confirm, or add to those formed from documents. The best reading of the past, then, probably involves the combined and interactive use of documentary and archaeological evidence.

Formation of the Archaeological Image

The creation of the Murphy's Cabin archaeological image begins with the recognition that the impressions and objects left behind do not represent "behavior frozen in time," despite our greatest desires. How to properly interpret the archaeological record depends upon our understanding of how the site was formed, especially what happened to it after the camp was abandoned. Written accounts suggest that the Donner Party arrived at the Lake and Alder Creek camps with only a portion of what they had started with, many of their personal belongings having been cached in the desert along the trail, lost, or consumed. Most categories of heavy and bulky artifacts, including furniture, boxes of books, and virtually all other household goods that were not absolutely needed were lost during the trek across the Salt Lake Desert and the Humboldt Sink. What was left were the most highly valued and portable artifacts. Furthermore, as the surviving emigrants left the mountain camps, they took with them some additional personal belongings. The third and last relief party, led by the trapper and guide Fallon LeGros, had a significantly different and greater impact upon the mountain camps. It was, in fact, a looting expedition, sent to collect what could be salvaged from the rapidly melting snow. The expedition removed from the camp anything of value that could be found, including a bundle taken from Lewis Keseberg, the last survivor. In the bundle were silks and jewelry, two pistols, and 225 dollars in gold, which Fallon claimed had been looted by Keseberg from the Donner family camp.[11]

After the camp was abandoned on April 21, 1847 it continued to be transformed by both man and nature. The fist reasonably well documented post-Donner Party event was a visit by General Stephen Watts Kearny and his "Mormon Battalion." Kearny's eastbound expedition from California, with John Frémont in tow, passed through the Donner Party mountain camps on June 21, 1847, and observed the remains. According to Edwin Bryant, who accompanied the expedition:

> A halt was ordered for the purpose of collecting and interring the remains. Near the principal cabins I saw two bodies entire, with the exception that the abdomens had been cut open and the entrails extracted. . . . Strewn around the cabins were dislocated and broken skulls. . . . The remains were collected . . . and buried. . . . They were interred in a pit which had been dug in the center of one of the cabins for a cache . . . the cabins were . . . fired. . . .[12]

The cabin that was burned is reputed to have been the Murphy's Cabin, suggesting that the archaeological image of the cabin should include a mass burial.

Whether Kearny was actually the first to view the aftermath of the tragedy is debatable. Samuel Brannan, the leader of the "California as Zion" group in Kearny's Mormon Battalion, left Sutter's Fort with two companions April 26, 1847, traveled over the Sierra, and reached Fort Hall in June.[13] Brannan probably took the same route over the Sierra Nevada as Kearny did somewhat later, suggesting that he was the first to observe the Donner Party remains. Indeed, Orson Whitney's account of Mormons in California states that Brannan crossed the mountains at Truckee Pass and "had seen the bleaching bones of members of the ill-fated Donner Party."[14]

On September 5, 1847 the Lake camp was visited by Bigler's Party of 11 or 12 people.[15] That Kearny's burial detail did a less than complete job is suggested by the following observation:

> Passing down the mountain to the head of the Truckee River some six or eight miles, we came to a shanty built last winter, and about this cabin we found the skeletons of several human beings. I discovered a hand. It was nearly entire. It had been partly burned to a crisp. The little finger was not burnt. The flesh seemed to be a little dried. I judged it to be the hand of a woman.[16]

Bigler's diary also mentions "several wagons with trunks and boxes and clothing all scattered about and around the wagons."[17] The two complete skeletons in the cabin may have been buried by Bigler's group. Whether or not the cabin they observed was the Murphy, Breen-Shallenberger, or the Graves cabin is unknown; however, the statement "built last winter" may eliminate the Breen-Shallenberger cabin, the main part of which was constructed earlier.

Still standing cabins and associated trash were observed by several travellers into the 1860s, some of whom collected relics as curios.[18] By 1872, however, the *Truckee Republican* reported that "all the cabins have been burned down or carried away by relic hunters" (May 7, 1872). Relic collecting has continued to the present, but the most significant impact after 1872 was the "archaeological" work of C.F. McGlashan, editor of the *Truckee Republican,* an anti-Chinese activist, and the author of the first history of the Donner Party. In his 1879 *History of the Donner Party,* McGlashan notes that he collected relics from the camp and excavated at two of the cabin sites—the Graves cabin and the Breen-Shallenberger cabin.[19] The Murphy's Cabin site, however, was left untouched because the "marsh grass . . . firmly resists either shovel or spade."[20] He does observe that in 1879 six logs of the cabin were still in place but that he removed the last log in 1893[21]; the log fragments were put into 5,000 small vials and later sold.

Reconstructing the Cabin

Something about the size and layout of the cabin can be inferred from the archaeological record. From the mapped distribution of archaeological remains, the cabin size is inferred to be about eighteen feet by twenty-five feet (Figure 4). But the outside size is somewhat larger. Observations of how log cabins burn suggest that the walls collapse downward in place, rather than falling inward or outward as in most frame buildings.[22] Furthermore, the hottest fire is highest up in the building and cools closer to the ground, so that foundation logs may not burn at all. That implies that the heaviest concentrations of ash, charcoal, and wood fragments outline the actual cabin walls. At the Murphy's Cabin site, charcoal is distributed just outside the heaviest deposits of domestic trash, making the cabin size somewhat larger than eighteen feet by twenty-five feet.[23]

The Doorway

The doorway is another problem. McGlashan's placement of the doorway in the west wall next to the "big rock" is confusing. First, the commemorative plaque placed by him on the "big rock" identifies its flat face as the "north" wall, yet it is clearly the *west* or northwest wall. If so, his "west" wall is actually the *south* or southwest wall. Second, McGlashan mentions a *sill* cut into the log which doesn't make a lot of sense if the cabin had no door and the occupants were rushing to finish the cabin.[24] Third, putting a doorway next to the big rock creates several problems, including having an opening close to the hearths, exposed to the stormy prevailing west winds, and weakening the structural support provided by the nearby corner. Finally, the archaeological record does not support such a "break" in the south wall of the cabin. Throwing trash through open doorways is a well documented pattern of refuse disposal on the western frontier.[25] Yet at the Murphy's Cabin only in the *east* wall opposite the "big rock" is there a concentration of artifacts and trash that might point to a doorway. Glass fragments are heavily clustered here, along with six, or nearly fifty percent, of all the tobacco pipe fragments from the Murphy's Cabin assemblage. What all this suggests is that a doorway in the wall opposite to the "big rock" may be the most accurate reconstruction. Nevertheless, the Thompson and West's "Camp at Donner Lake" sketch clearly shows the doorway at the end of the cabin, in contrast to the side doorways of the other two cabins shown in the illustration and in contrast to McGlashan's reconstruction at the opposite end. Given the generally accepted reliability of William Murphy's accounts, the archaeological interpretation is puzzling and still somewhat in doubt.

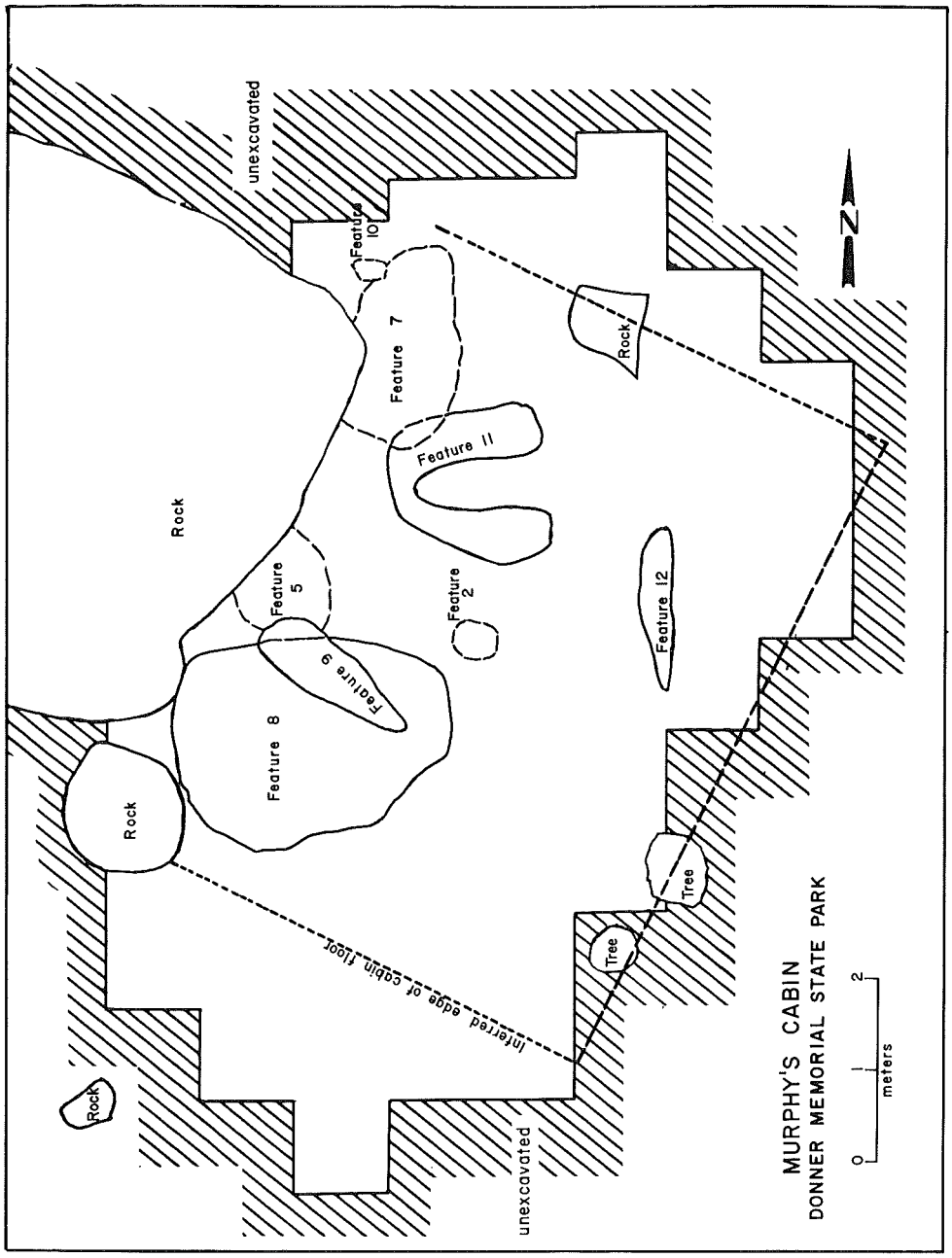

Fig. 4. Map of the Murphy's Cabin excavation. The excavation area and the archaeological features located by the project are shown. *(Map courtesy of author)*

The Construction of the Cabin Walls

Another detail of cabin construction was added by additional excavation during the summer of 1986. How the cabin walls articulated with the "big rock" was an unanswered question; nothing could be found in written accounts of the Donner Party tragedy that gave this kind of detail. The archaeological record suggested that the long axis of the cabin extended well beyond the "big rock" on both sides and that two short sections of the west wall ended at the rock. Obviously, the ends next to the rock could not simply be left loose, but must somehow have been secured. How this was done was suggested by a comparative search of the historic log cabin building literature. "Cribbing" at the rock end by driving vertical posts on both sides of the wall seemed to have been a common solution to such a problem. Using this "image" as our testable model, we excavated more extensively along both sides of the "big rock" and found what we were looking for. Cribbing, therefore, does appear to have been used.

Inside the Cabin

The layout of the cabin and what took place there can be approached both from written accounts and from the archaeological record. One of the Donner children, who stayed for a time in the cabin, remembers this:

> How can one describe that fateful cabin, which was dark as night to us who had come in from the glare of day? We heard no welcome but were given a dreary resting place near the foot of the steps, just inside the open door-way, with a bed of branches to lie upon and a blanket to cover us. After we had been there a short time we could distinguish persons on other beds of branches and a man with bushy hair reclining beside a smoldering fire.[26]

A similar arrangement is suspected in the other cabins; however, a letter from Eliza Donner Houghton to McGlashan in May 25, 1879[27] refers to her conversation with a man who visited the Breen-Shallenberger Cabin in 1849. He and his companions "found the cabin floor covered with bones and out of a small recess over the door he took a ball of yarn and a child's skull. . . . Two or three cot bedsteads made of poles were still standing in the cabin." No archaeological evidence of such an arrangement was found in Murphy's Cabin.

It is unlikely that the cabin had a fireplace; rather, the cabin was heated and food cooked over an open hearth of some kind against the boulder. Both documentary and archaeological evidence support this interpretation. Lewis Keseberg, in a later interview with McGlashan, states that ". . . I was living in the log cabin with the fireplace"[28] in reference to the Breen-Shallenberger Cabin; this implies that the other cabins did not have fireplaces. McGlashan's history based upon interviews with survivors of the event mentions a "fire-

rug" in front of the hearth upon which children played and gradually consumed by breaking off "crispy chunks." The "hearth" has been interpreted from written accounts as being an open fire built against the vertical face of the "big rock" and vented through a space left just above in the roof.[29] That interpretation is supported by the archaeological record. In the original study, the hearth was identified as the single concentration of burnt bone, ash, and charcoal in the bowl-shaped depression next to the "big rock." Lindstrom's later plot of where concentrations of heavily burned bone fragments, ash, and charcoal occur within the structure, however, suggests not only a "hearth row" against the "big rock" but also several different locations for the fire.[30]

The placement of other "activity" areas within the cabin is less certain. Trash and artifacts were scattered throughout the area that we have identified as the dirt floor of the cabin (Figure 5). Two "hotspots," however, have much denser concentrations of refuse: the vicinity of Feature 9 and the area around Feature 11. That these places were centers of human activity within the cabin is suggested also by their association with a greater variety of artifacts than in the rest of the floor. The area around Feature 9 is next to the hearth; it is not surprising that this would have been a center of activity. In addition to bone fragments, which are heavily concentrated in this area, the hearth cluster is dominated by "personal" artifacts, including such things as clothing, tobacco pipes, and ornaments. Other artifact categories are not present in the area more frequently than in other areas, although the only three gunflints were found here.

The second hotbed of activity is around what appears to be a tree root system, Feature 11. Artifacts used in some way as weapons dominated the assemblage in this part of the cabin floor. Why this should be the case is uncertain. One possibility is that musket balls and shot migrated down into the root system and thus became less visible to the later visitor to the cabin site intent upon collecting curios. Other artifact categories, however, do not occur in higher than average frequencies here, suggesting that this area was in fact associated with firearms storage or use.

Geiger and Bryarly[31] observed that a large pit was dug in the center of each of the cabins; a similar pit was mentioned by Edwin Bryant in the cabin supposedly burned by the Kearny expedition.[32] Whether the holes were used as fireplaces, food caches, or for burial is unknown, although Bryant specifically refers to it as a cache. Other than Feature 9, nothing in the archaeological record of Murphy's Cabin suggests such a pit.

Did General Kearny Bury the Donner Party Dead in Murphy's Cabin?

Perhaps the most interesting question about the cabin was whether or not it was the site of the mass grave of Donner Party remains dug by General

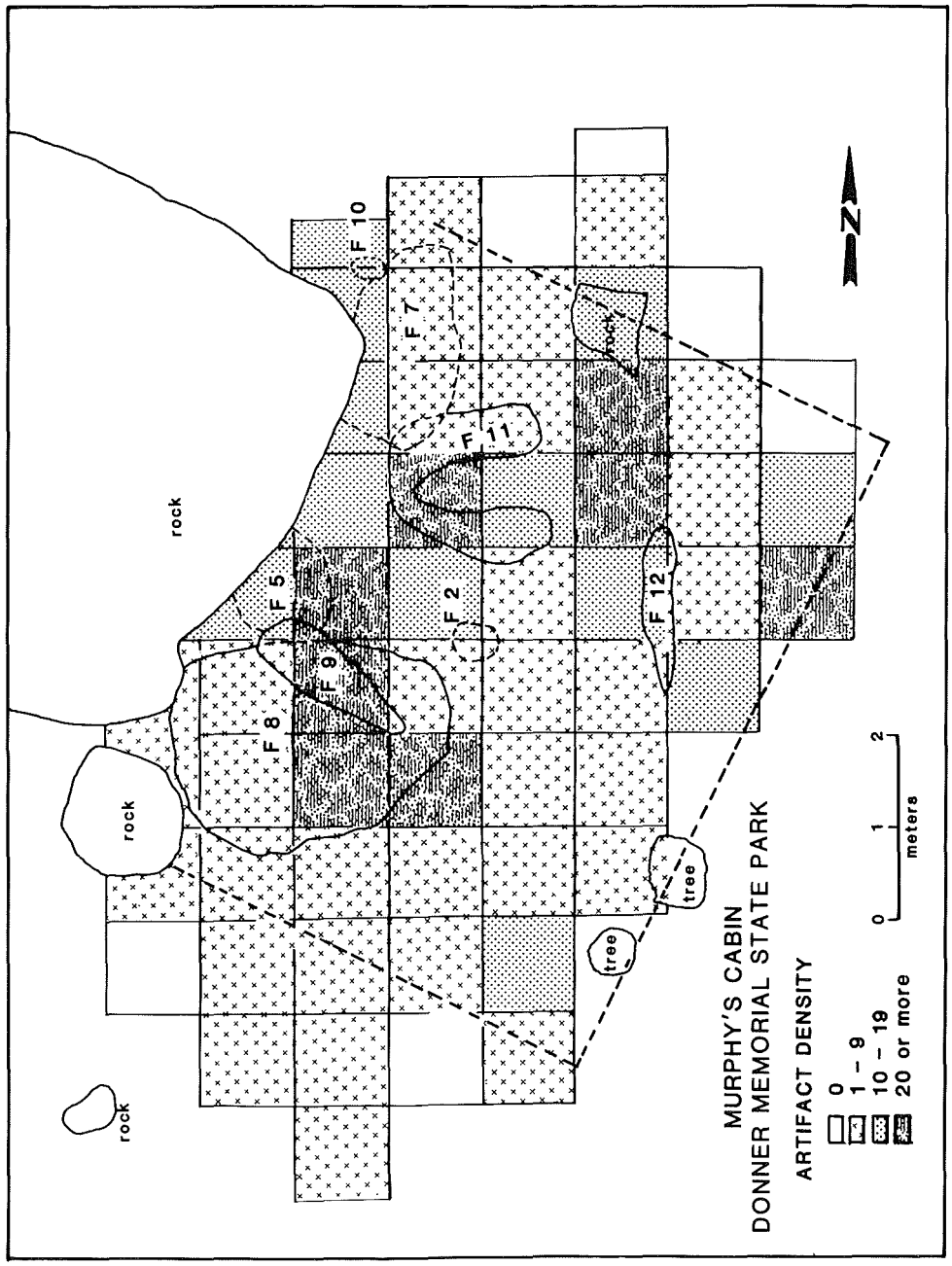

Fig. 5. Map showing the distribution of artifacts at the Murphy's Cabin site. *(Map courtesy of author)*

Stephen Watts Kearny's expedition on June 21, 1847. That a mass grave was dug by the military expedition was documented by at least three eyewitnesses (Swords, Jones, and Bryant). *Where* the grave was dug is another matter.

The identification of Murphy's Cabin as the burial site appears to have been by McGlashan, who was largely responsible for placing the plaque so stating on the "big rock." Most likely he came to this conclusion after not finding the graves in either the Graves Cabin or the Breen-Shallenberger Cabin, both of which he dug. Yet there is at least one early traveller who implies that Murphy's Cabin was still standing in 1849. The August 20, 1849 entry in the diary of John Markle states that "Graves and Fosters' cabins are the only ones that are standing yet and they represent a gloomy appearance."[33] All in all, the documentary evidence of a burial site in Murphy's Cabin is inconclusive.

The archaeological record does nothing to build a stronger case. Nothing was observed that could be construed as a "cache in the center of the floor." The closest thing to a grave, and that at its discovery sent chills up our spines, was Feature 9, a V-shaped pit just in front of the "big rock" and cutting through the hearth row (Figure 6). Unfortunately, it turned out to be rather shallow and to contain not much of anything at all. An early photograph taken in 1918 shows visitors standing in the pit looking at the bronze plaque that had been placed on the "big rock;" the pit was probably dug well after the Donner Party event and may even be related to the erection of the plaque.

No mass burial was located by the project, so much of the "National Geographic excitement" was lost. Whether or not human fragments were included in the animal bone assemblage, however, was a question whose answer could help at least with the verification of the cabin site. The initial forsenic study of the collection by Dr. Sheilagh Brooks at the University of Nevada-Las Vegas found nothing that could be identified as human bone on morphological grounds. Since most of the assemblage was broken into very small fragments, however, further biochemical studies were undertaken. The most successful has been the *radioimmunoassay* technique used by Dr. Gerold Lowenstein at the University of California Medical School in San Francisco. Identifiable collagen, albumin, transferrin, and fibronectin remaining in the bone are used to classify small fragments into species. Using this technique, Lowenstein was able to identify two or three fragments of the small sample that has been studied so far as definitely human (personal communication, Dr. Sheilagh Brooks).

Archaeological Glimpses of the Occupants' Personal Behavior

The artifact assemblage of the Murphy's Cabin site provides our only directly observable image of the occupant's behavior. At the same time, the image has been distorted by mixing with more recent materials and by the removal of much of the original assemblage through post-Donner Party salvage, curio collecting, and vandalism. The assemblage that is left is domi-

Fig. 6. Feature 9, a V-shaped pit in front of the boulder at the Murphy's Cabin site. *(Photo courtesy of author)*

nated by artifacts used as weapons, tobacco pipes, clothing, ornaments, and broken glass or ceramic containers (Table 1). In addition, several hundred small fragments of animal bone were recovered. All of these have the virtue of being small, cheap, indestructible, and more or less invisible to the casual visitor to the cabin site; everything else has been picked up. But even this "warped" image of the past has its uses.

Firearms

By far the largest number of artifacts remaining at the Murphy's Cabin site is related to firearms. Most of these things are consistent with written accounts. Members of the Donner Party mention having such things as a six-shooter, a pepper box pistol, rifle gun, muzzle loader, caps, bullets, and a powder horn.[34] McGlashan also states that a single barreled brass pistol was found under the Graves Cabin and that an "old flintlock" was found nearby.[35] The most representative rifles of the 1840s are the Hawken and the Henry,[36] both large caliber plains weapons. That the Donner Party carried these is suggested both by a Hawken rifle presently in the possession of the California Department of Parks and Recreation that reputably belonged to the group and by the large number of musket balls in the .50 to .59 caliber range

TABLE I

Murphy's Cabin Artifacts Classified by Inferred Use

Group	Class	Type	Frequency
Communication	Writing	Pencil	10
Construction	Fasteners	Nails	15
		Screws	1
		Tacks	2
		Rivets	1
		Staples	2
		Washers	3
	Hardware	Keys, iron	1
Domestic	Containers	Glass vials	5
		Cobalt bottles	37
		Stoneware jug	1
		Colorless bottles	5
	Tableware	Ironstone cup	1
		Transfer printed	1
	Utensils	Spoons, copper	7
		Spoons, wooden	1
	Cooking Pots	Iron kettle	1
Firearms	Gunflints	French	1
		English	2
	Musket Balls	.28-.59 caliber	64
	Shot	.16-.22 caliber	50
	Conical Bullets	.44 caliber	1
	Modern Casings	.22-.25 caliber	10
	Sprue	—	1
Personal	Clothing	Buttons	11
		Cloth buttonhole	1
		Coat stud	2
	Footwear	Heel	1
		Shoe grommets	4
		Shoe lace tip	1
	Ornaments	Beads	12
		Chain ring	1
		Brooch	1
		Earring pendant	1
	Tobacco Pipes	Dublin	11
		Gray	3
	Toiletries	Combs	3
	Utility	Pocket knives	2
Lithic Tools	Projectile Points	Basalt	1
		Chert	1
Unidentified	Glass	Amber	13
		Aqua	10
		Blue	2
		Brown	9
		Colorless	197
		Emerald Green	26
		Green	4
		Olive	4
		Red	1
		Smoke	1
	Metal	Iron	7
		Tin	3
		Brass	1
	Organic	Shell	2
		Wood	1

recovered by the archaeological work at the Murphy's Cabin site. The largest percentage of these, however, are in the .55 to .56 caliber range, which is above the usual Hawken size of .50 to .53.[37] Most of the other musket balls are in the .28 to .38 caliber range and are probably from pistols. Perhaps the most unusual item in the firearms asemblage is a .44 caliber conical bullet somewhat similar to that used in the Russian tigre rifle or the Norwegian breechloader.[38]

Despite the similarity, the image of weapons used by the Donner Party that comes from the Murphy's Cabin artifact assemblage is not entirely consistent with the image coming from documentary history. Written accounts suggest that most of the weapons used by the Donner Party were fitted with a percussion ignition system; the diary of Patrick Breen, for example, refers to "3 boxes caps" among the personal effects of "Dutch Charlie" Burger, one of the members who perished.[39] The artifact assemblage from Murphy's Cabin includes no evidence of a percussion technology; however, it does include gunflints (Figure 7). Why this discrepancy between written accounts and the archaeological record exists is uncertain, but several possible reasons can be identified. First of all, percussion caps may have been more carefully curated since they were relatively new and expensive in the 1840s. Second, the caps may not have been preserved in the ground. And, third, most of the weapons used by the Donner Party may still have used flintlock ignition. Of these options, the second seems least likely since percussion caps are preserved in the deposits of 1860s pony express stations under poor preservation conditions.[40] Support for the third possibility is found in the statements by McGlashan that gunflints were found at all the cabins, and that a flintlock was found near the Graves Cabin. But recent excavations by the Utah Historical Society at the Reed wagon site south of the Great Salt Lake recovered an artifact assemblage that included percussion caps (personal communication). What this suggests is both that percussion caps were not better curated and that percussion weapons were included in the Donner Party arsenal at least to that point. For some reason, however, mostly flintlock weapons were carried on to the winter camps, at least by the Murphy's Cabin household.

Tobacco Pipes

Of the artifacts whose uses could be identified, the next most common was tobacco pipe fragments. Tobacco smoking was a personal habit of some Donner Party members that is mentioned several times in written accounts. Charles Stanton, for example, is last observed sitting by the campfire smoking his pipe just before he died from starvation and exposure.[41] Most of the pipe fragments in the Murphy's Cabin artifact assemblage are long-stemmed white kaolin clay "Dublin" pipes, the most common nineteenth-century type. Four

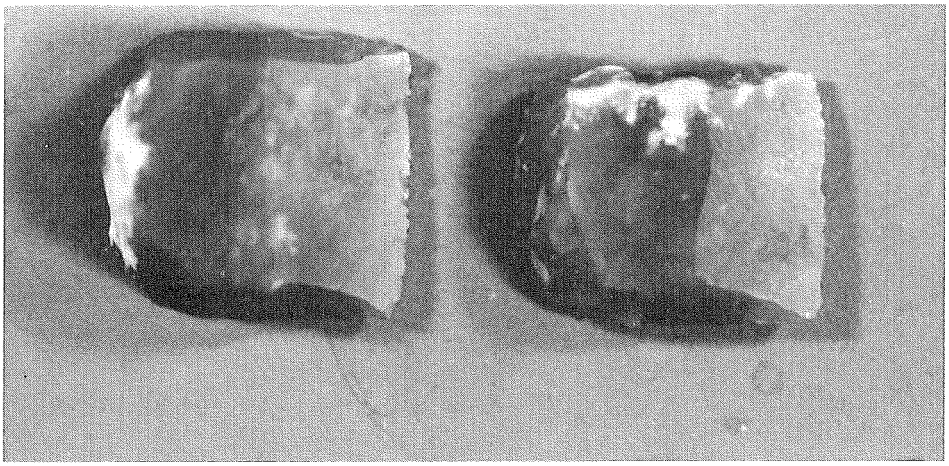

Fig. 7. Gunflints recovered from the Murphy's Cabin site. *(Photo courtesy of author)*

Dublin pipe fragments have distinctive "T," "TD," or "D" maker's marks impressed into the bowl or stem. These marks were used by the McDougall Company of Glascow, Scotland, in business from 1846 until recently.[42] The only other pipe in the assemblage is a gray ceramic bowl with two grooves and rows of repeated circles; the bowl was used with a detachable reed stem.

Ornaments

The third most common artifact type in the Murphy's Cabin assemblage is personal ornaments, mostly beads and jewelry worn by the emigrants. Lee Motz of the California Department of Parks and Recreation studied the 12 beads in the collection and made the following conclusions: All of the beads were glass; either spherical, conical, or donut-shaped; and colored red, light blue, white, or amethyst. Most were manufactured by molding or pressing, but one was wound. The beads were probably brought with the emigrants across the Plains; none occurs as trade beads in historic Native American sites in the western United States.

Several other ornaments were recovered by the excavation, including what is probably a tin-plated brooch with a cobalt blue glass setting (Figure 8) and a silver-plated dangling earring or pendant. But perhaps the most intriguing piece of jewelry in the Murphy's Cabin artifact assemblage is a religious medal (Figure 9). The medal was examined by Richard Ahlborn of the National Museum of American History at the Smithsonian Institution, who found it to be stylistically similar to those made in this country and used by Roman Catholics between 1825 and 1875. Such medals were stamped out

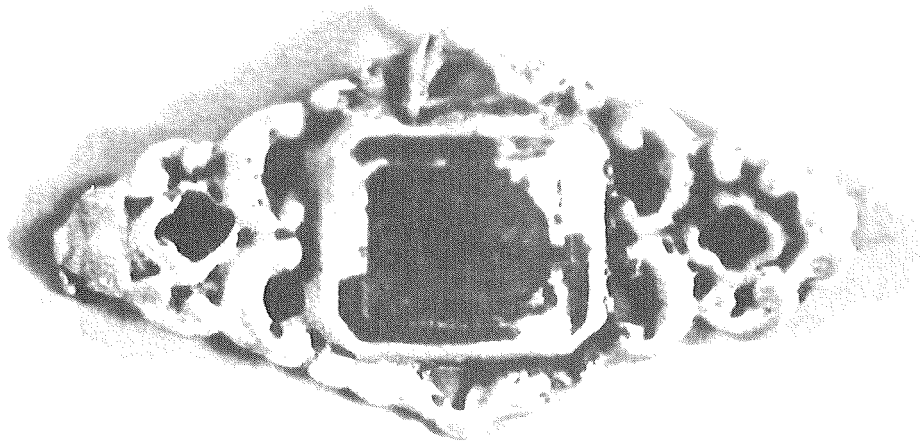

Fig. 8. A brooch: One of the personal ornaments in the Murphy's Cabin assemblage. *(Photo courtesy of author)*

from a base metal and then plated with tin or silver. According to Ahlborn, "the representation of Jesus, encircled by the inscription 'SWEET HEART OF JESUS HAVE MERCY ON US,' and of His Mother, encircled by 'BLESSED VIRGIN MARY PRAY FOR US' are typical in both gesture and sentiment of the mid-nineteenth century. These representations somewhat anticipate the popular sacred-heart themes, as they did not become official Catholic dogma until about 1875" (personal communication, 1985). Ahlborn also observes that both the position of the suspension loop in the same plane as the medal and the loose wire loop are typical of the nineteenth century.

Domestic Activities

Surprisingly few artifacts used for domestic activities are in the Murphy's Cabin assemblage, in contrast to what McGlashan apparently found at the Breen-Shallenberger Cabin. At the latter were found "numerous pieces of old porcelain and china-ware . . . readily distinguished by painted flowers, or unique designs enameled in red, blue, or purple colors upon the pure white ground-surface of the china-ware."[43] The Breen-Shallenberger Cabin assemblage also included pins, a sewing awl, a darning needle, and fragments of glass tumblers. Only a few pottery fragments were found at the Murphy's Cabin site: a handle from a green salt-glazed stoneware jug; a small piece of ironstone with a red transfer print design; and an undecorated ironstone cup handle. Several handle and bowl fragments from simple brass or copper spoons were recovered, along with what appears to be a crudely carved wooden spoon. McGlashan says that he collected a variety of other utensils from the Donner Lake camp site, without giving more specific locations,

Fig. 9. A Roman Catholic religious medal from the Murphy's Cabin site. (front view).

Back view of medal. *(Photos courtesy of author)*

including spoons, knives, and forks.[44] The only other domestic items in the Murphy's Cabin assemblage are glass fragments, most of which came from small colorless vials or a cobalt blue octagonal medicine bottle, and a small piece of a cast iron kettle.

Why so few domestic artifacts were found is probably best explained by the activities of relic hunters after the camp was abandoned. Another explanation, however, is possible. McGlashan does not mention many items of this kind coming from his excavation of the Graves cabin; he mentions only round-headed pins and a metal box once containing hemlock. What this suggests is some real differences in the artifacts brought by the occupants of the three cabins, perhaps reflecting personal ideas about the value of things such as dishes and kitchen utensils.

An Image in Bone

Three hundred six (306) identifiable bone and teeth fragments were recovered from the floor of the Murphy's Cabin site. Amy Dansie of the Nevada State Museum studied the collection and made the following preliminary observations (personal communication, 1985). The largest number of fragments come from the domestic cow (*Bos taurus*), probably oxen. Of these, the most common bone is the left astralagus, representing a minimum of three animals. Two saw-cut steaks are in the assemblage, along with a number of bovid teeth and metapodials. The largest and best preserved ox bone is a saw-butchered tibia shaft, a shank cut that was commonly used in the nineteenth century as a soup bone. Most of the metapodials have been impact-fractured, suggesting that these elements were used for marrow. Surprisingly, grizzly bear (*Ursus horribilus*) is the second most common animal. Foot bones, especially phalanges, are the most common body parts in the bear assemblage, all of which are charred white; two molar teeth were recovered as well. This archaeological discovery accords well with written accounts that mention an 800-pound grizzly bear killed by William Eddy, one of the Murphy's Cabin occupants.[45] And how often does one find evidence of a unique historical event in archaeology? Finally, at least one equid bone, probably a mule, was identified. The bone was fractured, suggesting that it was broken for marrow extraction and eaten by the Donner Party.

How the animal remains were used is a question of some interest. Some of the bones were found in the hearths and charred white, suggesting that they may have been used as fuel. Written accounts, however, suggest that the use of bones as fuel did not continue very long. The Donner Party apparently soon learned to eat bones directly by boiling or by slightly charring over the fire.[46] Whether the bones were softened by boiling for long periods of time and then eaten could not be confirmed archaeologically; no "warping" in any

of the bone fragments was observed, although that is an expected by-product of such treatment. They apparently did not, however, grind bones into meal, a practice often observed among the Great Basin Indians as a winter famine food.[47] Dansie's comparison of the Murphy's Cabin bone assemblage with that from the "kitchen midden" bones in the Dangberg Site, a historic Washoe winter village,[48] notes significant differences in the size of the fragments. Bone from the Washoe site is characteristically made up of quite small impact-fractured fragments, the result of bone mealing or crushing the bone in manos and metates. In contrast, the bone from Murphy's Cabin has many large fragments, suggesting that only marrow was extracted from most bones and that the bones were not used further. If the Donner Party had been more familiar with the efficient "famine technology" of the Washoe and other Great Basin Indians, they might have been much more successful in surviving the long winter of 1846-47.

Conclusions

Did the excavation of the Murphy's Cabin site achieve the four goals identified in the beginning of this essay? Without a doubt, the first goal of ascertaining whether or not this actually is the site of Murphy's Cabin has been reached. The presently marked location indeed is the correct one, for several reasons. First of all, the correspondence between written accounts of where the cabin was located and the archaeological remains of a large log cabin built next to a large granite boulder is too close to be explained in any other way. Second, the artifact assemblage and bone recovered from the cabin site are consistent with such an interpretation. The artifacts fall into a mid-nineteenth-century time range and are associated with the kind of activities that written accounts tell us were supposed to take place in the cabin. Certainly the human and grizzly bear remains at the site cannot be easily explained in any other way.

What about the second goal of architectural reconstruction? The archaeological image of Murphy's Cabin includes some architectural details that both add to and contradict documentary accounts. (1) First, the cabin appears to have been much larger than would be expected from the recollections of the survivors. Certainly, a cabin that is more than eighteen feet wide and twenty-five feet long is larger than the small shanty portrayed in the Thompson and West lithograph. But, of course, the cabin housed sixteen people. (2) Despite some documentary accounts that all of the Lake camp cabins were double, there is no evidence of interior walls at the Murphy's Cabin site. (3) The archaeological record shows that cribbing was used to secure the walls of the cabin to the boulder, an architectural detail that is not mentioned in documentary accounts. Comparative studies of contemporary cabin construction, however, suggests that cribbing was a common tech-

nique, and its presence in the Murphy's Cabin is not surprising. (4) None of the documentary accounts or architectural renderings of the doorway agrees with the archaeological image. The best archaeological evidence for a doorway is in the wall opposite the large rock. (5) Documentary evidence that the cabin did not have a fireplace but an open hearth placed next to the boulder is supported by the archaeological record. The archaeological image adds to this by including several different hearths along the boulder wall, probably built at different times. (6) The cabin was definitely burned. Nothing in the archaeological remains, however, answered the question of whether it was burned by General Kearny or by someone later.

The third goal was to add to our information of the people themselves, the behavior of the Murphy's Cabin household. That, too, has been achieved by the creation of an archaeological image that contradicts, confirms, and adds to written accounts of the tragedy. An important part of the image is diet. That oxen were eaten by the Murphy's Cabin household is clearly supported by the remains, adding to written accounts of the practice by the Breen household and other members of the Donner Party. But the archaeological record also says something about *how* the oxen were consumed. In addition to the preparation of hides for consumption in the "glue pots" mentioned in written accounts, the bones also were cracked open, probably for sucking out the marrow. Unlike the practice of some Great Basin Indians during starvation, however, the Murphy's Cabin household apparently did not take the next logical step and grind the bone fragments into meal. The project also provided direct archaeological confirmation of a unique historical event that contributed to the Donner Party diet: the killing of a grizzly bear, which was then consumed at the cabin.

Weapons and personal behavior also are included in the archaeological image of the Murphy's Cabin household. The group appears to have arrived at the Lake camp armed mostly with flintlock firearms, even though written accounts of the Donner Party mention the use of percussion cap weapons. Some information about personal adornment and dress was recovered from the archaeological record; the use of jewelry and religious medals is entirely consistent with the time period. And the smoking of tobacco, which is mentioned in written accounts, was verified by the project. The use of tobacco probably reflects not only the continuation of personal habits but also the narcotic effect of tobacco in suppressing the feeling of hunger. Finally, the household seems to have brought with them or at least used in the cabin very little cookware, in contrast to what appears to have taken place in the other cabins at the Lake camp.

What about the last question of a mass burial in the floor of Murphy's Cabin? Nothing was found by the archaeological project that would suggest a burial here, leading to a myriad of other questions. Did the burial actually take place? If it did, and is not at Murphy's Cabin, where is it? And who was

responsible—the Kearny expedition or someone else, such as Brannan or the Bigler Party or even later travellers? Without doubt, this, and many other of the most interesting questions about the Donner Party tragedy, still remain. And the Murphy's Cabin project has suggested that combining history and archaeology is the most effective way of answering them.

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The Tail of the Elephant: Indians in Emigrant Diaries, 1844-1862[1]

RICHARD O. CLEMMER

INTRODUCTION

THIS REPORT SEEKS TO DOCUMENT WESTERN SHOSHONE culture change and acculturation prior to 1870 using primary historical documents and, where appropriate, ethnographic and archaeological sources. Rather than using ethnohistorical sources selectively to bolster this or that ethnographic observation, an attempt has been made to review all sources systematically for data in these categories: impact of intruders on local resources; Shoshone subsistence strategies; size and location of groups; tool kits (including the horse as a mount or dray animal); chieftaincy and leadership; economic exchange; quality and kinds of interactions between natives and intruders; and organization for the accomplishment of tasks—especially military and subsistence tasks. Thus far, I have searched all trappers', explorers', and emigrants' accounts through 1845, and about 24% of the probable number of extant emigrant diaries from the years 1844-1862.[2]

The subject here is the Humboldt emigrant trail with its various branches, between Fort Hall Road and the Forty Mile Desert. Because Paiutes are also in part of this area, the data include them, although they are not the main focus. The Applegate (Lassen) Cutoff has been excluded because it has, to a large extent, been treated by Thomas Layton.[3]

The Humboldt River and its tributaries—the North Fork, South Fork, Bishops Creek, Susie Creek, Maggie Creek and Reese River drainages—can be anticipated as areas where resources might have been more abundant and dependable; where the possibility of sedentary—or perhaps transhumant—

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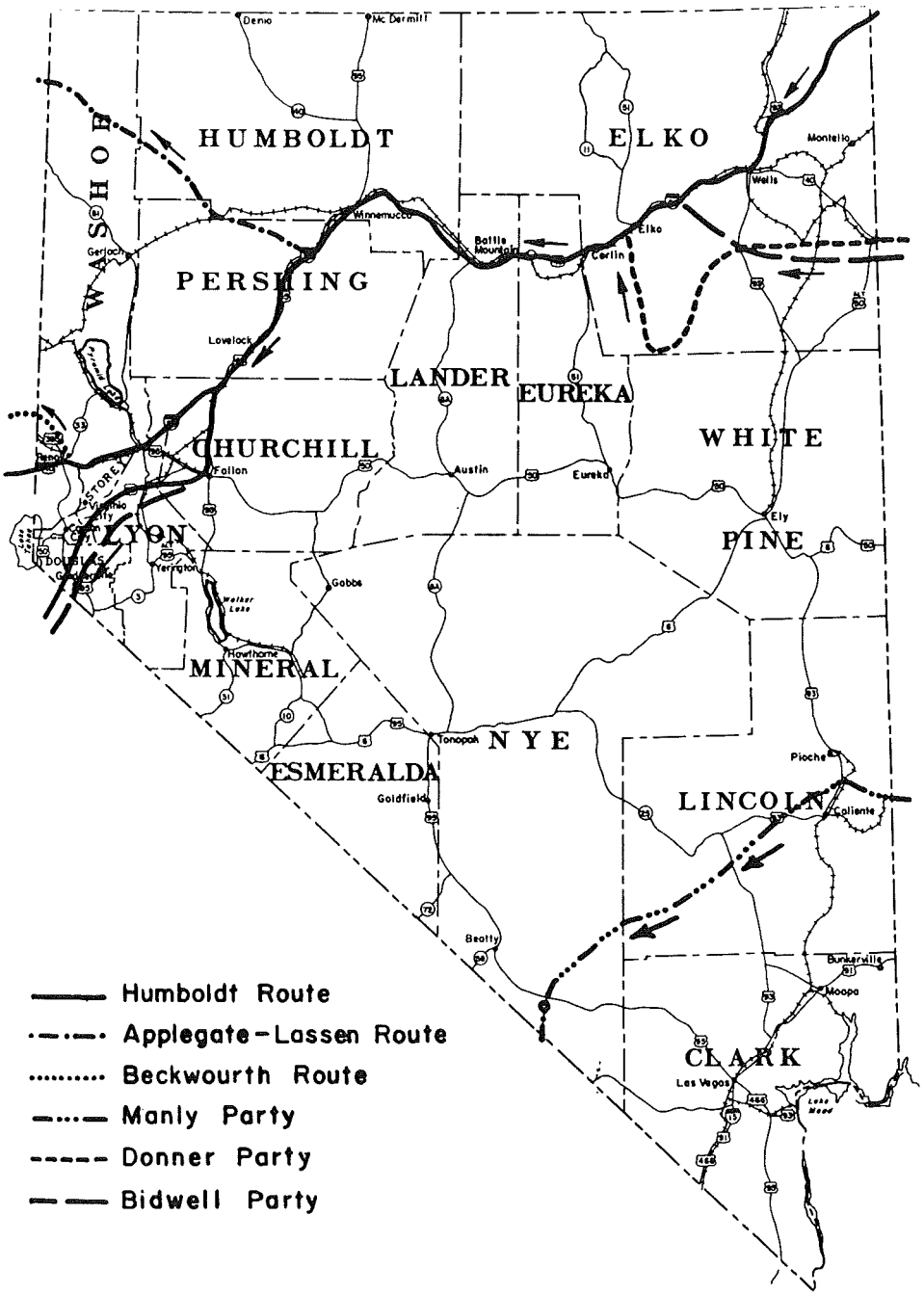

ROUTES OF EMIGRANT PARTIES

communities might have been greater; where cognatic kinship might have given way to cross-cousin marriages and some degrees of lineality;[4] where the formation of task groups might have been sufficiently important and have occurred often and regularly enough to result in development of chieftaincy as an institution more often than elsewhere in the Great Basin. These areas were those that were first exploited by trappers and then traversed by the emigrants. It could be anticipated, then, that these areas would also be the first to change, the first to deviate from the aboriginal pattern due to culture contact and subsequent acculturation. Yet, Julian Steward did not take into account the emigrant influence on Indian culture along the Humboldt in his reconstruction of pre-contact Western Shoshone life.[5]

The emigrants are a very important part of the complex equation of culture contact, subsistence resources, technology, and social organization that twenty years later would form the ethnographic picture of the Western Shoshone that ethnologists would claim either was, or was not, "aboriginal." The changes occasioned by nearly 200,000 people[6] tramping through the Humboldt River area with horses, mules, and cattle were not typical of the Basin area. These changes were those resulting from: (1) emigrants' further depletion (following trappers) of resources—especially faunal and piscatorial—regularly each season for fifteen years or more; (2) emigrants' introduction of horses, mules, and cattle as new subsistence resources, free for the picking, as well as for transportation; (3) emigrants' introduction of new technology such as iron, guns, metal cookware, and clothing, whether actually traded or merely abandoned; (4) emigrants' resulting in population decimation through introduction of disease and/or outright genocide; and (5) emigrants' imparting Euro-American customs through prolonged contact with Shoshones and Paiutes along the Humboldt.

What consequences would these processes have had for aboriginal Western Shoshone and Paiute culture along the Humboldt? Would alteration of the Humboldt's fragile ecosystem have resulted in devolution to a family level of socio-cultural integration? Would social organization have become fragmented and atomized?[7] Would territorially-based bands, then, have become a mere vestige of history, summoned only as a receding memory by John Wesley Powell's informants in 1872?[8] Or did they never exist?

Would the replacement of deer, fowl, fish, and other resources with emigrants' stock thus have necessitated formation of new leadership roles? Would different task groups need direction in activities developed to efficiently exploit the new resources that were predictably—if seasonally—available from the emigrant trains? Would leaders develop in response to the new and different risks occasioned by the appearance of these new resources? Would the availability of new economic resources have thus caused *development* of bands, rather than their disappearance?[9] The answers to these important evolutionary questions, if they are to be found anywhere at all, lie

in the emigrant diaries, since the diaries are the only body of data that remains unsearched.[10]

The Sources

The data reviewed here do not include those derived from the reports of explorers, military personnel, tourists, mail carriers, or trappers.[11] While these sources contain valuable information, they reflect qualitatively different experiences than do emigrants' diaries. Until 1862, when matters became irrevocably hostile,[12] military expeditions were most often neutral in terms of their relationships with Indians along the Humboldt, even though this was certainly not the case in other parts of the Great Basin and plateau.[13] Thus, data from the well-known reports of Remy and Brenchley, Richard Burton, James Simpson, and John C. Frémont[14] are not included here.

Emigrants must be treated quite separately as chroniclers of Indian life from other peripatetic Basin sojourners because their priorities were different. They had no professional interest in flora, fauna, or Indians. They came into the Great Basin only because it was an unavoidable stretch between their starting point and their destination; their major goal in the Basin was to leave it as quickly as possible. By the time they were halfway along the Humboldt, they were often running perilously low on supplies; usually exhausted and short of temper; and almost always resigned to sacrificing material goods and social decorum for the sake of expediency. One emigrant, perhaps in a bit of exaggeration, remarked:

> . . . The Indians in this quarter go without clothes, not from necessity, but choice. They might clothe themselves without expense, it they desired to do so, as garments of every kind strew the ground on each side of the way. The emigrants throw away their clothing, upon finding newer and better garments. . . .
>
> Facilities for the acquisition of knowledge, are becoming ample along these barren deserts. Lying by the wayside, are a great variety of books, which their owners have thrown away to lighten their loads. From this extended library, I frequently draw a volume, read and return it. . . .[15]

Even if we grant the above diarist some literary license, we must assume that the Humboldt Trail constituted a disagreeable gamut of endurance tests that strained emigrants' degrees of self-possession and sense of identity; by the time they reached it, they must have realized that they were not merely following along in the pioneer spirit, but rather, that they had unwittingly challenged themselves to a duel with unknown forces.

The Elephant

Freelance writer Peter Leschak wrote in the November, 1986 issue of the pop psychology magazine, *New Age*, that "the Elephant is about limits: the limits of endurance, of weather and climate, of time and distance, of ter-

rain."[16] Other usages are also recorded,[17] but the phrase seems to have gone out of use around 1900. Popularized during Gold Rush days in San Francisco, the phrase became part of the slang of California and the West[18] after its use in 1850 in a successful stage play.[19] A play produced in 1985 in Los Angeles, featuring scenes from the pioneer journals of emigrant women, has resurrected both the thespian and the emigrant definitions of the phrase.[20]

Historian Archer Butler Hulbert wrote a fictionalized "diary" of a young man on the "California Trail" in 1849 in which the young man encounters the phrase, "seeing the elephant" at the present site of Marysville, Kansas. In his fictional diary entry of May 13, Hulbert's pioneer mentions meeting people who had turned back, discouraged, because they had seen enough of the Elephant.[21] The editor of a diary that I reviewed, writing in a footnote in 1928, observed that the phrase was part of the demotic argot of pioneer life, but that it was not confined to the western U.S.: "Settlers in new countries," he wrote, "frequently referred to their hardships as 'seeing the elephant,' "[22] but I have found it used only once with reference specifically to the Humboldt. Diarist Leander Loomis, making his way through the thick alkali dust of the Humboldt Road, remarked that "this is getting a peep at the elliphant" and then, upon passing seventy-nine dead horses, mules and oxen in a 15-mile stretch of the Forty Mile Desert, he opined that this was "almost seeing the elephant."[23]

By the time emigrants reached the Humboldt, they had already seen much of the elephant. The greatest hardships, of course, lay ahead: crossing the Forty Mile Desert and then the Sierra Nevada. But it might well be inferred that Indians along the Humboldt constituted a greater part of the emigrants' "elephant" of hardship than in any other part of the journey. "The impression has long been current," noted the late historian, John Unruh, "that the threat of death was most severe on the Great Plains. . . . Yet an analysis of the geographic regions where nearly 400 overlanders were killed between 1840 and 1860 indicates that approximately 90 percent of all emigrant killings took place west of South Pass, principally along the Snake and Humboldt Rivers and on the Applegate (Lassen) Trail."[24] We would expect standoffs and battles, ambushes and heroic exploits in "escaping the Indians" and grappling with "the elephant."

Method

It is easy to see why, until now, emigrant diaries have remained an untapped source of data on the early contact period in the Great Basin. A pioneer's "overland diary," diligently secured from an obscure repository, may in fact chronicle a journey not along the Humboldt, but along the less commonly travelled southern route through Utah's Santa Clara Valley, leading into Owens Valley and Los Angeles, or on the Fort Hall Road leading to

TABLE I
Emigrant—Indian Contacts
Humboldt & Overland Trails
1846-1862

	1846-48	1849	1850	1851-54	1855-56	1857-58	1859-62	Totals
Estimates[1] of numbers of emigrants	2,350	25,000	44,000	83,000	9,500	10,000	26,000 (1859-1860)	199,950
Diaries searched	5	24/101	15	6	4	2	2	58/330
Total contacts recorded	28	53	97	11	21	4	4	218
Friendly contacts	19	20	17	6	7	—	1	70
Unfriendly contacts (includes stock theft)	14	36	81	4	14	4[2]	3	156
Stock thefts alone	2	9	38	2	2	3	9	65

[1] From John Unruh, *The Plains Across* 1979. Totals are for all routes and destinations of emigrants leaving Fort Laramie. The bulk went to California, but many went to Oregon. A few went to California via the Fort Hall Road and Applegate Cutoff; however, most went via the Humboldt.

[2] The Holloway narrative registers six killed in an ambush along the Humboldt, but I have not counted this incident here or in Table IV because Unruh (p. 197) makes a good case for this incident being linked to one on Goose Creek in which whites disguised themselves as Indians in attacking an emigrant caravan.

Oregon. On the other hand, a Humboldt Trail diary may turn out to be little more than a log of miles travelled and wagon repairs effected, yielding little if any relevant information.

From a total of 362 possible relevant diaries from the years 1841 through 1867[25] identified, ninety have been searched. Of these, only fifty-eight—covering only the years 1844-1862 (Table I)—proved relevant and useful. The present paper is thus based on data from approximately twenty-four percent of the probable universe. The year 1849 is reasonably well represented, with nearly half the diaries being from that year; however, I searched first those diaries which crossed my path first or those easily obtained. Therefore, some years are grossly underrepresented. No diaries from 1851 were searched; from the years 1852-54, in which the average rate of emigration was actually higher than in 1849, only six were searched. The year 1850, in which nearly twice the number of emigrants came across the California Trail as in 1849, is also underrepresented, with only sixteen diaries.

However, even a search of the total universe of diaries could not claim to achieve a representative summary of events involving emigrants and Indians. Diarists were a self-selected group and were an insignificant percentage of the totality of emigrants. They represent perhaps one-tenth of one percent of the 200,000 people who came over the Humboldt Trail. The diaries are

obviously not representative in any statistical sense, and the following generalizations may be subject to revision as more diaries are read.

The diaries themselves also have to be used with some caution. Diarists recorded observations and experiences unsystematically. A diarist might fail to mention any number of events and contacts that might have been important. Some events and contacts received more emphasis than others: "Depredations" and "hostilities" were more likely to be mentioned than the casual observation of an unthreatening Indian. Thus, unfriendly contacts are probably overreported and friendly ones underreported. Also, it is sometimes difficult to tell when several different diarists are describing the same incident. Many emigrants were not sure exactly where they were, and were unskilled at geographic description. Thus, establishing concordance among diaries for a single year is a difficult task.

I recorded a contact as "hostile" from the emigrant's point of view, i.e., if there was shooting or killing by either emigrants or Indians, or if emigrants observed Indians stealing stock or expressed suspicion that Indians were about to do so. In the rare instance of an Indian being captured and held for ransom against stolen stock or coerced into servitude, I also recorded the contact as "hostile." Friendly contacts were those involving face-to-face contact with either verbal exchange, exchange of trade items, or expressions of greetings in passing. "Neutral" contacts consisted either of distant sightings of Indians or Indian settlements by emigrants, and rare instances in which Indians were mentioned as being encountered with no accompanying exchange or indications of hostility. Losses of stock were not recorded as hostile contacts unless an animal was found wounded or dead or unless emigrants had actually sighted the theft. Otherwise, losses were recorded separately as "stock losses."

The Data

In the battery of endurance tests meted out by the California Trail between Independence and Sacramento, what role did the Shoshone and Paiute along the Humboldt play? (Let us turn to some of the indications given in Tables I-IV.) It is evident that encounters with small groups of Indians were far more frequent than encounters with large ones. Humboldt Meadows, where emigrant trains stopped to cut hay, rest, and take on water, was where the greatest concentration of emigrants were in any one season and the *least* frequented by Indians. Humboldt Meadows and Sink were less subject to actual skirmishes, despite the occurrence of a large-scale battle at the Sink between Indians and trappers in 1845.[26]

Despite the fewer number of diaries searched for 1850, the number of total contacts recorded is eighty-three percent higher than in 1849, even though the number of emigrants is only fifty-seven percent higher. Of those

TABLE II
Friendly Contacts: Kinds of Exchanges
By area: 1846-62

	Goose Crk/ 1000 Spgs/ Marys River North Fork Maggie Crk	Hastings Cutoff/ Pilot Pk/ Ruby Valley	Humboldt: between Marys R. & Battle Mtn.	Battle Mtn/ Stony Pt/ Gravelly Ford	Humboldt Meadows	Humboldt Sink
Verbal exchange only	2	6	1	—	2	1
Exchange of material items, services	4	4	12	3	5	2

TABLE III
General Contacts: Sizes of Indian Groups
1846-62

	Goose Crk/ 1000 Spgs/ Marys River North Fork Maggie Crk	Hastings Cutoff/ Pilot Pk/ Ruby Valley[1]	Humboldt: between Marys R. & Battle Mtn.	Battle Mtn/ Stony Pt/ Gravelly Ford	Humboldt Meadows	Humboldt Sink
1-10	29	10	53	17	6	10
11-50 gen'l	11	1	5	4	3	2
11-50 males only	1	1	2	5	2	—
50-100 gen'l	1	Bryant 1846 teeming w/ activity but few seen	3	2	1	1
more than 100	1	—	5	—	—	—

[1] Paucity of encounters is probably due to the fact that few emigrants came by this route.

contacts, eighty-two percent were "unfriendly" as opposed to about sixty-eight percent in 1849. This amounts to a 125 percent increase in unfriendly encounters between 1849 and 1850, and a rate of "unfriendly" contacts that is twenty-three percent higher than would be predicted on the basis of the 1849 data. The situation calls for some explanation, which will be addressed later. However, it should be noted that the highest ratio of unfriendly contacts to numbers of emigrants is in the 1846-48 period, not in 1850.

Large concentrations of Indians—fifty or more which one might designate "large villages"—do not occur consistently in any one area; however, large concentrations of 100 or more occur consistently in two areas: Ruby

TABLE IV
Unfriendly Contacts:
By area & nature of encounter
1846-62

Number of incidents	Goose Crk/ North Fork/ Marys R./ Bishops Cr/ Maggie Crk	Hastings Cutoff/ Pilot Pk/ Ruby (Franklin) Valley	Humboldt: between Marys R. & Battle Mtn.	Battle Mtn/ Gravelly Ford/Stony Point	Humboldt Meadows	Humboldt Sink
1-2 Indians killed, only	2	—	4	4	1	2
1-2 emigrants killed, only	6	—	8	8	—	1
2-10 Indians killed, only	—	—	6	1	—	—
2-10 emigrants killed, only	2	—	1	2	1	—
More than 10 Indians killed	—	—	—	1	—	—
More than 10 emigrants killed	—	—	—	1	—	—
More than 4 Indians & 4 emigrants killed	—	1	—	—	—	—

TABLE V
Number of Unfriendly Contacts:
By place and time period
1846-62

	Goose Crk/ North Fork Marys R. Bishops Cr. Maggie Crk.	Hastings Cutoff/ Pilot Pk/ Ruby (Franklin) Valley	Humboldt: between Marys R. & Battle Mtn.	Battle Mtn/ Gravelly Ford/ Stony Point	Humboldt Meadows	Humboldt Sink
1846-48	4	1	7	1	1	2
1849	6	1	25	—	—	2
1850	11	2	34	24	3	1
1851-54	2	—	—	1	—	—
1855-56	—	—	5	8	1	—
1857-58	2	—	2	—	—	—
1859-62	1	—	—	2	—	—
Total unfriendly contacts area[1]	26	4	73	36	5	5

[1] Totals do not correspond to those in Table I because some contacts were impossible to provenience.

Valley and along the Humboldt between North Fork and Stony Point. The Gravelly Ford-Battle Mountain area—more or less the dividing line between Shoshones and Paiutes—appears to be the scene of the most severe and large-scale altercations. Virtually all of these altercations occurred *after* 1849, and by 1855-56, the Gravelly Ford area became a very dangerous place for emigrants indeed, accounting for sixty percent of the unfriendly contacts. Finally, the number of stock thefts—in which Indians succeeded in driving away cattle, horses, mules, or oxen—increases dramatically in 1850, more than four hundred percent, thus constituting a much higher proportion of "unfriendly" contacts than in 1849 (Table V).

What inferences do these indications permit? It should be evident that in the gamut of hardships, Indians by no means posed the greatest hazard faced by emigrants along the Humboldt. Unfriendly contacts do outnumber friendly ones, but there is no year in which some friendly contacts do not occur. Some emigrant trains passed through with no unfriendly encounters, and the bulk of the trains that had unpleasant experiences suffered mostly loss of livestock. Out of 156 recorded contacts that fall into the "unfriendly" category, only eight constituted skirmishes or "battles" in which more than two emigrants were killed.

Stock thefts were almost inconsequential compared to losses from exhaustion, dehydration, and alkali poisoning experienced in crossing the Forty Mile Desert between the Humboldt and Carson Sinks, or between the Humboldt and the Sierra Nevada passes. In 1849, diarists mentioned such things as: 160 dead horses and cattle counted on one stretch;[27] dead stock eight to ten deep in piles for a fifteen-mile stretch;[28] 350 dead horses;[29] 280 dead oxen; 120 dead mules and 362 abandoned wagons.[30] J. Goldsborough Bruff catalogued eighty-seven dead and dying animals between the Goose Creek Mountains and the Forty Mile Desert in 1849, as well as a staggering 463 dead oxen and nine dead horses and mules on the desert itself.[31] In 1850, diarists again mentioned hundreds of animals dead from exhaustion, exposure, and starvation. One individual counted 100 carcasses;[32] another counted 100 dead stock in a fifty-mile stretch;[33] another described the desert as strewn with dead horses and oxen.[34] One secondary source estimated from 1849 alone, 3,000 abandoned wagons and $3 million in abandoned property,[35] almost none of it lost as a result of "Indian hostilities."

Disease also played a life-threatening role. In 1850, one chronicler insisted that he had counted 1,500 graves between Salt Lake City and Sacramento, virtually all of them filled with victims of cholera, not of Indian hostilities.[36] It is clear that environmental hardships—not hostile encounters with Indians—were the bulk of "the elephant" for emigrants on the Humboldt. Indians were, if anything, perhaps the "tail" of the elephant.

Although many diaries contain racist and ethnocentric comments about the "lowliness" of the "Digger race" along the Humboldt, there are few records of

emigrants wantonly shooting every Indian in sight. Emigrants were on the trail for only one purpose: to get off it as quickly as possible. They had no interest in hunting Indians or pursuing a war of genocide. In fact, there are several cases of emigrants intervening on behalf of Indians who were captured by irate companies bent on punishing some real or imagined infraction, or convinced that by torturing one Indian they could effect the release of stolen stock.[37]

Emigrants occasionally took Indians along as guides, but the Indians rarely stayed with a train for long. The men of one train in 1853 persuaded a Shoshone to accompany them as guide, but took some undue liberties in subjecting the man to a tobacco bath, shampoo and haircut. Following this ordeal, "Mr. Indian was rather dumpish," wrote diarist Lucy Rutledge Cooke. Afterward the guide promptly departed, taking one of the emigrant's guns along with him.[38] However, there are numerous cases of Indians politely appearing on the fringes of emigrants' camps and either remaining as silent observers or being invited to have supper. Likewise, a number of instances record Indians' willingness to give or trade food items to emigrants. Diarists who recorded stock thefts or suspicious local Indians also recorded a couple of friendly or at least neutral contacts.

If friendly contacts involved exchanges, they were usually minimal: some bread or dried buffalo meat from the emigrants, some fish or venison from the Indians. Virtually no weapons were traded with the exception of pocket knives, although occasionally Indians asked for powder or shot. Trades of fishhooks and horses were recorded with both Indians and emigrants being the source of each on different occasions. There was little general horse trading. A Shoshone who struck up a friendship with German emigrant Heinrich Leinhard in 1846 proffered Lienhard some "roots" (probably *Carum gairdneri*, yampa, or possibly *Valeriana edulis*, bitterroot),[39] which he ate with great gusto and appreciation. The roots gave him raging diarrhea, and his subsequent description of their effect to his new Shoshone friend provided the Shoshone with great entertainment. Lienhard took the incident in good humor.[40]

There are accounts of Indians taking wood from abandoned wagons presumably for firewood, but one diarist insisted that Indians left the iron behind.[41] Shoshones appeared on Goose Creek as early as 1846 with arrows tipped with iron and glass. Although diarist Alonzo Delano recorded one instance of a stone-tipped arrow used at the western end of the Applegate Cutoff in 1849 near California's Suprise Valley, only one specific mention of a stone-tipped arrow being used was found in the fifty-eight diaries searched. This notation by J. Goldsborough Bruff in 1849 was related to points on arrows which a Shoshone gave to some men in Bruff's company with whom the Shoshone dined one evening at a camp between Goose Creek and the Humboldt. Six weeks later at the end of the Applegate Cutoff, Bruff exam-

ined a small obsidian arrow tip removed from the back of a man wounded in a skirmish three weeks earlier between emigrants and a predatory band living near or in Warner Valley. Although the identity of the band is uncertain, Layton speculates they might have been Sierra Miwoks. Bruff noted in passing that most of the arrows recovered from the "Warner Valley ambush" were actually iron-pointed.[42]

Layton calls this information "suprising"[43] but based on the meager information on points from my diary search, I would say that by 1849 iron points were the norm rather than the exception. It is tempting to assume that the iron points came directly from the iron of abandoned wagons; however, it is more likely that the points were trade items since there is no mention of forging capabilities on the part of Humboldt Indians by any diarists, nor is there any indication of such capabilities in archaeological sites. Because it was so highly tempered, wagon iron would have been difficult to beat into points. Arrows continue to be the most common weapon mentioned in the diaries through the early 1850s, when guns become almost universal.

Verbal exchanges were greetings, universally consisting of a handshake and a "how-de-do" on all sides. No emigrants, except Remy and Brenchley who were eastern-bound tourists in 1855 rather than true emigrants, seem to have learned any Shoshone or Paiute words.[44] Indians appeared to have learned only what they heard from teamsters: strings of oaths including the phrases "whoa-haw" and "goddam." The story that Indians along the Humboldt mistook "whoa-haw" as a label for emigrants and "goddam" as that for their mules is probably familiar to most readers.[45] Few Indians spoke English fluently, but there were exceptions among Indians encountered at Humboldt Sink; a few had been to California[46] and still others apparently situated themselves there in order to earn money or in-kind payment for rendering services such as guiding, hay-cutting and ferrying. There is no definite indication of when this pattern began, but it is generally believed to have occurred around the late 1850s. The Sink was probably both an attraction for, and a social field in which acculturated Indians first became involved in the intrusive cash economy: Acculturation did in fact proceed. The Sink's role as a social field is likely responsible for some early differential acculturation between Paiutes and Shoshones. Geiger and Bryarly in 1849 ostensibly met three "Eutaw" Indians at the Sink returning from California,[47] but they could have been mistaken about their exact ethnic identity.

By far the greatest number of friendly encounters involve Indians definitely identified as Shoshones. The identities of Indians in unfriendly encounters is uncertain. Interestingly, despite the fact that "Shoshone" or "Shoshoko" is not a Numic word, from 1846 on the few Indians who did identify themselves in verbal exchanges uniformly used the term "Shoshone," rather than "Numa," meaning "person."[48]

A few instances were found of exchanges of material items, such as

weapons, ammunition, clothing, foods or even horses. In addition, little consistent reliable information on the quality of interaction among emigrants and Indians was found. Aside from rare exceptions, such as Lienhard, virtually none of the emigrants took any interest in Indians as persons. Hence, interactions tended to be superficial and business-like, if not hostile. A social field of interaction between Indians and emigrants did not exist, except perhaps—as already mentioned—at the Sink. At the same time, emigrants did not employ a monolithic ideological model in dealing with Indians; they entertained suspicions, but despite the rhetoric that surfaces in a few communications, emigrants did not assume a hostile posture automatically when Indians came into view. Indians for their part, *did* seem to employ a consistent strategy with regard to the emigrants; it was definitely *not* aimed at keeping emigrants out or driving them away.

The Impact of Horses: A Post-1849 Phenomenon

Documentation of the precise period in which Nevada Indians along the Humboldt acquired horses may not be available. Only a few diarists clearly distinguished mounted from unmounted Indians, and it is impossible to make inferences from the meager contexts provided. Failure to mention mounted Indians does not necessarily mean they were actually on foot. Mounted Indians appear to be rare before 1840 and commonplace after 1854. Therefore, Layton's conclusion cannot be sustained that by 1849, Indians along the Humboldt were using the horse for "portage" rather than "pottage."[49]

In fact, data seem to reflect an opposite conclusion: that there was a significant increase in Indians' use of horses as mounts *only after* 1849, *not prior to* 1849. At this point, I have too few diaries from years after 1851 to make any definite statement about a quantitative change in number of stock—horses as well as cattle—stolen in any single event, between 1849 and the years after 1850. It is possible that the difference between Layton's conclusions and mine reflects a difference in sources more than anything else. Layton read only diaries of emigrants who followed the Humboldt River and then veered slightly north near present-day Imlay onto the Applegate Cutoff. Thus, it is possible that his sample is randomly skewed. His sample is also small: seventeen compared to my fifty-eight, including *only* diaries from 1846-49. It is preferable, however, to look at the differences in task group size and leadership patterns that a particular poaching strategy might reflect, rather than the specific use of horses since it is not possible to determine that stolen horses were not eaten as often as crippled horses were killed.

It is logical to assume that the successful theft of a couple of dozen head of horses at one time would reflect both a level of socio-political organization and an intended use for the horses that could serve as indicators of a

predatory or a territorial band. It is axiomatic that horses provide great mobility, and it is well known that use of horses by Plains groups resulted in overlapping territories and strategic advantages for war parties that had them. Once known, they came to be sought, especially if their use maximized a group's ability to retreat from an area depleted of ecological resources to an area that was still productive. If horses could increase a group's flexibility in taking advantage of a new resource—such as beef on the hoof—it is likely that they would be sought even more. It is believed that one particular incident in late summer, 1850, reflects both the sudden increase in valuation of horses *after* 1849 as sources of transportation, and also the reasons for an escalation in hostile contacts during 1850 and thereafter. This incident is the "Battle of Battle Mountain."

The Battle of Battle Mountain: A Qualitative Shift

Details on the "battle" are rather skimpy; however, there is enough concordance among sources to permit verification of the skeletal facts. In the 1872 edition of *Trans-Continental Tourist's Guide,* George Crofutt gives this statement under the entry "Battle Mountain:"

> . . . It is so called from an Indian fight, which took place in this part of the country some years ago, but not on this mountain of which we are speaking.[50]

In his 1882 edition, Crofutt had an expanded account of the battle, saying it occurred between "the Whites and the Indians—settlers and emigrants, thirty years ago—which gave the general name of Battle Mountain to those ranges. A party of marauding Shoshone Indians had stolen a lot of stock from the emigrants and settlers, who banded together and gave chase." According to this version, the whites recovered all their stock and defeated the Indians in a long and pitched battle. "How many Indians emigrated to the Happy Hunting Grounds of the spirits no one knew," says Crofutt, "but from this time forward the power of the tribe was broken."[51]

In 1913, Sam P. Davis, a local Nevada historian, compiled a *History of Nevada* which consisted of anecdotal information gathered from interviews with settlers and pioneers. One of these was a "Capt. Robert Lyon." There is no evidence of a diary, therefore it is assumed that Lyon's communication to Davis was entirely oral. Lyon was among a wagon train from Joliet, Illinois, that travelled the Humboldt in 1850 and experienced an unsuccessful attempt by Indians to stampede its horses near Gravelly Ford. Later in the season, Lyon heard about another train "served in the same way" that, with the assistance from others under a man named Warner, pursued the Shoshone raiders, surprised them, killed about thirty, and recovered the stock.[52] Leander Loomis, who passed that point on the Trail on July 16, 1850

encountered "packers" who told him that after turning their horses out to graze, a large train had had twenty of them taken "by the Indians, and run off among the mountains." Men from the train tracked the animals about ten miles to the "Indian town," but the Indians were too numerous for them, and so they returned to camp.

The train then assembled a well-armed body of 100 mounted men, who "intended to go out and demand the horses, and if they would deliver up, well and good, but if not they would kill every Indian in the Town." Loomis never heard the results of this expedition, but Edgar Ledyard, compiler and editor of Loomis' diary,[53] speculates that the result was the "battle" mentioned by Crofutt. In *Wake of the Prairie Schooners,* Irene Paden suggests that the Indians in the "Battle of Battle Mountain" were Ute,[54] but there is no independent evidence to support this suggestion.

Aside from the large-scale battle with trappers farther downstream in 1845,[55] this incident is the only large-scale encounter recorded during the earliest years of the emigrant intrusion, and the only one involving large numbers of horses taken at one time. Certainly the fact that the Indians chose to drive off horses rather than cattle reflects a qualitative change in strategy: Cattle can only be eaten, but horses can be either eaten or ridden. Layton is probably correct in concluding that the stealing of a large number of horses reflects riding rather than eating. The question arising from this incident, however, is this: Why did the Indians take the risk of taking off a resource—a much more valuable one to both emigrants and Indians than cattle—in much larger quantity than they had before?

Toward Explanation: Emigrants' Poaching of Indians' Resources

Indians appear to have developed an effective strategy for procuring and processing meat-on-the-hoof without in any way depleting the source. By far, until 1850, the largest number of incidents involved a few individuals waylaying a stray animal, or shooting an arrow into the calf of another, making the animal limp and unable to keep up with the train. Frequently this was done at night. But there is evidence that another strategy—perhaps operating in tandem or independently of this one—was also pursued. This strategy involvd a group effort in which stock was taken to a central collection and processing point. It is described by diarist Elisha Perkins who heard about the following incident second-hand in 1849:

> Diggers had carried off 22 head of cattle from another emigrant train. Some of the men . . . followed the trail some 30 miles, clear up among the snow and finally found their oxen, some killed, some hamstrung, and the rest jumped off of a high bank into a kind of pen from which it was impossible to get them out without ropes and pullies,

while the naked rascals who put them there could be seen dancing upon the rocks and hill tops and making all kinds of jeering gestures, but taking care to keep out of rifle shot. The party returned without recovering one of the cattle.[56]

The context of Perkins' diary places this incident in the Rubys rather than the Battle Mountain range, but there may be some continuity between this incident and the one involving thirty horses a season later. The Shoshones who drove off the cattle were apparently unmounted, but they were well organized enough to carry out this coup quite successfully. They may have been analogous to a collective hunting group acquiring resources for a larger settlement back home.

The event was obviously well planned and well orchestrated. The destination was preselected for its strategic location, and was prepared ahead of time. Processing proceeded efficiently and quickly because others were already on hand. Were most stock thefts equally well orchestrated? Was there an elaborate system of monitoring, selection, theft, and processing of emigrant stock by groups all along the Humboldt that were already organized into bands with well-defined leadership who directed specialized task groups? Or were these incidents reflective only of the ad-hoc subsistence activities organized by temporarily-designated "antelope shamans" and "rabbit bosses" reported by Steward?[57] Do we see here the adumbration of predatory bands that would shortly turn the horse from pottage to portage? Most important, does this incident reflect a qualitative shift in Indians' relationship to emigrants' stock and if so, what could have caused such a shift?

There is good evidence that this strategy was developed in response to severe depletion of Indians' indigenous food supply by the emigrants. The large number of stock thefts reflects a subsistence fact about the Humboldt: Poaching was a subsistence strategy. But it was not the Indians that started the poaching. Mary Rusco has suggested that Ogden's fur-trapping expedition on the Humboldt in 1829 may have changed some micro-habitats forever, and all but eliminated some species such as beaver.[58] Since subsequent trapping expeditions (Hamilton, Bonneville-Walker, Fitzpatrick)[59] lived partially off the land, it is not unlikely that the ecological balance along the Humboldt and its tributaries continued to be upset. By 1846, Lienhard remarked that "the Humboldt River area proved to be poor in game. Only seldom did we see an antelope and nothing at all of other game . . . We wondered how the Shoshonee made a living. . . . In the occasional pools of water along the river there was seldom a fish to be found. Even grasshoppers seemed to be scarce, although it was said that this was one of the Shoshonis' chief sources of food."[60]

In contrast to Lienhard's dire musing is Elisha Perkins' experience three years later. He averred that "antelope, black-tailed deer, wild geese, ducks sage hens and prairie dogs can generally be found frying or boiling at the

camp fires of most any ox train and many a good mess I've been treated to at their boards."[61]

The year 1849 was, however, a bumper year. Another emigrant party harvested a peck of fat, fresh-water mussels from Goose Creek.[62] Another feasted on sage hens along the Humboldt for a week.[63] Twenty-four people lived on nothing but sage hens for two weeks. One party of eighty-two men went rabbit-hunting one day, and "almost everybody came in at noon with one." In another foray, the same company again came back "laden with rabbits."[64] Another company totted up 121 sage hens for their tucker bags.[65] Alonzo Delano reported cranes "very numerous" on the Humboldt and of course they "killed several."[66] Deer and antelope were bagged at the rate of two, five, or several. One chronicler reported that they "literally slay small game,[67] and several diaries extol the "fine lots" of duck, frogs, chubfish, and trout along the Humboldt. The year 1850 was not such a fine year, apparently, but there are still reports of killing sage hens and antelope[68] and "kept up a plentiful supply of game" and of fish "abundant"[69] and "innumerable,"[70] and "hunt and fish as much as ever."[71]

Thus during 1849, and continuing to some extent into 1850, emigrants blithely poached away a considerable amount—perhaps most—of the resources that would have been available to Humboldt River Shoshones and Paiutes. One must ask, if the emigrants were harvesting game in such abundance, in what would seem to be unusually bumper circumstances, what was left for the Indians? Answer: beef and horsemeat on the hoof. Lienhard was the recipient of gifts of roots and grasshoppers in 1846 from Shoshones who appeared self-confident and independent. In contrast, a common—although by no means pervasive—characteristic of Indian-emigrant interaction in 1849 and 1850 was begging on the part of Indians. For example, on the sage desert between Goose Creek and the Humboldt River, one party was host to seventeen Shoshones who came into their camp in 1849 by twos and threes:

> They were absolutely naked, poor, and hungry. Their faces were pinched and careworn, while the most abject misery seemed stamped on every feature. . . . They ate everything that afforded nourishment—roots, seeds, snakes, insects. . . . We shared our supper with them. They devoured their food with the voracity of famished wolves.[72]

In 1850, the situation worsened; by September, there were no resources for anyone, emigrant or Indian. Californians organized relief efforts, but even as late as September 12, relief officials estimated that 15,000 emigrants were still on the trail, on foot, destitute, and living off the putrefying flesh of animals rotting along the way.[73] Therefore, it is not unreasonable to suggest depletion of food resources as the reason for escalation of unfriendly encounters in 1850 and thereafter.[74]

Conclusions and Some Further Questions

Emigrants brought profound changes in Indians' adaptive strategies along the Humboldt. Culture change was in full swing by the 1850s, and emigrants were an important component in it. By 1846 the Humboldt drainage had already been diminished as a food area for Indians; by 1849 it had become a sluiceway for the flood of emigrants. There seems to be a positive correlation between the number of unfriendly contacts between emigrants and Indians, and availability of resources. When resources are good, there are fewer unfriendly contacts; when resources are scarce, there are more unfriendly contacts. The year 1846 does not seem to have been a good year for resources, if Lienhard was correct in his observations and assessments, and unfriendly contacts were high; in contrast, 1849 was a good year, and the rate of unfriendly contacts is lower. Thomas Layton's observation that "the statistics on horse stealing and horse shooting confirm that by 1846-49 Indians resident along the Humboldt River were actively stealing horses for their transportation value"[75] is not refuted by the data presented above, but it is certainly not confirmed either.

Depletion of resources, availability of horses, and use of either indigenous sociopolitical leadership or intrusion of mounted bands from elsewhere all seemed to be correlated with a qualitative shift in emigrant-Indian interaction in 1850 along the Humboldt. Mounted bands seemed to appear for the first time in 1850, and unfriendly contacts escalated. But even then, contacts between Indians and emigrants continued to conform to the patterns established in earlier years: some friendly encounters; some unfriendly encounters; some poaching by Indians; some poaching by emigrants; some mutual assistance; some mutual hostility. At no time is there any "state of siege" between Indians and emigrants, and at no time are "Indian hostilities" accorded the status of other hardships such as environmental obstacles and disease in diary records.

I see no evidence that Indians were ever committed to preventing the emigrations. In fact, emigrants were used and perhaps depended upon increasingly and irrevocably after 1850. Hostilities increased when emigration waned. Only when actual homesteading and settlement began, along with mining, are full-scale, pitched battles between mounted Indians and whites commonplace. Thus, although the emigrants were responsible for depleting Indians' resources, they also brought with them new resources which occasioned the rapid evolution of a new and temporarily adaptive strategy on the part of Indians. This strategy—that of poaching animals in emigrant trains—became unviable only when mining and homesteading crowded Indians out of their homelands, and totally disrupted the ecological balance over large areas.

In contrast, the emigrations affected only a narrow band of well-defined

territory not more than thirty to forty miles wide along the South Fork, North Fork, Goose Creek, Marys, Maggie, Susie, Bishops and Humboldt drainages. Where emigration was a factor, the consequences to Indians were devastating. But even then, the casualty rate from Indian hostilities did not constitute a major hardship to emigrants. Mail carriers, for example, sustained a much higher casualty rate over the years—perhaps higher than two percent;[76] emigrants' casualty rates never even approached one percent.

The answers to some questions remain elusive. First, there is the question of intrusions of other sociopolitical and cultural groups;[77] Bannocks, Northwestern Shoshones, and Utes have all been reported in the western Great Basin prior to 1860. Second, there is the question of how many Shoshone and Paiute groups could have remained outside the sphere of influence created by the interaction of emigrants and Indians along the Humboldt. Third, where were these groups located, and why would they not have been influenced through the contact occasioned by the season festivals and nomadic settlement patterns described by Steward in his (1938) *Basin-Plateau Aboriginal Sociopolitical Groups*? And most important, with emigrants along the Humboldt, and mail carriers coming through Nevada as early as 1852, was a truly aboriginal subsistence strategy still in operation in the 1850s? At this point there are no definite answers to these questions. However, additional research with the corpus of diaries may yield more conclusive inferences concerning aboriginal settlement patterns and sociopolitical groups, and changes in those patterns in the early contact period.

NOTES

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[2] Results from the larger project will appear in a forthcoming book on Western Shoshone ethnohistory.

[3] Thomas N. Layton, "From Pottage to Portage: A Perspective on Aboriginal Horse Use in the Northern Great Basin Prior to 1850," *Nevada Historical Society Quarterly* 21 (Winter 1978): 243-257.

[4] Steward documented this pattern for Owens Valley and the Reese River area. See Julian H, Steward, *Ethnography of the Owens Valley Paiute*, University of California Publications in American Archaeology and Ethnology, Vol. 33 (1933), 304-305; Julian H. Steward, *Basin-Plateau Aboriginal Sociopolitical Groups*, Smithsonian Institution, Bureau of American Ethnology Bulletin 120 (1938), 100-110; and Fred Eggan, "Shoshone Kinship Structures and Their Significance for Anthropological Theory," *Journal of the Steward Anthropological Society*, 11:2 (1980): 165-193.

[5] Steward, *Basin-Plateau*, 120: 6; Julian H. Steward, *Culture Element Distributions: 13 Nevada Shoshoni*, Anthropological Records 4:2 (Berkeley and Los Angeles: University of California Press, 1941), 210.

[6] John Unruh, *The Plains Across* (Urbana: University of Illinois Press, 1979), 120.

[7] The debate over bands and its concomitant issues are summarized nicely by Don Fowler in "Great Basin Social Organization" in *The Current Status of Anthropological Research in the Great Basin, 1964*, edited by Warren d'Azevedo, Wilbur A. Davis, Don D. Fowler and Wayne Suttles, Social Sciences and

Humanities Publications No. 1 (Reno: Desert Research Institute, 1966), 57-73. The arena for the debate was the hearings of the Indian Claims Commissions in the 1950s, but it can be followed chronologically in print through Omer C. Stewart, *Culture Element Distributions 18, Ute-Southern Paiute,* Anthropological Records 6:4 (Berkeley and Los Angeles: University of California Press, 1942), 235-236; Elman Service, *Primitive Social Organization* (New York: Random House 1962), 94-99; Omer C. Stewart, "Tribal Distributions and Boundaries in the Great Basin," *The Current Status of Anthropological Research in the Great Basin,* edited by Warren L. d'Azevedo, Wilbur A. Davis, Don D. Fowler and Wayne Suttles, Desert Research Institute Social Sciences and Humanities Publications No. 1 (Reno: Desert Research Institute, 1966), 167-170; Julian H. Steward, "Review of the Current Status of Anthropological Research in the Great Basin, 1964," *American Antiquity* 33:2 (1965), 264-267, and "The Foundations of Basin-Plateau Shoshonean Society" in *Languages and Cultures of Western North America,* ed. by Earl H. Swanson (Caldwell Id: Caxton Printers, 1970), 113-151; and Omer C. Stewart, "Temoke Band of Shoshone and the Oasis Concept," *Nevada Historical Society Quarterly* 23:4 (1980), 246-251.

[8] John W. Powell and G.W. Ingalls, *Report on Conditions of Numic Speaking Indians of the Great Basin* (1874) in Don D. and Catherine S. Fowler, eds., *Anthropology of the Numa: John Wesley Powell's Manuscripts on the Numic Peoples of Western North America, 1868-1880* (City of Washington: Smithsonian Institution, 1971), 97-119.

[9] This latter scenario was proposed by Steward in *Basin-Plateau Aboriginal Sociopolitical Groups,* 149-150, 248-253. Powell and Ingall, *Report on Conditions,* took an opposite view, as does Elman Service, *Primitive,* calling Steward's scenario for Shoshone socio-political organization "anomalous." David Hurst Thomas posed these questions in *Predicting the Past* (New York: Holt, Rinehart and Winston, 1974), 35, but by 1983 was satisfied that they had been answered by analysis of archaeological data.

[10] Catherine S. Fowler, "Settlement Patterns and Subsistence Systems in the Great Basin: The Ethnographic Record," *Paper No. 2* (Washington, D.C.: Society for American Archaeology, 1983), 122.

[11] The last record I have found of a trapping expedition on the Humboldt is late February, 1845. William T. Hamilton, *My Sixty Years on the Plains: Trapping, Trading, and Indian Fighting* (Columbus, Ohio: Long's College Book Co., 1905), 166-174.

[12] Brigham D. Madsen, *The Shoshoni Frontier and the Bear River Massacre* (Salt Lake City: University of Utah Press, 1985), 145-169. Also see p. 90 regarding troops on the Humboldt in 1858.

[13] The Fremont and Kearny expeditions of 1845 and 1846 saw no combat in the Great Basin. Army supply trains going to Oregon from California often came over the Sierra at Donner Pass, then headed north to the Fort Hall Road. Throughout the 1850s, there were no engagements on the Humboldt.

[14] Jules Remy and Julius Brenchley, *A Journey to the Great Salt Lake* (London: W. Jeffs, 1861); Richard F. Burton, *The City of the Saints* (New York: Harper and Brothers, 1862); J.H. Simpson, *Report of Explorations Across the Great Basin . . . in 1859* (Washington, D.C.: Government Printing Office, 1876), was never on the Humboldt *per se,* but did encounter its southern tributaries; John C. Fremont, *Narratives of Exploration and Adventure,* edited by Allan Nevins (New York: Longmans, Green & Co., 1956).

[15] Franklin Langworthy, *Scenery of the Plains, Mountains and Mines* (Ogdensburgh: J.C. Sprague, 1855), 119.

[16] Peter Leschak, "Seeing the Elephant," *New Age Journal* (November 1985): 22. I am grateful to Katherine M.B. Osburn for this reference.

[17] J. Rea, "Seeing the Elephant," *Western Folklore* 28 (1969): 22-23.

[18] Archer Butler Hulbert, *Forty Niners: The Chronicle of the California Trail* (Boston: Little, Brown & Company, 1931), 41; J. Goldsborough Bruff, *Gold Rush,* edited by Georgia Willis Read and Ruth Gaines (New York: Columbia University Press), 533-545.

[19] Rea, *Seeing,* 22.

[20] Karen Hensel, et al., *Going to See the Elephant* (New York: Dramatists Play Service, 1983). Produced in Los Angeles in 1985. I am grateful to Nancy Peterson Walter for this reference.

[21] Hulbert, *Forty Niners.*

[22] Edgar Ledyard, ftnt #2 on p. 95 of Leander V. Loomis, *A Journal of the Birmingham Emigrating Company* (Salt Lake City: Legal Printing Company, 1928). Shirley Sargent titled James Mason Hutchings' diary, which she edited, *Seeking the Elephant* (Glendale: Arthur C. Clark, 1980).

[23] Loomis, *Journal of Birmingham,* 95, 104.

[24] Unruh, *Plains,* 185.

[25] Many more were initially identified, but I was able to eliminate many from the list as irrelevant on the basis of superficial indicators.

[26] G.W. Thissell, *Crossing the Plains in '49* (Oakland: G.W. Thissell, 1901), 133-135.

[27] Charles Glass Gray, *Off at Sunrise* (San Marino: Huntington Library 1976), 84.

[28] G.W. Thissell, *Crossing the Plains in '49* (Oakland: G.W. Thissell, 1901), 133-135.

[29] James Abbey, *A Trip Across the Plains* (New Albany, Indiana 1850).

[30] Ibid.

[31] J. Goldsborough Bruff, *Gold Rush*, 121-154.

[32] Lucena Parsons, "Journal, 1850" in *Covered Wagon Women*, Kenneth Holmes, editor (Glendale: Arthur C. Clark Co., 1983), 288.

[33] Eleazar Stillman Ingalls, *Journal of A Trip to California by the Overland Route Across the Plains in 1850-51* (Fairfield, Washington: Ye Galleon Press, 1979), 59.

[34] James Dutton, "Journal and Letters: Across the Plains in 1850," *Annals of Iowa* 9 (3rd Series): 472.

[35] Irene Paden, in ftnt #166 of Madison Berryman Moorman, *Journal of 1850-51* (San Francisco: California Historical Society, 1948), 126, 166 quotes two diarists whose manuscripts I have not read, John Watts and Jos. Wood, as each making this estimate separately (Watts on July 12 and Wood on Sept. 2), apparently on the basis of what they heard while on the Trail. Wood was told by a member of a relief party that there were 3,000 abandoned wagons on the Trail in 1850.

[36] Zoeth Skinner Eldredge, *History of California*, Volume 5 (New York: The Century History Company, 1915), 260.

[37] Erwin Gudde, ed., *Bigler's Chronicle of the West* (Berkeley and Los Angeles: University of California Press, 1962), 124 (1848); Bernard J. Reid, *Overland to California with the Pioneer Line* (Stanford: Stanford University Press, 1983), 118 (1849).

[38] Lucy Rutledge Cooke, *Crossing the Plains in 1852* (Modesto: The Author's Descendants, 1923), 64.

[39] Julian H. Steward, *Basin-Plateau*, 23, 30.

[40] Heinrich Lienhard, *From St. Louis to Sutter's Fort, 1846*, translated by Erwin G. and Elisabeth K. Gudde (Norman: University of Oklahoma, 1961), 132. Lienhard came over Hastings Cutoff, hitting the Humboldt at its South Fork, and was still on the South Fork at this time.

[41] Reuben Cole Shaw, *Across the Plains in '49* (New York: Citadel Press, 1966), 130-131.

[42] Bruff, *Gold Rush*, 124, 227, 1184.

[43] Thomas N. Layton, "From Pottage to Portage: A Perspective on Aboriginal Horse Use in the Northern Great Basin Prior to 1850," *Nevada Historical Society Quarterly* 21 (1978): 252.

[44] Remy and Brenchley, *Journey to Great Salt Lake*, pp. 124-125.

[45] Alonzo Delano, *Across the Plains and Among the Diggings* (New York: Wilson-Erickson, Inc., 1936), 68-69. See also Vincent Geiger and Wakeman Bryarly, *Trail to California* (New Haven: Yale University Press, 1945), 181 for the interesting perspective that Indians considered the teamsters to be a separate tribe of whitemen known as "Wo haughs."

[46] Geiger and Bryarly, *Trail*, 186; Shaw, *Across*, 130-131.

[47] Geiger and Bryarly, *Trail*, 181.

[48] See, for example, Bruff, *Gold Rush*, 124.

[49] Layton, "Pottage," 253.

[50] George A. Crofutt, *Crofutt's Trans-Continental Tourist's Guide* (New York: George A. Crofutt, 1872), 143.

[51] George A. Crofutt, *Crofutt's New Overland Tourist and Pacific Coast Guide* (Denver: The Overland Publishing Company, 1882), 135. Steward, *Basin-Plateau*, places the "battle" of "Battle Mountain" in 1857 (p. 161, ftnt. #19), citing Hubert Howe Bancroft, *History of Nevada, Colorado, and Wyoming* (Vol. 25, *Works*, San Francisco, A.L. Bancroft, 1890), 206, 268.

[52] Sam P. Davis, *The History of Nevada*, vol. 1 (Reno and Los Angeles: The Elms Publishing Co., 1913), 37.

[53] Loomis, *Journal of Birmingham*, 88-89.

[54] Irene Paden, *Wake of the Prairie Schooners* (New York: Macmillan 1943), 406.

[55] Hamilton, *My Sixty Years*, 167-172.

[56] Elisha Perkins, *Gold Rush Diary, Being the Journal of Elisha Douglas Perkins on the Overland Trail in the Spring and Summer of 1849*, edited by Thomas D. Clark (Lexington: University of Kentucky Press, 1967), 106.

[57] For example, see Steward, *Basin-Plateau,* 34, 147, 257.

[58] Mary R. Rusco, "Fur Trappers in Snake Country: An Ethnohistorical Approach to Recent Environmental Change," in *Holocene Environmental Change in the Great Basin,* edited by Robert Elston, Nevada Archaeological Survey Research Paper No. 8, July 1976 (Reno: University of Nevada Press), 152-173.

[59] Hamilton, *My Sixty Years;* George Nidever, *The Life and Adventures of George Nidever,* edited by William Henry Ellison (Berkeley: University of California Press, 1937); Washington Irving, *The Adventures of Captain Bonneville* (pp. 1-357 in *The Works of Washington Irving,* London and New York: The Cooperative Publication Society Inc., n.d.); Leroy Hafen, *Broken Hand: The Life of Thomas Fitzpatrick, Mountain Man, Guide and Indian Agent* (Denver: Old West Publishing, 1931); John Ball, *Autobiography* (Glendale: Arthur C. Clark, 1925); Charles Kelly, *Old Greenwood* (Salt Lake City: Printed for the Author by Western Printing Co., 1936).

[60] Lienhard, *From St. Louis,* 146.

[61] Perkins, *Gold Rush Diary,* 108.

[62] Geiger and Bryarly, *Trail,* 162.

[63] Gray, *Off at Sunrise,* 74-75.

[64] Ibid., 77.

[65] Geiger and Bryarly, *Trail,* 172, 178.

[66] Delano, *Across the Plains,* 69.

[67] Geiger and Bryarly, *Trail,* 166.

[68] Ingalls, *Journal,* 57-58.

[69] Henry Atkinson Stine, *Letters and Journal of Henry Atkinson Stine on his Overland Trip to California from St. Louis to Sacramento, May 4, 1850 to October 25, 1850.* "The Property of Misses Janet and Adele Stine of Webster Groves, Missouri, Loaned to the Missouri Historical Society, April 7, 1930." Carbon copy of typed ms. in California State Library, Sacramento; no pagination; entry of Sept. 12; entry of Sept. 5.

[70] Moorman, *Journal of 1850-51,* p. 68.

[71] Stine, *Letters,* entry of Sept. 12.

[72] Shaw, *Across the Plains,* 119-120.

[73] Eldredge, *History of California,* 256-257.

[74] Catherine Fowler, "Settlement Patterns," p. 123, remarks that as a result of the 1849 emigration alone, resources along the Humboldt must have been "virtually destroyed."

[75] Layton, "Pottage," p. 253.

[76] Between 1850 and 1862, at least 35 mail carriers were killed. Mail was not carried through Nevada at all between 1855 and 1858. See Raymond W. Settle and Mary Lund Settle, *Saddles and Spurs* (Harrisburg: The Stackpole Co., 1955).

[77] Layton, "Pottage," and Mary Rusco, "Fur Trappers," both feel there is strong evidence for non-Piaute and non-Shoshone Indians being on the Western Humboldt as early as the 1840s, and I tend to agree. There is also evidence—which I cannot go into here—of ethnically mixed bands of Shoshone-speaking Indians in central Nevada between 1850 and 1852.

A Matter of Faith: A Study of the Muddy Mission[1]

MONIQUE E. KIMBALL

INTRODUCTION

THIS PAPER IS MORE CONCERNED WITH THE TRIALS of the Mormons in the Muddy River Valley than with culture contact with Great Basin Indians. However, that is not to say that the Mormons did not have contact with local Paiute tribes in the Muddy River region. On the contrary, they not only lived side-by-side, but also assisted each other in the daily living in a harsh environment. Unfortunately, not all of the Indians were friendly, but their unneighborly behavior did not extend beyond stealing livestock. In this, the Muddy Mission Mormons were more fortunate than other settlements to the northeast which were attacked during the series of confrontations with various tribes in the early years of Mormon settlement in the Great Basin and Mojave Deserts.

For the most part, the Muddy River Indians, of which there were several tribes, were more concerned with acquiring food from the Mormons than being hostile. At the same time, the Mormons concentrated on feeding, befriending and conducting transactions honestly with the Indians. Unfortunately, hostilities did exist, mainly resulting from stolen livestock and crops. By a show of force and punishment of Indians caught stealing, as well as convincing rhetoric, the Mormons prevented bloodshed from occurring on the Muddy. Primarily, their task was first to "civilize" the Indians, then teach them the Gospel. The former went far, as attested to in journals written by two settlers, but the latter was never achieved by this early group of settlers on the Muddy River. The favorable relations the Mormons established in six years on the Muddy made it possible for later Mormons to accomplish the second goal.[2]

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The purpose of this paper is to examine some of the reasons behind the failure of the Muddy Mission and factors involved with its success or failure. Some of the factors included such ideological values as equality and unity; however, there was more involved than merely ideology. Using and developing local resources, which led toward achieving self-sufficiency, and the accompanying technology, played major roles in the progress of the mission. These factors and values represent seven principles, or ideals, identified by Leonard Arrington as a settlement strategy of the early Mormons. The principles serve as the methodological approach of this study into why the Muddy Mission failed. Specifically, an examination of two of these principles will be used to demonstrate how successful the Mormons were, or were not, at putting into effect a method of settlement on the Muddy River.

Mormon Ideology and Adaptive Strategy

In 1847 the Mormons began the trek westward to settle the relatively uninhabited Great Salt Lake Valley. They chose this area because it was distant from other populated areas, it was not an enviable location, and it fit the biblical description of the "Zion of the last days" which was to be built high in the mountains.[3] The first two years or so were very difficult for them in terms of available food and housing. However, through a continuous program of building, planting and purchasing additional supplies from nearby Gentiles (non-Mormons), such as those at Fort Bridger, they survived and began producing enough food and shelter for themselves and the new emigrants arriving in the valley.

Although some people wished to move on to inhabited and more productive looking land or to the gold fields of California, most remained in the Great Salt Lake Valley to build the new Kingdom of God under Brigham Young's able guidance. How did they succeed in an area that had limited water, alkaline soil and long distances from other people? Arrington attributed it to previous experiences in the Midwest and economic ideals which he summarized in seven principles: (1) The Gathering—the coming together of "the 'pure in heart' "[4] to selected gathering places, or Zions, in preparation for the Millenium or Second Coming. (2) The Mormon Village—the settlement of the gathered people in villages built according to the Plat of Zion. In this plan, the land is divided into three sections: village lots, farming lots and pasturage fields. (3) Property as a Stewardship—all property was consecrated to the Church for the benefit of building the Kingdom. The ideals behind this principle aimed for group unity rather than individualism. Although some people acquired more property under their stewardship, the Church determined disposition of the property in a fair manner by the use of lotteries. This provided each individual with the chance to acquire good as well as mediocre

land. (4) Redeeming the Earth—once the village and property rights were established, then the Mormons concentrated on the "development of local resources."[5] This principle served both secular and religious needs. For the secular, it developed to full potential all available resources necessary to Mormon livelihood. For the religious, it helped to cleanse the earth of a curse so that man would no longer have warfare, famine or other suffering. Being industrious served both needs of this principle. (5) Frugality and Economic Independence—by achieving total self-sufficiency, the Mormons would remain free from being in debt to Gentiles. To accomplish this meant developing each region's resources and establishing economic independence from any other region. This was "the goal of colonization, of the settled village, and of resource development."[6] (6) Unity and Cooperation—without these two ideals, the move to the Great Salt Lake Valley, and its subsequent building and development, would not have been accomplished. By answering the call to a mission, allowing the Church leadership to direct their lives and being cooperative and unified, the Mormons progressed more quickly in the settlement of their new homeland than they would have without accepting these directives. (7) Equality—an early goal of the Church was for everyone to be economically equal on earth and to be so in heaven. The ideal remained evident in the later policies of land and water allocation, public works construction, "cooperative village stores and industries" and immigration.[7]

By following these ideals, the Mormons developed the valley around the Great Salt Lake and expanded into other valleys to the north and south. The expansion reached a second phase by the 1860s: the Mormons were moving further southward into the Lower Virgin River drainage, that is, the Lower Virgin River and Muddy River Valleys. The Southern Mission, also called the Cotton Mission, centered around St. George. Its temporary purpose of growing cotton and other semi-tropical products served as an immediate impetus to its growth. The establishment of the mission on the Muddy River came in 1865 following a disastrous drought suffered in the Lower Virgin River Valley. However, cotton was not the only reason for the Muddy Mission. In addition, it was to provide a supportive base and stopover point for the travel and trade on the Colorado River to its highest point of navigation (Callville or Call's Landing and, later, Junction City or Rioville) and for travelers bound for California using the Old Spanish Trail or Mormon Road. Moreover, the mission was "to secure land from the invasion of Gentile miners and cattlemen. . . ."[8]

Chronology of the Muddy Mission

At this point, a brief chronology of the Muddy Mission will provide the background to the discussion of principles 4 and 5 and their application to the mission.

1864	Anson Call built a landing and warehouse on the Colorado River for trade and travel.[9]
1865	
1. January	Thomas Smith led the first group of missionaries to settle near the juncture of the Muddy and Virgin Rivers. The community was named St. Thomas in honor of Smith.[10]
2. June	A second group of missionaries arrived and established a second community nine miles north of St. Thomas calling it St. Joseph, for either the Prophet Joseph Smith or Joseph Warren Foote, a settler.[11]
3. October	Orrawall Simons built a grist mill three miles downriver from St. Joseph. A cotton gin was added later.[12]
4.	Five people died from malaria at St. Joseph and several families returned to Utah because of extreme summer temperatures.[13]
5.	A third community developed near the grist mill called Mill Point or Simonsville.[14]
1866	The Black Hawk War erupted in Utah and Nevada.[15] St. Thomas relocated and built a fort.[16] St. Joseph lost stock stolen by Paiutes[17] and residents were advised to join with either St. Thomas or Mill Point residents. The combined Mill Point-St. Joseph settlers built a fort on the bench overlooking the mill.[18] Water was brought closer by a five-mile extension on the St. Joseph canal.[19]
1867	
1.	Mill Point Fort name changed to St. Joseph, hereafter referred to as New St. Joseph.[20]
2.	Sandy Town (A) probably under survey; construction may have begun that year.[21]
1868	
1.	A third group of settlers arrived on the Muddy. Most settled the new community of West Point, twenty-five miles northwest of St. Thomas on the Muddy River. It lasted two months because of Indian troubles. Settlers either returned to Utah or moved to New St. Joseph.[22]
2.	Junction City established on the Colorado River.[23]
3. August 18th	New St. Joseph burned because of two boys roasting potatoes.[24]
4. Fall	One hundred more families sent to the Muddy Mission.[25] They joined the residents of New St. Joseph who continued building Sandy Town (A).[26]
5. December	West Point reorganized.[27]

1869

1. Sandy Town moved about one mile north to reduce the length of the canal. Sandy Town (B) abandoned after nine months. Residents either returned to the original St. Joseph or established the town of Overton one mile south of the mill.[28]
2. The Muddy Mission experienced a severe drought.[29]

1870

1. Brigham Young visited the Muddy Mission during his Southern tour.[30]
2. The boundary of Nevada and Utah was resurveyed. Nevada recognized that the Muddy Mission was under its jurisdiction and demanded payment of back taxes.[31] The Mormons were unable to pay, so Young gave them permission to leave.[32] A vote was taken; three individuals voted nay. One family, the Daniel Bonellis's, remained after the others left in 1871.[33]

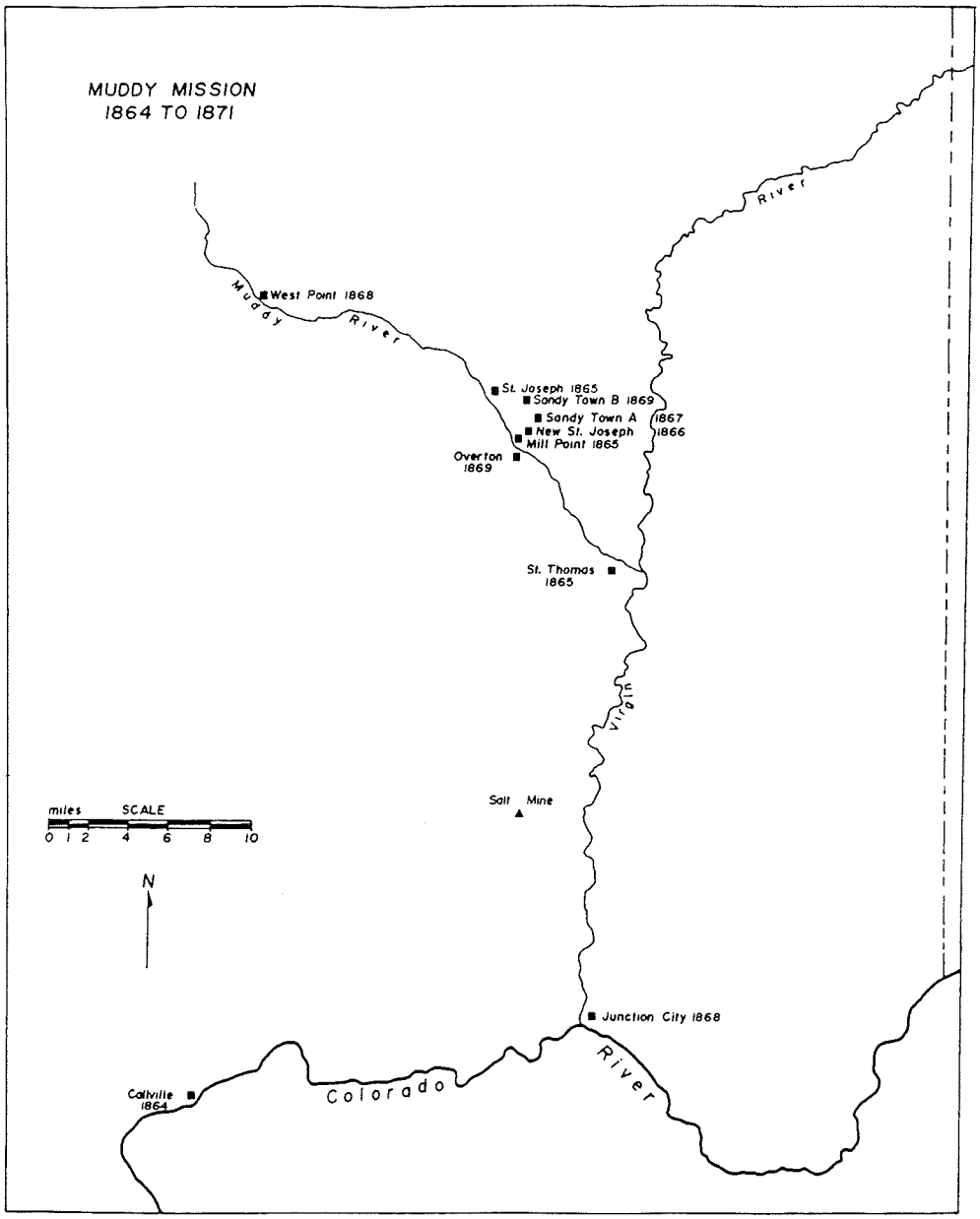
Life on the Muddy

In discussing Arrington's principles 4 and 5, examination of available archaeological data, historical records and secondary sources become necessary. From these materials, we can determine a more accurate picture of life on the Muddy River.

We know from the historical records and archaeological data that the Mormons planted wheat, corn, melons, watermelons, sunflowers, peach trees, grapes, pumpkins, the herb saxifrage and general garden vegetables. We also know that they planted more food crops than cotton. For instance, in 1866, 400 acres were cultivated in wheat, corn and other food products, whereas only seventeen acres were planted in cotton.[34]

Furthermore, the Mormons "cultivated" livestock. These included cattle, mules, goats, chickens, ducks, geese and possibly sheep. The cattle and mules provided the power for plowing fields and hauling wagonloads of goods to market. The cattle, along with the chickens, ducks, geese and goats, provided a ready food source. Bone excavated at New St. Joseph and Sandy Town (B) showed signs of butchering, such as sawed edges on bovine ribs, leg bones and a cranium, and a leg bone from either a sheep or goat. Fecal matter found on the exterior fort side of House 2 at New St. Joseph indicates that the Mormons kept goats or some other small domesticated animals near their houses.[35]

Based upon bone, nuts and seeds recovered at both sites, archaeological data shows the Mormons used local food sources, too. These included piñon



Map of Muddy Mission, 1864-1871. *(Map courtesy of author)*

nuts, deer, possibly turtle and rabbit (both cottontail and jackrabbit) and fish, which might have included the Moapa dace, speckled dace and cutthroat trout.[36]

Excavating several structures exposed construction methods and materials. The settlers made their houses from adobe bricks using the local soils.

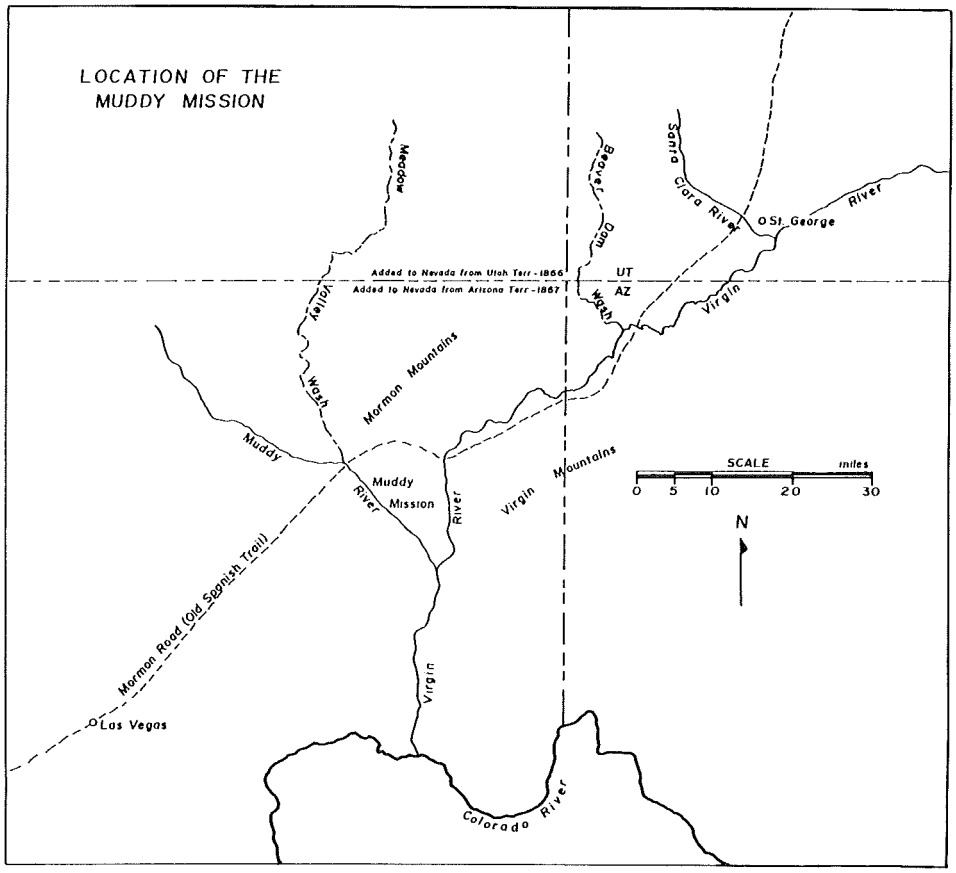
Roofing material came from nearby swamps; these provided willow and tules. Because wood was scarce and the nearest source of pine was probably Pine Valley located about 130 miles northeast, its use was limited to building. Baskets and matting, found in and about the structures at New St. Joseph, were made from local grasses. The baskets may have been obtained from the local Paiutes in exchange for food or clothing.

Necessary to "redeeming the earth" were irrigation canals. Building these canals was part of the Church's public works construction required of every man. These projects were designed not only to provide the communities with the water needed for farming and general use, but also to bring money to areas needing economic stimulus. Projects such as canal and dam building augmented the income of the Muddy Mission. For example, in 1869 canal construction prevented crop failure due to drought. In five days, seventy men built a ten-mile irrigation canal from a tule swamp above St. Thomas to connect with the existing seven-mile canal.[37]

However, not all of the irrigation canals were beneficial. Those used to bring water to the bench passed through an area of drifting sand requiring frequent cleaning to prevent total water loss. Furthermore, the bench is covered with nonarable blow sand which, even with the use of modern fertilizers, prevents the growth of many plants.[38]

Because it was necessary for new communities to have individuals knowledgeable in construction, masonry, carpentry and butchering, an effort was made when calling missionaries to include people with these skills. Having a mission begin with the basic skills necessary to building and maintaining settlements away from larger population centers with more developed resources, contributed to economic independence. Archaeological evidence found at Sandy Town (B) and New St. Joseph indicates that each community had a butcher, and New St. Joseph had a cobbler (a shoe last or form was found inside House 2) and possibly a seamstress (straight pins were found at the northern end of the fort). We know from their diaries that Warren Foote was a miller[39] and Darius Clement assisted him at the grist mill.[40]

Other artifacts recovered at New St. Joseph and Sandy Town (B) fall under the heading of household goods. This category includes such things as kitchenware and personal items. Ceramics, one class in the subcategory kitchenware, showed that the occupants of the houses excavated brought a wide variety of stoneware, ironstone and other wares with them to the Muddy. A prevalent pattern was the Amish Snowflake, a blue-on-white stoneware. White ironstone, with various border and rim designs, was another prominent ceramic found at the sites. The identified and dated potters' marks all reveal that most of these ceramics were imported from England prior to 1865. Moreover, these individual households each had at least one of the 1846 commemorative pearlware plates of the Temple of Nauvoo in blue-on-white.



Location of the Muddy Mission. *(Map courtesy of author)*

This plate was produced by John Twigg and Company of Swinton, Yorkshire, and included the names of President Brigham Young, his Council of Twelve and the Patriarch as well as a print of the temple.[41]

Earthenware recovered from these structures may be indicative of the trade carried on among Mormon communities. Historical records state that several potteries in Salt Lake City developed during the twenty years prior to 1866. Further, during the mid-1860s one of these potters, John Eardley, moved to St. George and set up a kiln outside that community. Sherds from New St. Joseph may be representative of his wares but have not been identified as such at this time.[42]

Some of the personal items recovered include buttons and shoes. The buttons ranged in material from bone to metal. Of the ceramic buttons recovered, at least two were calico buttons, a style popular during the 1860s. These buttons had patterns similar to fabric patterns used in clothing at that time.[43]

Shoes from the excavated structures were in various states of disintegration. Heels and shoe tacks survived more than the soles and uppers. However, two nearly complete shoes were recovered, one from each site. Because leather shrinks in the intense heat and aridity, it is impossible to determine the original size of either shoe.

Although self-sufficiency was the goal for each community, trade played an important role in the lives of the people on the Muddy River. There were several forms of trade carried on, external with Gentiles, internal within the Church and internal within the mission. No matter how much the Church wished the people to remain free from dealing with Gentiles, in the Southern and Muddy Missions it was a matter of survival to engage in trade with local miners and travelers. Individuals in the Muddy Mission traded with miners in the Pahranagat Valley to the north. Abraham A. Kimball wrote in his diary that he and two other settlers took salt from the mine below St. Thomas to Pahranagat Valley and received cash for the three loads.[44] For fresh meat and produce, miners paid with cash and empty tin cans.[45]

Internal trade within the Church included trade with the rest of the Southern Mission, particularly the annual fall fair in St. George where the Mormons could trade, usually buying and selling on credit. Payment would be made with harvested seasonal crops.[46] Other trade involved the exchange of flour, wheat and salt for supplies, manufactured goods and other materials not available in the Muddy River Valley.

The Colorado River trade was another means of bringing money and goods into the Muddy Mission. Settlers exchanged their wheat and flour for cash and kind at Callville. However, this lasted for only two years. The building of the transcontinental railroad north of Salt Lake City helped to end the trade on the river.

Internal trade at the Muddy Mission entailed the exchange of goods and supplies from new settlers who did not have flour or produce. It also involved the exchange of services for surplus flour, wheat or other produce. Kimball's trip to Pahranagat Valley meant borrowing four mules to pull his wagonload of salt. He paid for their use with bacon purchased at Pahranagat.[47] Foote's payment for running the grist mill was two-thirds of all tole and smuttings. Tole is the miller's portion of the grain taken as payment for grinding. Smuttings are wheat parts with smut, a black fungus, and serve as a food source.[48]

Despite all of the trade, though, the Muddy Mission inhabitants did not do well. There are several reasons for this. First, a new community, to succeed as planned by the Church leaders, required a lot of manpower. The Muddy Mission never had a large population and listed less than 100 working males during its six years. Desertion was prevalent and of those called to build up the mission, most never went. The Muddy Mission never received a full complement of pioneering families. Without those prospective settlers, the

men of the Muddy Mission were hampered in accomplishing public works construction, maintaining irrigation canals on a daily basis, and doing the work needed for tending their crops. Further, moving several times, as in the case of the St. Joseph and Sandy Town communities, took men away from the fields to survey lots, build houses and dig canals. The heat, disease and Indian troubles added to the dilemma faced by the settlers on the Muddy.[49]

Second, the settlers were not prepared technologically to effectively develop the Muddy River Valley, particularly with regard to irrigation technology. The soils of northern Utah were more stable than those found in the Virgin drainage system. Here the soils were soft and subject to heavy flooding. In the Muddy River Valley, the Mormons, fortunately, found a more stable environment in terms of water availability. The Muddy provided a regular source of water and was not subject to flooding as was the Virgin. Furthermore, the early irrigation canals provided little trouble. However, the canals dug to the bench sites required more energy than was available. Mormon technology involved lining the canals with adobe clay and "tamping the bottom and sides of the channel" to slow down water seepage. However, "the sandy soil drains water rapidly, and it refuses to retain any appreciable amount of water even after days of soaking."[50] Foote had indicated early on that to build a canal to the bench was not practical because of the drifting sands and heavy water loss into the soil.[51]

Third, one reason for the mission, growing cotton, lost its purpose quickly after the Civil War with the redevelopment of cotton production in the southeastern United States. The coming of the railroad into Utah added to the mission's economic demise by inexpensively bringing goods, including cotton, allowing the Mormons to stockpile goods from outside Utah.[52]

This change in the market seriously affected the price for cotton lint. Bleak included information on three years of the New York Price Index for cotton in his *Annals:*

TABLE 1
New York Price Index: Cotton

Year	Low Per Pound	High Per Pound
1865	$ .35	$1.20
1866	.32	.52
1867	.15½	.30

SOURCE: James G. Bleak, *Annals of the Southern Utah Mission,* Book 1 (Utah Writer's Project, 1941), pp. 192, 240, 255.

To make matters worse, Church aid and loans, made since the Southern Mission began, stopped in 1869. Greater hardships resulted for the Mormons on the Muddy because they had no market for their poor quality cotton lint and badly needed clothing and tools. Their morale, adequate at the best of times, took a severe blow because of Brigham Young's disappointment in the

mission during his 1870 tour of the Southern Mission. Soon after this, the mission learned that it was within Nevada's boundary and the state demanded payment of back taxes, to be paid in coin. For a mission already suffering from economic collapse, this demand proved to be too much.

Conclusions

By 1870, belief in the Church and its ideals were all that remained of the Muddy Mission. The mission had become a hard taskmaster and provided important lessons that many of the settlers later employed in their new settlement of Orderville in southeastern Utah. The challenge encountered in the Mojave Desert served to strengthen the ideals of the Church so that the first Muddy settlers could succeed in their new home. The next Mormon settlers to the Muddy River Valley were more successful because their goals were different, and they were better prepared to face the challenges found there.

Ideals alone cannot predict success. The desire to be self-sufficient and restrict trade with Gentiles was not as effective as Mormon leaders wanted. Archaeological and historical documentation indicate a greater dependence on relations with the outside world, regionally and nationally, than policies dictated. The extensive ceramics manufactured in England attest to the inclusion of Mormons in world trade patterns prior to and after the move to Salt Lake. Moreover, the decline in cotton prices badly affected the Muddy Mission in such a way as to inhibit its ability to alter its economic focus. Although the Mormons learned the importance of planting wheat and other crops toward self-sufficiency, cotton still determined their economic future.

There were other factors at play in the Muddy Mission as well. From a demographic point of view, the problem of sufficient manpower plagued the mission from the start. Ecologically, the bench proved to be unsatisfactory for building irrigation canals. Technologically, the settlers were successful until they tried to develop the bench as a City of Zion. Here their experience in the Great Basin could not prepare them for the Mojave Desert. Finally, although partially successful, self-sufficiency and the cotton industry may well have been self-defeating aspects of the Mormon settlement and economic strategies of the mission on the Muddy River.

Notes

[1] This paper was completed and presented in October 1986, one year after Dr. S. George Ellsworth presented his "Mormon Settlement on the Muddy." I became aware of his paper, as did the editors, in July 1987 just prior to publication deadline. Therefore, there was not an opportunity to incorporate any of Dr. Ellsworth's observations or data into this paper.

[2] Pearson S. Corbett, "A History of the Muddy Mission" (Master's thesis, Brigham Young University,

1968), 115-129. William Gibson and Abraham A. Kimball both wrote in their journals about Indians working for them in exchange for cloth and food. William Gibson, *Journal of William Gibson, Ms* (Salt Lake City: LDS Historical Archives Library, n.d.), 79; Abraham A. Kimball, *Reminiscences and Diary, 1847-1889, Ms* (Salt Lake City: LDS Historical Archives Library), 72.

[3] Leonard J. Arrington, *The Great Basin Kingdom, An Economic History of the Latter-day Saints, 1830-1900,* Bison edition (Lincoln and London: University of Nebraska Press, 1965), 40.

[4] Ibid., 24.

[5] Ibid., 25.

[6] Ibid., 26.

[7] Ibid., 28.

[8] Richard L. McCarty, "Sandy Town, A Mormon Confrontation with the Mohave Desert" (Master's thesis, University of Nevada, Las Vegas, 1981), 91-92.

[9] Pearson S. Corbett, "Settling the Muddy River Valley," *Nevada Historical Society Quarterly* 18 (Fall 1975): 143; Anson Call to George A. Smith, 25 December 1864 cited in *Deseret News,* 18 January 1865, col. 33-4, p. 124, col. 2, p. 125.

[10] James Leithead, Excerpt from Journal cited by Kate B. Carter, comp., *Heartthrobs of the West* (Vol. 7) (Salt Lake City: Daughters of the Utah Pioneers, 1946), 465.

[11] There is no documented evidence as to the origin of the town's name. Andrew K. Larson wrote that it was named for Foote in *I Was Called to Dixie, The Virgin River Basin: Unique Experiences in Mormon Pioneering* (N.P.: Deseret News Press, 1961), 142. Corbett contends that it was to honor Joseph Smith, as Foote and other St. Joseph settlers had known him personally. "History of Muddy Mission," 73.

[12] Warren Foote, *Autobiography of Warren Foote of Glendale, Ms.* (Las Vegas, Nv: Special Collections, University of Nevada, Las Vegas Library, 1975), 193-95.

[13] James G. Bleak, *Annals of the Southern Utah Mission,* Book 1 (Utah Writer's Project, 1941), 189-90.

[14] Foote, *Autobiography,* 193-95.

[15] Corbett, "Muddy Mission," 125; Corbett, "Settling the Muddy," 145; Arrington, *Great Basin,* 229.

[16] Ibid., 201.

[17] Corbett, "History of Muddy Mission," 121-22.

[18] Bleak, *Annals,* 1:220-21.

[19] Foote, *Autobiography,* 198-99.

[20] Corbett, "History of Muddy Mission," 76.

[21] McCarty, "Sandy Town," 89.

[22] Kimball, *Reminiscences,* 61-62.

[23] Corbett, "Settling the Muddy River," 147.

[24] Darius S. Clement, "Diary 1868," from "Collection 1844-1916," *Ms.* (Salt Lake City: LDS Historical Archives Library), Folder No. 2, 3-4.

[25] Bleak, *Annals,* 1:276-77.

[26] McCarty, "Sandy Town," 89.

[27] Southern Utah Mission Record, *St. Thomas Historical Records, 1865-1870* (Las Vegas, Nv: LDS Stake Library, Microfilm), n.p.

[28] Foote, *Autobiography,* 206-7.

[29] McCarty, "Sandy Town," 89-90.

[30] Foote, *Autobiography,* 207.

[31] Ibid., 207-8.

[32] Corbett, "Settling the Muddy River," 150.

[33] Ibid.; "History of Muddy Mission," 157; *St. Thomas Historical Records,* n.p.

[34] Larson, *Dixie,* 143, 153; Teri Swearengen, personal contact, 1978; Bleak, *Annals,* 1:263.

[35] A.M. Rea, letter August 1978; Charles Douglas, personal contact, 1978; James F. Clements, *Birds of the World: A Checklist* (New York: Two Continents Publishing Group, 1974), 393; Jean Delacour, *The Pheasants of the World* (Salt Lake City: Allen Publishing Co., 1964), 107-8.

[36] Jeffrey N. Cross, "Ecological Distribution of the Fishes of the Virgin River (Utah, Arizona, Nevada)" (Master's thesis, University of Nevada, Las Vegas, 1975), 47-49; Ira LaRivers, *Fishes and Fisheries of Nevada* (N.P.: Nevada State Fish and Game Commission, 1962), 436-44.

[37] Bleak, *Annals,* 1:198, 225.

[38] McCarty, "Sandy Town," 77, 169.

[39] Foote, *Autobiography,* 205.

[40] Clement, "Diary," 1.

[41] *Journal History of the Church* (Salt Lake City: LDS Historical Archives Library, Microfilm, 1929), n.p.

[42] Nancy H. Richards, to author, 19 July 1977, Salt Lake City, Utah.

[43] Carolyn E. Grattan, "New St. Joseph, Nevada: A Reexamination of the Mormon Experience On the Muddy River" (Master's thesis, University of Nevada, Las Vegas, 1982), 54-55.

[44] Kimball, *Reminiscences,* 65-75.

[45] Joseph E. Spencer, "The Middle Virgin River Valley, Utah, A Study on Culture Growth and Change" (Ph.D. Dissertation, University of California, Berkeley, 1937), 153, 155.

[46] Ibid.

[47] Kimball, *Reminiscences,* 65, 71.

[48] Foote, *Autobiography,* 205; Alma Rosa Corona, personal contact 1979.

[49] McCarty, "Sandy Town," 105, 167-68.

[50] Ibid., 169.

[51] Foote, *Autobiography,* 198.

[52] McCarty, "Sandy Town," 171.

Horseshoe Economics: To Shoe or Not to Shoe, That is the Issue

RICHARD MORRIS

HORSESHOES REFLECT MAJOR ASPECTS OF THE ECONOMIC activities and settlement patterns of Euro-American settlers on the frontier before the age of the automobile, because they are a direct representation of horse activities and horse-use strategies. The choice between strategies, "to shoe" or "not to shoe" would have been a more crucial decision in the Great Basin of the nineteenth century than in many other parts of the continent because of the rocky, arid environment and the distance to a supply of horseshoes. Elements in this decision for an early homesteader or rancher would have included the amount of hard and rocky ground to be ridden on, the cost and availability of hay, the need for dependable transportation, the price of horses, and the cost and availability of horseshoes. These conditions would suggest the possibility of a settlement pattern relationship between the cost of the horses and their care versus the cost of horseshoes and the expense of a farrier. This relationship could have a direct effect on the number of people a given area could support and the activities that could be undertaken. To understand this relationship more fully, we need to ask why man attached iron to the feet of horses in the first place.

TO SHOE OR NOT TO SHOE

The horse's hoof grows continually much like our own toe nails. As it grows longer the angle and balance of the foot changes, resulting in a modified gait. A wild horse simply wears the hoof down to its optimal length and shape through daily activities that relate to maximizing hoof care. Domestic horses, not having this kind of control over their own activities, must rely on their keepers for hoof care. If their feet are not attended to properly, the hooves will grow long and distorted or become thin and short, both of which cause

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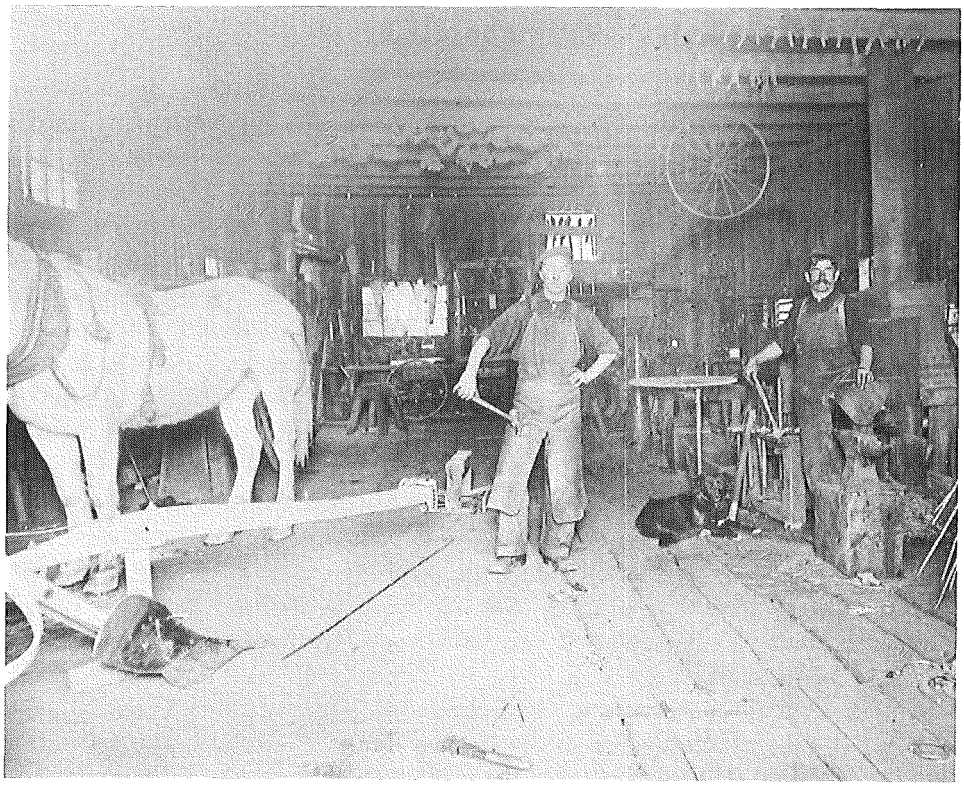

Fig. 1. Vietti & Bottini Blacksmith Shop, Reno, Nevada, 1911. Note horseshoes on beams of ceiling. *(Photo courtesy of Special Collections Department, University of Nevada, Reno)*

pain and injury. Almost any type of domestic horse-use requires consideration for the care of the horse's feet.

Obtaining the maximum potential from the horses as a "tool" or beast of burden requires a strategy that effectively deals with foot care. A horse-using people would have a choice of two horse-use strategies, both of which are based on the reliability of the horse's feet. The first maximization strategy would not require metal shoes, but instead would require a large number of horses, each trained and reserved for a specialized activity. This would allow the exchanging of horses at intervals that would prevent permanent damage to the feet. The second strategy for maximization requires the use of wrought iron or steel horseshoes. This strategy requires fewer horses; however, metal shoes must be properly installed on the horse every 4 to 6 weeks to insure proper hoof condition.[1]

Native Americans on the Plains who acquired the horse by the late 1600s[2] used the "no shoe" strategy. They not only had a great number of horses, but

also practiced horse specialization. For example, a successful warrior would have a buffalo horse, a war horse, and an everyday horse. In this way the warrior could count on always having a horse that was "sound" and ready for the designated task. Many homesteaders used a similar horse specialization strategy in order to avoid the use of horseshoes. Their specialization strategy would require having a plow horse for the fields, a saddle horse to chase stock, and a horse for the buckboard used for going into town.

Under the "no shoe" strategy the need for more than one horse to maintain the continuance of an economic system becomes more acute when we consider the necessity of the additional number of young horses being raised and trained to fill the places of retiring or injured adult horses. This strategy requires the resources to feed and water the large number of stock kept. This need for additional resources could be a reason why many Native American populations in the arid Great Basin did not fully adopt the horse until well into the historical period, and why many areas of the Great Basin long resisted settlement by the horse-reliant Euro-American culture.

In the historical period, Native American groups of the Great Basin appeared to have adopted the shoeing strategy, requiring fewer horses, whenever possible. An example of this has been demonstrated by horseshoes and farrier tools recovered at an early historical Shoshoni encampment excavated in Grass Valley, Nevada.[3]

An example of a "no-shoeing" strategy being used by Euro-Americans can be taken from a ranch located in the Carson Sink area of the Great Basin that was in operation during the early 1900s. The ranch kept a great many horses and issued each working cowboy a minimum of six horses. In this way, cowboys could exchange their horses for fresh ones as needed or rotate them on a daily basis.[4]

An example of a "shoeing" strategy is the Spanish Springs Ranch near Austin, Nevada, that ran its cattle on 100,000 acres and put horseshoes on every working horse. Cowboys were assigned a fresh horse with new shoes each month. When it came time to replace the shoes (about every four weeks), the shoes were removed, the feet trimmed, and the horse turned to pasture. A fresh horse was then retrieved from the pasture and shoes installed on the horse for its month's work.[5] The additional step in the Spanish Springs Ranch horse-use-cycle, that of resting the horse after a month of work, would imply that the land they worked was very hard on their feet and that horses in the area were very expensive. Andrew Ginocchio, a blacksmith from Reno, Nevada, reports that in the years before World War I, when he was shoeing horses in Reno, farmers brought their teams of horses and mules in for new shoes on such a regular basis (every four weeks) that he shaped individual shoes for his customers ahead of time and hung them on the rafters of the shop (Figure 1).[6] This regular practice of shoeing by local farmers clearly demonstrates the high regard in which the working stock was held, as well as their monetary value.

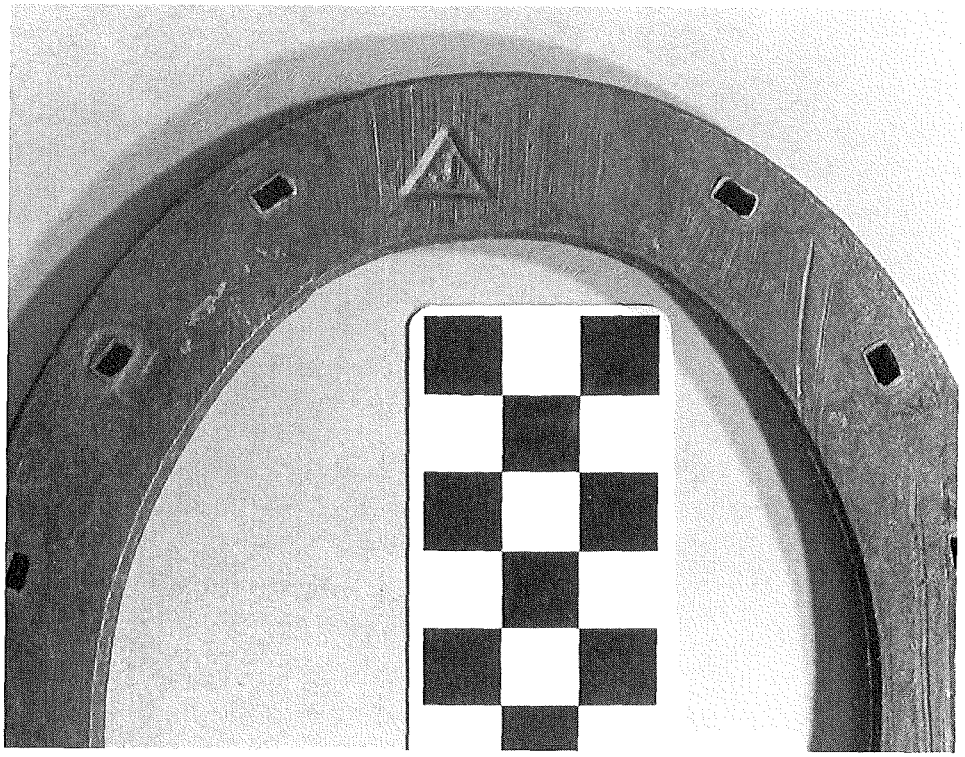

Fig. 2. Maker's mark, Phoenix Horseshoe Company. *(Photo courtesy of author)*

Production and Use of Horseshoes

In using the horseshoe as an element in an economic model we must consider the basic cost of horseshoes. In 1869 George Fleming, a veterinarian and farrier, compared the cost of using hand-made horseshoes to machine-made horseshoes. He stated that to make the shoes and nails for a single horse and to put them on required a blacksmith to work from two to three hours. In raw materials the blacksmith required about fifteen pounds of high grade coal and six pounds of iron to hand-forge an average set of shoes. The finished product (four shoes) would weigh only five pounds and resulted in a direct loss of sixteen pounds of raw material. In addition, shoeing with hand-forged shoes required two to three men to maintain the feet of forty horses each month. The invention of machine-made shoes changed the expense and time of the shoeing process dramatically. Fleming reports that with machine-made horseshoes, one man could shoe 150 horses each month.[7] Additional advantages were outlined by William Douglas in 1873, when he states that the use of machine-manufactured horseshoes would insure uniformity of weight, construction, and price.[8] As if to confirm this, the Burden Iron Works

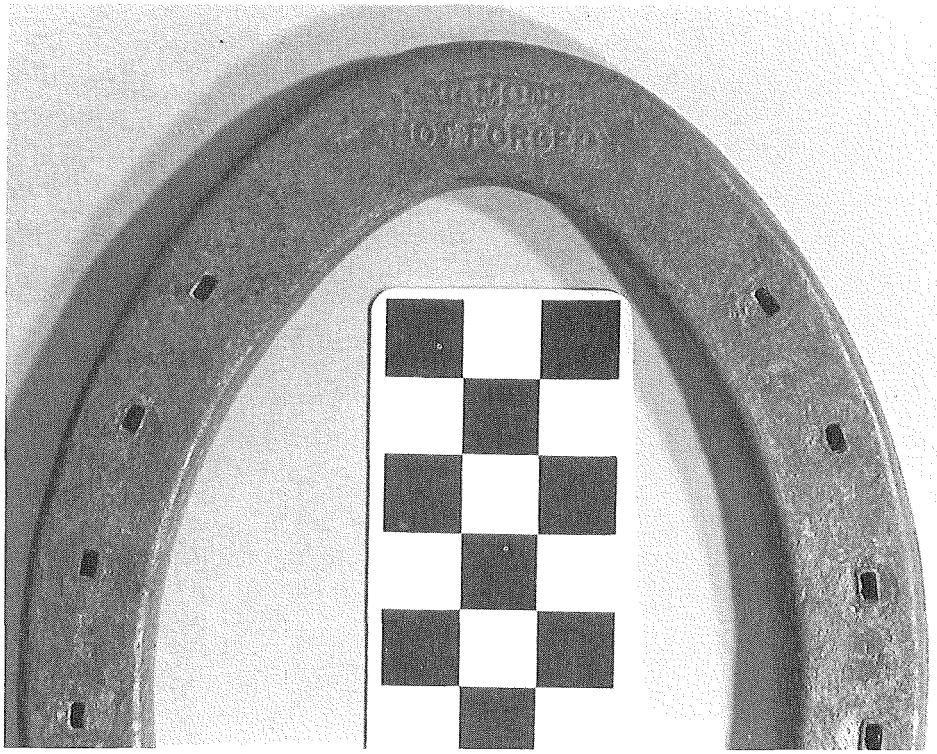

Fig. 3. Maker's mark, "DIAMOND", "HOT FORGED", Diamond Horseshoe Company. *(Photo courtesy of author)*

reported in 1879 that it could supply three different patterns of horseshoes to the blacksmith at about a cent and a half a pound above the common price of iron.[9] The advantage of machine-manufactured horseshoes was quickly recognized by the horse-using world and accounts for the aggressive attempt at their development in the nineteenth century. When we consider the higher cost of hand-made shoes, along with the additional expense of importing all of the raw materials into the Great Basin, we can easily see why the use of machine-made shoes would have become very popular.

The first machine designed for the manufacture of horseshoes was patented in 1834 by Henry Burden. But Burden's first machine was not successful in actual production, and it was not until 1857 that he was able to produce a saleable machine-manufactured horseshoe.[10] Other manufacturers quickly followed, and by 1860 eleven percent of the U.S. horseshoe production was by machine.[11] This percentage changed dramatically in 1861 when the product of the Burden Horseshoe Co. became the standard U.S. Army issue, with the company receiving a large contract to supply horseshoes for the Civil War.[12] From this point on the machine-manufactured horseshoe in its many forms quickly grew to dominate the market. By 1873 there were a half dozen

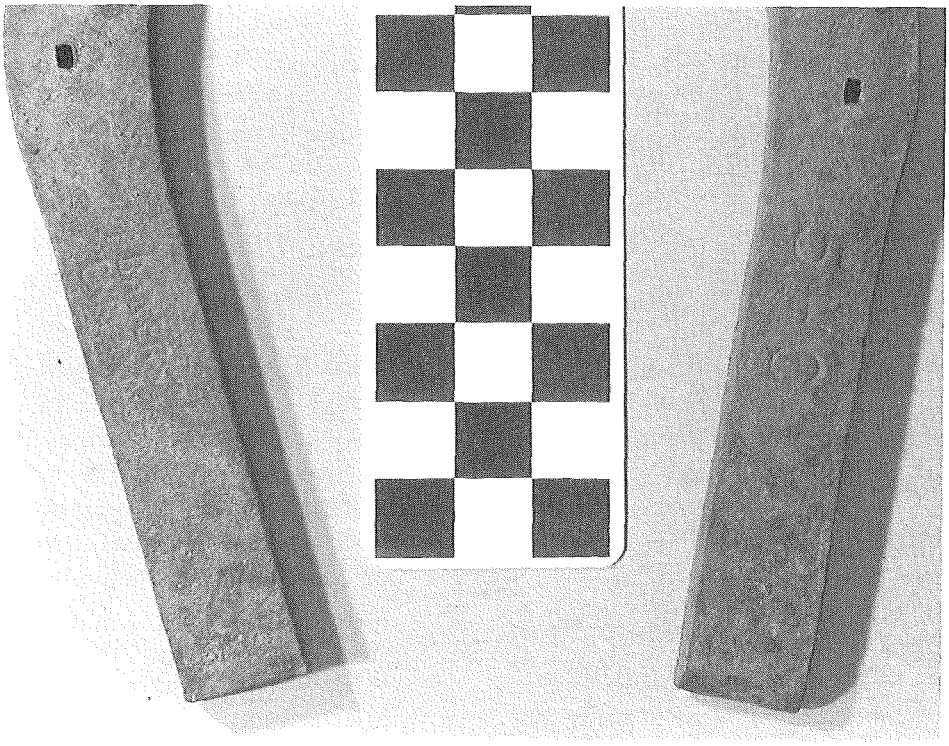

Fig. 4. Maker's mark, "BAKERS ENGLAND", "5HC", Bakers Horseshoe Company. *(Photo courtesy of author)*

U.S. manufacturers[13] with names like Chicago, Cleveland, Goodenough, and Burden.

As with most other manufactured products, horseshoes were never produced in Nevada or for that matter in the western United States, although the larger companies like Burden, Phoenix and later, Diamond, set up distribution offices in San Francisco. Horseshoes were shipped into Nevada in their respective 100-pound kegs. Most horseshoes could be ordered directly from the manufacturer or through hardware supply companies. Many farriers purchased their supplies of shoes, tools and coal from the local hardware store. The 1897 Sears & Roebuck Catalog[14] and the later 1902 Montgomery Ward Catalog[15] offered shoes, nails, blacksmith tools and blacksmithing coal.

In 1910, the peak year of horseshoe production, there were fifteen companies[16] which included the brand names like Phoenix (then the world's largest manufacturer), Neverslip, Giant Grip, Juniata, Cincinnati and Diamond, all together producing two million kegs (100 pounds each) of horseshoes a year[17] for the 27 million horses and mules which were being used for work in the United States.[18] The introduction of machine-manufactured shoes for use in Nevada produced immediate advantages in the cost and

availability of horseshoes, which in turn influenced the cost of operating any enterprise that used horses and mules. The advantage was important enough that it is more than chance that the most successful exploitation of Nevada in farming, ranching, and mining occurred when machine-manufactured shoes became available. As late at 1933 Nevada still had 30,998 horses and mules being used for work, two and one-half percent of the U.S. horse and mule population.[19]

Inferences from Horseshoe Artifacts

A knowledge of the history of horseshoes can be useful to the archeologist. Knowing how a horseshoe was made, who made it, its relative age, where it was made, and its specialized use indicates the activities of the horses at a site. This knowledge, in turn, can then be used to provide additional elements for model building and hypothesis testing in the study of human settlement patterns. Because of the changing methods of horseshoe production and the strategies involved in their use, horseshoes as artifacts have many stories to tell us.

First, horseshoes can be used in a system of relative dating similar to that developed for bottles, carpentry nails, ceramics, cans, etc. A general method of this type of dating was suggested by Edward Chappell in 1973, using a collection of horseshoes from Colonial Williamsburg.[20] His classification system dealt with the general style, width, and thickness of the shoe itself. The shoes were then organized into time periods ranging from the seventeenth to the nineteenth centuries. This classification system served to demonstrate that, in general, the width of the shoe has become narrower and thinner over the last 300 years. This type of classification of horseshoes can be greatly enhanced and potentially made more useful when we include the production of machine-manufactured horseshoes and the resulting makers' marks which began to appear after 1857. Examples of some makers' marks found on shoes recovered from sites in Nevada are Phoenix (Figure 2), Diamond (Figure 3), and Baker (Figure 4). Besides bearing the company logo, the shoes are also marked with distinctive size-number markings which are as individual to each company as the company symbols. A shoe found in the historic mining town of Virginia City, Nevada, bears the size markings "SHC." This clearly identifies the shoe as a Baker, a shoe that was made in England. This identification implies that machine-manufactured horseshoes were being imported from Great Britain.

Individual farriers also had their own makers' marks. A shoe recovered from Donner State Park, Donner Lake, California (Figure 5), reveals a small square hole placed on the left branch of the shoe as the personal mark of the farrier. A shoe from Genoa, Nevada (Figure 6), has a small round hole as its personal mark. In 1898 these marks were institutionalized by the National

Fig. 5. Maker's mark, personal mark of farrier. *(Photo courtesy of author)*

Horseshoers Protective Association, which required members to stamp their name and the union symbol on each shoe that they installed.[21]

Second, we can examine the size and weight of the individual shoes for additional information about the function of the horse that was wearing the horseshoe. The designed weight of a horseshoe can vary, depending on the

Fig. 6. Maker's mark, personal mark of farrier. *(Photo courtesy of author)*

individual horse activities as outlined by R.W. Wooley in 1908. He states that the ideal weights of horseshoes for the most effective horse-use are: race horses, two to four ounces; hacks & hunters, fifteen to eighteen ounces; carriage horses, twenty to thirty ounces; omnibus horses three to three and one-half pounds; and draft horses, four to five pounds.[22] Three shoes found in

Fig. 7. Three horseshoes of different sizes. *(Photo courtesy of author)*

Nevada serve to illustrate the extremes of this weight specialization (Figure 7). The largest, found in a once-plowed field in Reno, Nevada, weighs 3.75 pounds, and was made for a draft horse; the medium horseshoe, found near an abandoned road grade that once led to the Jumbo Mining District near Virginia City, Nevada, weighs 1.6 pounds, and was used for heavy wagon

pulling; and the smallest, found in a pasture, weighs twelve ounces, and comes from an everyday saddle horse.

Another example of human activity is represented in horseshoes recovered from the Sand Spring Pony Express Station located east of present-day Fallon, Nevada. Shoes found in association of the living floor of the pony express station are predominately from large mules designed for pulling supply wagons in support of the mail carrying saddle horses.[23] Although the activities of the ponies were the primary purpose for the express station in physical number, they were not the majority animal, as almost all supplies for man and beast had to be freighted by wagon from outside the Great Basin.

Conclusion

This paper has been a discussion of the choices that a horse-using people must deal with concerning the care and protection of the horses' feet. The importance of hoof care is seen as a necessary behavior for obtaining the maximum usage from the horse and maintaining a horse-dependent economic system. This includes decisions concerning the using or not using of horseshoes and the different types of horse-use strategies implied by that choice.

The two basic horse-use strategies have been outlined. The first horse-use strategy does not require the use of metal shoes but a large number of horses, while the second horse-use strategy requires fewer horses but the regular use of iron horseshoes.

With the advent of machine-made horseshoes, the cost and availability of horseshoes became an important and changing variable in determining the strategies used by a horse-using people. These elements interact to provide a settlement pattern relationship between the cost of the horses and their care versus the cost of horseshoes and the expense of a farrier. This relationship of "to shoe" or "not to shoe" would affect the number of people a given area could support and the social and economic activities that could be undertaken.

Notes

[1] M.T. Richardson, *The Practical Horseshoer* (New York: M.T. Richardson Co. Publishers, 1893); D. Butler, *The Principles of Horseshoeing* (Ithaca, N.Y.: Karl Butler, Jr., 1974).

[2] John Ewers, *The Horse in Blackfoot Indian Culture* (Washington, D.C.: U.S. Government Printing Office, 1955).

[3] L.A. Payen, "Smoothshod-Roughshod," *History and Prehistory of Grass Valley, Nv.*, edited by C.W. Clewbow, H.F. Wells, and R.D. Ambro (Los Angeles: Monograph VII, Institute of Archaeology, University of Cal., 1978), 85-103.

[4] Louis Gardella, interview with author, Reno, Nevada, 14 May 1986.

[5] Clarence Thorton, interview with author, Reno, Nevada, 16 May 1986.

[6] Andrew Ginocchio, interview with author, Reno, Nevada, 3 December 1986.

[7] George Fleming, *Horse-shoe and Horse-shoeing: Their Origin, History, Uses and Abuses* (London: Chapman and Hall, 1869).

[8] W. Douglas, *Horse-shoeing As It Is and It Should Be* (London: J. Murray, 1873).

[9] J.R. Cole, *The Horses' Foot and How To Shoe It: The Most Approved Methods of Horseshoeing* (Cincinnati: P.G. Thomson, 1879).

[10] Butler, *Principles* (1974).

[11] Anonymous, "Shoeing Five Million Horses," *Literary Digest* 86 (Aug. 22, 1925): 20-21.

[12] Butler, *Principles* (1974).

[13] Anonymous, "Shoeing," 20-21.

[14] *Sears & Roebuck Catalog, 1897,* edited by Fred Israel (New York: Chelsea House Publishers 1965), 67-68.

[15] *Montgomery Ward & Co.'s Catalog No. 71, 1902* (Montgomery Ward 1902), 96-97.

[16] Anonymous, "Dobbin Is Shoed: Only Five Manufacturers of Horseshoes Are Left" *Business Week* (September 1943): 48.

[17] Ibid., 48; Anonymous, "Shoeing," 20-21.

[18] W. Dinsmore, "The Return of the Horse and Mule," *The Horse* 14 (1933): 16-20.

[19] Ibid., 17.

[20] E. Chappell, "A Study of Horseshoes in the Department of Archaeology, Colonial Williamsburg," *Fine Artifact Studies* (Williamsburg, Virginia: The Colonial Williamsburg Foundation, 1973), 14-36.

[21] F. Horack, "Strike at Philadelphia Horseshoers," *American Journal of Sociology* 8 (1902): 390-397.

[22] R.W. Wooley, "How Horses Should Be Shoed," *Country Life* 14 (1908): 461-463.

[23] Sand Springs Pony Express Station Collection, University of Nevada/Reno Anthropology Research Museum.

Formation of the Reno-Sparks Tribal Council, 1934-1939

ELMER RUSCO

INTRODUCTION

THIS PAPER DEALS WITH THE FORMATION of the Tribal Council of the Reno-Sparks Colony during the 1930s, as part of an effort to determine the impact of the Indian Reorganization Act on Native Americans in Nevada. Because tribal organization was intimately tied up with other aspects of the Indian New Deal, the nature and legal status of colonies, the origins of the Reno-Sparks Colony, and efforts to improve the economic standing of Colony members are also discussed.

The Varying Conditions of Nevada Indians

At the beginning of the Indian New Deal, Nevada's Native American population perceived itself and was perceived by the Bureau of Indian Affairs in several different ways. Since 1924, when Congress had made all Indians citizens of the United States, the federal government had regarded all Nevada Indians as citizens. How many Native Americans regarded themselves as citizens is not clear.

The classifications which had come to be called tribal—the division into Northern Paiute, Western Shoshone, Southern Paiute and Washoe—no doubt had meaning for many Indians and for government officials. At that time, however, the tribal division never corresponded with a political/governmental one: There was no Northern Paiute Tribe in the sense that all Northern Paiutes participated in the same governmental structure.

The most meaningful distinctions from a political point of view were usually groups smaller than the tribe, and occasionally these were made up of individuals from two or more tribes. Confusingly, many of these groups were

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Lizzie Lockwood (left) standing in front of her house at the Reno-Sparks Indian Colony around 1920. *(Photo courtesy of Clayton Sampson)*

also called "tribes." For example, the Pyramid Lake Paiute Tribe, the Walker River Paiute Tribe, and the Fallon Tribe were much more important entities than the Northern Paiute Tribe. The Fallon Tribe, moreover, contained significant numbers of Western Shoshones among its membership.

In some cases, these groups corresponded with aboriginal groupings. Although the meaning of "band" may still be in dispute, there is no doubt that the people living on the Pyramid Lake and Walker River Reservations during the 1930s were largely descendants of groups who had lived at these locations for at least six centuries before Europeans began to arrive in the Great Basin. In other cases, the local groups were new formations which had been created by federal government policy in the nineteenth or twentieth centuries.[1] An example is the Reno-Sparks Indian Colony, created by federal action in 1917. Often, as in the case of this colony, the membership was tribally complex.

From the standpoint of governmental policy another kind of classification had more significance. This was the division of Indians into groups who: lived on reservations in the classic sense, those who lived on colonies, and those who had no landbase recognized by the federal government.

About a third of Nevada's Indians lived on reservations—Pyramid Lake, Walker River, Duck Valley, Moapa and Goshute—and at Fort McDermitt, where Indians lived on allotted lands. At these places, the federal government held the land in "trust" for the Native people; however, in some cases the land was federally owned or held in allotment, where the land was given

to Indians.[2] These reservations, and Fort McDermitt, contained resources which could provide an economic base for the group. Fishing remained an important source of food and income at Pyramid Lake and was of lesser importance on other reservations, while hunting and gathering no doubt remained important to most Nevada Indians for some time; however, at all of the reservations ranching was a major economic activity.

About a fifth of the total Indian population of the state lived on colonies—areas which provided only homesites and no agricultural land or other economic resources. There was confusion before the late 1930s about whether these areas were held in trust status. This question was cleared up, however, in a case involving the Reno-Sparks Colony which will be discussed later.

Almost half of Nevada's Indians did not live on trust land, and were usually referred to as "scattered" or "homeless" Indians. No doubt many of these Indians still continued to believe that they were owners of the land in the aboriginal sense, but Euro-Americans usually thought of them as living on the public domain. There is no doubt that many traditional Western Shoshone believed that the Ruby Valley Treaty protected their ownership of lands that had not been explicitly given up in the treaty.[3]

The strategy for helping Nevada Indians followed by the Carson Indian Agency and other units of the Bureau of Indian Affairs during the 1930s was significantly different for each of these groups. For the reservation groups, the policy was largely to provide credit and other forms of assistance to enable the residents of the reservations to make a better living from their lands. For the colonies, the strategy was to secure agricultural lands where possible, so they could make a living from trust lands. For both reservation and colony Indians, a key element of the Indian New Deal was to recognize existing Native American governments or to organize new ones where governmental hostility or other events had eliminated aboriginal governments.

For the "scattered" Indians, the strategy was to provide services and create reservations for as many as possible. The BIA did not think that the organization policy could be applied to these individuals.

History of the Colonies

The colonies presented special problems. While this paper will deal with organizational efforts in only one of them—the Reno-Sparks Indian Colony—the difficulties the BIA encountered in dealing with this colony are illustrative of problems they faced on a state-wide basis. Moreover, a Supreme Court case arising from conflicts with this colony succeeded in clarifying the legal status of all the colonies.

The term "colony" for a type of Indian trust territory began during the nineteenth century and is apparently unique to Nevada. Pushed out of the areas they had lived on aboriginally and denied access to most sources of

water, the native peoples of Nevada had to develop adaptive strategies to survive.

One important strategy was to attach themselves to the ranches which were developing where many of them had lived. In return for cheap labor—ranch labor for the men and domestic service for the women—many ranchers allowed small groups of Indians to continue to live on or close to the lands they had occupied traditionally. (No full account of the lives of these Nevada Indians over many decades is yet available.)

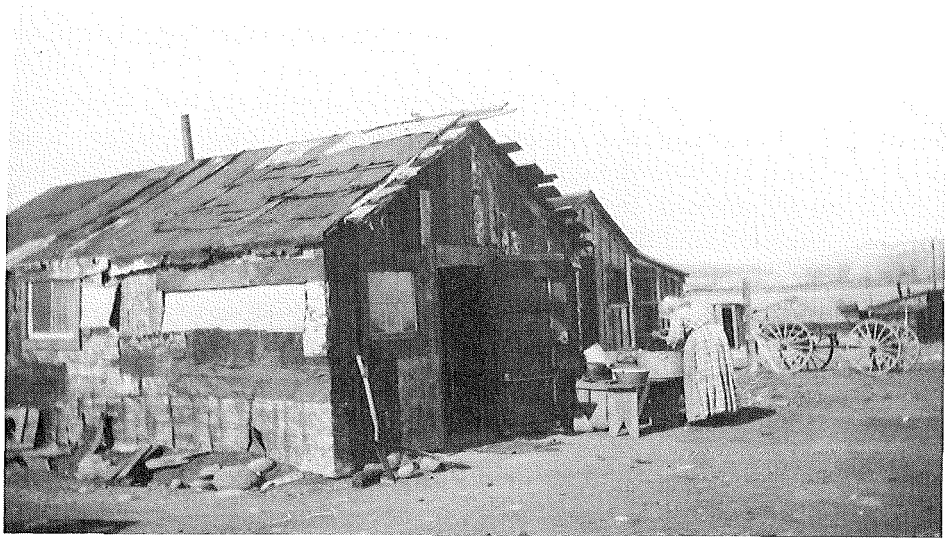
The transition to colonies represented another adaptive strategy. Many Indians moved to the outskirts of towns and cities which were developing in nineteenth-century Nevada; these settlements developed into colonies. Only in the twentieth century did the "camps" of Indians sometimes become trust territory. Apparently in some cases the camps were on what had become regarded as public domain by whites, although no doubt many Indians still regarded the land as belonging to them; in other cases the Indians were allowed to live on lands owned privately. The latter was the case for the Reno-Sparks Colony.

History of the Reno-Sparks Colony

In the 1930s, the Reno-Sparks Colony consisted almost entirely of approximately equal numbers of Northern Paiute and Washoe Indians. Aboriginally, the Truckee Meadows was the territory of the Washoe Indians. Most of the land along the Truckee River was occupied by Euro-Americans after the early 1860s. Washoes continued to make camps at various places along the river where they were allowed to do so. They were joined by groups of Northern Paiutes at various locations in the same area. A description of Sparks, written in 1924, states that the Indians "returned to camp, fish, and hunt for years after the 'pale face' came here to live," and then identified six Indian camps organized after 1870 along the Truckee River in what would become Sparks. It was reported of a ranch owned by James Gault along the Truckee that:

> For many years after 1871 a band of twenty-five or thirty Paiute Indians would come each summer and camp on top of the hill twenty rods west of Mr. Gault's buildings. Some of the men worked on the ranches and were very good steady workmen.[4]

Just west of the Gault ranch was a ranch owned by John D. O'Sullivan, a native of Ireland who came to San Francisco in 1860 and moved to Nevada where he settled on land adjoining the Truckee River in the late 1860s.[5] According to a biographical sketch of O'Sullivan published in 1904, "The land had not been surveyed, and was still in possession of the government. He found its virgin soil covered with sage brush, and when he located thereon people had no idea that the tract was of any value for farming purposes." He



Reno-Sparks Indian Colony Paiute housing during the 1920s-1930s. *(Photo courtesy of Clayton Sampson)*

found water for the site from various sources, built an irrigation ditch, and constructed an attractive ranch which included an orchard and hay lands. In 1904, he had "about forty head of high-grade Durham cattle and fourteen head of horses. . . ." The residence he built for himself and his family was described as "the best farm residence in the entire valley."[6]

John Beare "Jack" O'Sullivan, one of John D. O'Sullivan's sons, inherited the ranch after his father's death on September 27, 1913. In 1904, Jack O'Sullivan was described as a farmer at Pyramid Lake and a man who had secured the franchise for an "electric road" between Harriman (soon to become Sparks) and Reno.[7] As a young man, he had been a miner in Nevada and Colorado and had lived in Hawaii. "In 1907 he accepted a responsible position with the Scheeline Banking and Trust Company," a position which he held for several years. He was active in Democratic politics, was a good friend of Emmet Boyle, Democratic Governor of Nevada from 1915 to 1922, and was himself the Democratic candidate for State Treasurer in 1910, losing only by a narrow margin. During the Wilson administration, he received a presidential appointment as Surveyor-General of Nevada.[8]

The legal authority for the purchase of the Reno-Sparks Colony from John B. O'Sullivan was, according to the United States Supreme Court in 1938, two separate sections of an Indian appropriations act passed by Congress in 1916. One of these sections appropriated money to buy land for homeless Washoe Indians, while the other authorized the purchase of land for "non-reservation Indians in Nevada."[9] Nevada's Democratic Senator Key Pittman asked for both provisions.

Photograph of (from left) Nick Downington, Annie Downington, Juanita Downington Sampson and Harry Sampson taken in 1936. (Two girls seated unidentified.) *(Photo courtesy of Clayton Sampson)*

In December 1914, John B. O'Sullivan asked Senator Pittman for his help in purchasing the portion of land on which Indians had been living for some time. Pittman began efforts to secure such funds.[10] Without specific authority to do so, the Bureau of Indian Affairs in 1915 paid O'Sullivan two months' rent on the land. Subsequently, the BIA entered into a lease to pay rent at the rate of $40 a month for a year. In 1916, Senator Pittman sought rent at the rate of $30 a month for the ten years from 1905 to 1915. The Senate Committee on Indian Affairs refused to approve this request, and Pittman was equally unsuccessful the next year in getting a bill out of committee asserting a claim on behalf of O'Sullivan.[11] However, twenty acres which became the core of the Reno-Sparks Colony was purchased by the BIA for $6,000, presumably from Mr. O'Sullivan, in 1917. In 1926 a contiguous parcel was purchased for $4,300, bringing the total size of the Colony to 28.38 acres.[12]

The purchase of the Reno-Sparks Colony in 1917 was part of a wider effort to purchase camps where Indians had lived. Prior to 1917, only two colonies which had grown up in Nevada had become trust lands; in 1907 and 1910 the Lovelock Colony was purchased, and in 1911 the Las Vegas Colony was purchased for the Las Vegas Band of Southern Paiutes. But in 1917-18, after passage of the two provisions noted above, in addition to the Reno-Sparks Colony, colonies in Carson City, Yerington and Fallon were purchased. In

addition, the Battle Mountain and Elko Colonies were created by executive order.[13]

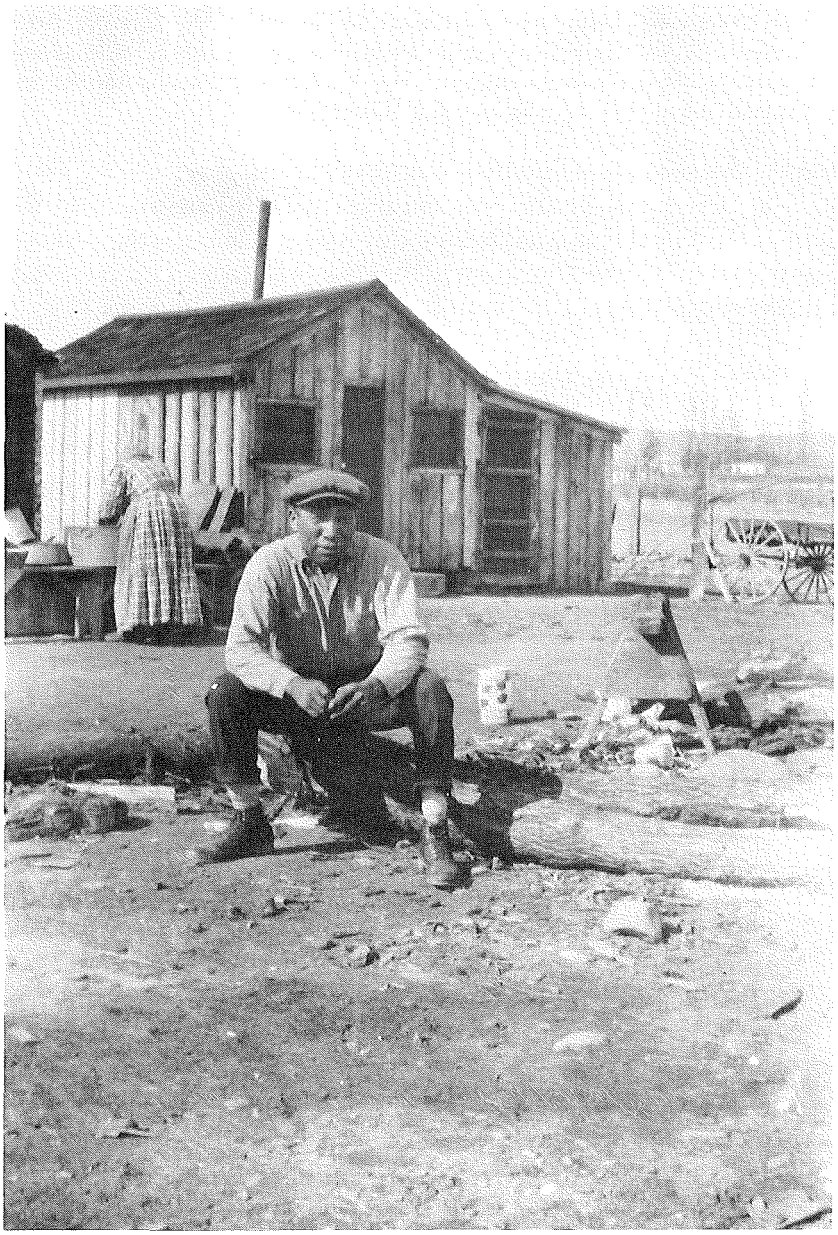
The camps that became colonies received some governmental services and, despite some confusion over their status, were often considered by the Bureau of Indian Affairs to be under their jurisdiction. This was also the case for many of the "scattered" Indians. For example, when Assistant Commissioner of Indian Affairs E.B. Meritt was asked in a Senate hearing in 1915 whether the government had had "supervision and control" over the Washoe Indians, for whom it was desired to purchase land, he replied that they were "supposed to be under the jurisdiction" of the federal government.[14]

There is no doubt that the BIA provided various services for the Reno-Sparks Colony. For example, the addition of land in 1926 was part of a project to improve the water supply for the Colony. (This effort apparently was only partially successful; however, the Colony was still described in the 1930s by two field agents who assisted with the organizational effort as "rocky and rather unproductive." They went on to say that "Very little water is available for the residents.")[15] During the 1920s and 1930s the Bureau of Indian Affairs stationed a nurse at the Colony, and for a number of years before the Indian New Deal a policeman, paid from government funds, had been stationed there.

The Legal Status of Colonies

The confusion over the legal status of the colonies created inconsistency in the criminal justice area. For example, in December 1934, Superintendent Bowler wrote the Commissioner of Indian Affairs that the Bureau "enforcement officer for this area," a Mr. Edmunds, had told her that the United States Attorney for Nevada had refused to prosecute assault and liquor possession cases on the Dresslerville Colony, but did prosecute the same types of cases on the Reno-Sparks Colony. Bowler asked the Office whether the colonies were "bona fide reservations."[16]

In 1938, the matter was settled. In a criminal case originating in the Reno-Sparks Colony, it was decided that colonies were reservations in the full legal sense; in other words, there was legally no difference between a reservation and a colony. The decision arose out of the confiscation of two Chevrolet automobiles which had been used to transport alcoholic beverages into the Colony in violation of federal statutes. The lawyers for the owners of the two seized autos argued that the action was invalid because the Colony was not "Indian country"; that is, the Colony was not a reservation and therefore was not under federal jurisdiction. While the federal district court in Nevada and the 9th Circuit Court of Appeals agreed with this contention, the United States Supreme Court overruled them and held that it was "not reasonably possible to draw any distinction between this Indian 'colony' and 'Indian



Harry Sampson, the first chairman of the Reno-Sparks Tribal Council, in his front yard at the Reno-Sparks Indian Colony in the 1930s. *(Photo courtesy of Clayton Sampson)*

country.' " The Court did not discuss the significance of the term "colony" which had been considered a matter of importance by the lower courts, but noted that:

> The Reno Colony has been validly set apart for the use of the Indians. It is under the superintendence of the Government. The Government retains title to the lands which it permits the Indians to occupy. The Government has authority to enact regulations and protective laws respecting this territory.

Apparently this last consideration was decisive in determining the issue. Noting that "The fundamental consideration of both Congress and the Department of the Interior in establishing this colony has been the protection of a dependent people," the Court noted that the prohibitions on importation of alcohol into reservations were intended to protect the Indians.[17]

The Colonies and the Indian Reorganization Act

Even the Bureau of Indian Affairs was confused about the status of the colonies at the beginning of the Indian New Deal. The confusion was apparent at the first stage of the organization process set in motion by the passage of the Indian Reorganization Act. Congress had included in the IRA a provision requiring that each reservation or tribe vote on whether to reject the IRA within a year after its passage (later extended for another year). If a reservation or tribe rejected the IRA, most of its provisions could not apply to that entity (although some important provisions, such as the section ending the process of allotment, were held to be independent of such a vote). This provision forced the BIA to conduct elections among each group which might ultimately benefit from the IRA within the time limits set by Congress. Confusion over the status of the colonies first surfaced in Nevada when the Carson Indian Agency had to decide whether or not to conduct elections on the colonies.

Superintendent Alida C. Bowler favored letting the colonies vote, but since she was not sure they were reservations, she consulted the Washington office. Because of a long delay in getting a reply from the office, the residents of the Reno-Sparks Colony almost lost a chance to vote on the IRA. In a letter to the Commissioner of Indian Affairs in April 1935, Bowler expressed her irritation at the delay saying that "We have been waiting for many months and have more than once asked for a decision in the matter." She said that her recommendation was the same as her advice regarding the Washoe Indians living at Dresslerville.

> That is that these Indians who possess no land, [sic] who have no tribal organization and no tribal assets have absolutely nothing to lose through application of the Indian Reorganization Act. Therefore, if they do not hold a referendum election and the Act automatically applies to them the benefits will become available to them and they will not be deprived of any rights without an opportunity to reject the application.[18]

Superintendent Bowler interpreted the IRA as applying to any group which did not vote on it, an incorrect interpretation. In any case, she wrote that

because the "time for conferences and educational work is now so short," it was her opinion that IRA referenda should not be held on the Reno-Sparks Colony or other "great groups of scattered Indians of whom this Reno Colony is but one small example."[19] (Note that she used the terminology usually used to refer to Indians with no land at all.)

Precise information is lacking to determine whether the residents of the Reno-Sparks Colony were entirely Washoes or if they included Northern Paiutes at the time it was purchased, but by the 1930s the Colony consisted of roughly equal numbers of Washoes and Northern Paiutes, with a few Western Shoshones. In 1935, according to the BIA, there were sixty-five Washoes, eighty-nine Northern Paiutes, and two Western Shoshones living on the Colony.[20] The perception by the Bureau that this "tribal" division was important led to a counting of the vote on whether or not to accept the IRA by tribe. In reporting the overall vote to accept the IRA, Superintendent Bowler reported that, of the fifty-three eligible Northern Paiute voters, twenty-two voted for the IRA and three voted against it; of the forty-two eligible Washoe voters, thirty voted for the act and two against it. The overall total vote was fifty-two to five for acceptance of the IRA.[21]

Organizing Tribal Councils at the Reno-Sparks Colony

Little is known about political organization on the Reno-Sparks Colony prior to 1934. A Nevada Indian Welfare Association based on the Colony was organized by Indians in the early 1930s. In 1933 this association developed a program titled "Suggestions for the Relief of Nevada Indians," which was sent to various government officials. Harry Sampson, a Northern Paiute of the Reno-Sparks Colony, played an important role in this association; a letter sending the program to Senator Key Pittman was signed by Sampson.[22]

There were sixteen points in the program, several dealing with the status of Indians living on colonies. Several points dealt with relief programs which the authors expected would deal with reforestation: "We call your attention to so called 'non wards' of the government who live in Indian Colonies or nereby [sic] towns. They are especially needy at this time and should be considered in your Reforestration [sic] Work plan." Another proposal was: "We ask no discrimination be made between so called 'government wards' and non-government wards, and we also believe, and ask that no discrimination be made between Indians where there is a drop of Indian blood."

Other proposals in the program dealt with a variety of aspects of federal Indian policy. It was charged that the Carson Indian School had "failed in its purpose" to educate Indian children, and should be turned into either a "State Normal School" or a veterans' hospital or home. Apparently the chief objection to the school was that it was a BIA school, in that the program stated that, "Our definite purpose is to remove Indian children from Indian day

Indians worked as part of the WPA or CCC during the 1930s in Reno. *(Photo courtesy of Clayton Sampson)*

schools and Indian boarding schools and place them in the public schools of the United States." Other points urged the "development of Indian craftsmanship," proposed a system for distributing "Indian supplies" directly to Indians on reservations or colonies, advocated "free electric light and water to Indians, whether on reservations, in colonies, or individual homes," and asked that, "Adequate homes should be provided for Indians. . . ." In addition, the program requested that Indians "be trained to fill all positions now held by white employees," and urged limited self-government for Indians, with this statement:

> Where Indians are housed on reservations or in colonies, we urge well selected supervision be made and that to this end an intelegent [sic] advisory board of Indians be selected to co-operate with the administration, all of which shall come under the direct control of the Commissioner of Indian Affairs.

The program did not object to the allotment system, but proposed "equal division of all lands and trust funds now held by the GOVERNMENT FOR INDIANS."[23]

Within a year, Harry Sampson attended a congress held by the BIA at Riverside, California, March 17-18, 1934 to secure Indian opinions about the Wheeler-Howard Bill which later became the Indian Reorganization Act. (There were also Nevada Indians from Pyramid Lake, Fort McDermitt, and Dresslerville.) Sampson asked if the possible purchase of land for the Reno-Sparks Colony from the existing colony would "segregate us from the whites

in Reno." Later, he indicated that he attended the Congress to obtain information and "go back and tell those people what I have learned." He stated that "We have no land, therefore, if the bill is rejected or if it goes thru it does not matter . . . We are in favor of this bill. Why? Because we believe everything is in our favor and we cannot lose anything. We have everything to gain."[24]

The first formal council of the Colony was organized in early 1934 as an unintended consequence of the attempt to enact the IRA. The bill, which eventually became the IRA, had been introduced in Congress in early January, 1934. Prior to this there had been no consultation between the bill drafters and Indian governments or field personnel of the Bureau. However, on January 20, 1934 the Bureau sent to agencies and Indians a long circular letter asking for reactions to the main policy thrusts of the proposed legislation, without stating that the bill had already been drafted. The result was a substantial amount of correspondence to the Bureau. In Nevada the immediate result was the organization of several tribal councils. In February, 1934 acting Superintendent John H. Holst visited four Indian groups, one of which was the Reno-Sparks Colony. Holst wrote the BIA that:

> In accordance with the instructions [sic] of the Indian Office Circular on Indian self-government . . . four conferences were held in this jurisdiction. At each place the principles of self-government and the necessary organization were explained and discussed. Fort McDermitt only, had any council or form of organization, but following the conferences at each place, the Indian groups continued in session or in adjourned session until they had selected a council, and in every instance they seem to have made a good start.[25]

The Reno-Sparks Tribal Council was organized at a "mass meeting" held at the Colony on February 9, 1934. Apparently there was no decision to draw up a written constitution. The meeting elected a council consisting of three Paiutes—Cleveland Cypher, Thomas Ochiho, and George Hooten—and three Washoes—Willie Tondy, Jack Mahone, and George McGinnis. In addition, Harry Sampson was selected Chairman by the Council. In his report to the Commissioner of Indian Affairs on this meeting, Holst said that the principal source of difficulty was the tribal division.

> The meeting was well attended but not very harmonious. They did not at first think they could work together but it was suggested that they might select a council equally divided between Paiutes and Washoes, the council to select an additional member as chairman. This they later did and there appears to be a growing sentiment for more cooperation between the tribal groups.[26]

The new council endorsed the Wheeler-Howard Bill in a letter to Senator Key Pittman April 14, 1934. Chairman Harry Sampson wrote:

Believing that the Wheeler-Howard Bill S. 2755 will be of lasting benefit to the progress of all Indians in the United States: Therefore, we the organized Indians of the Reno Indian Colony do hereby ask that you will give S. 2755 your untiring support until its passage.[27]

Almost immediately, however, conflict began between the Carson Indian Agency and the Tribal Council headed by Sampson. Initially, Superintendent Bowler interpreted the situation as a conflict between Washoes and Paiutes. When Chairman Sampson forwarded a petition to Washington asking for the removal of the Indian policeman at the Colony, the petition was routinely forwarded to the Carson Indian Agency for investigation. Superintendent Bowler had two of her employees hold a hearing at the community house on the Colony. According to her report of this hearing, all of the signers of the petition were Northern Paiutes. Moreover, she reported that "a good many" of the signatures on the petition were not the actual signatures of the persons involved; some said "that they had given Harry Sampson permission to sign their names for them." After the hearing, another petition was received by the Agency asking for the retention of the policeman; this one was signed only by Washoes. The Superintendent's conclusion was that the first petition:

. . . was not founded on evidence of any importance in relation to the performance of his police duties, but that it was apparently the result of considerable personal disagreements between the active factions at that colony. We expressed the opinion that it would be utterly impossible to find a police officer who would satisfy all of these factions.[28]

This incident was the beginning of personal hostility between Bowler and Sampson. The same day that the report was sent to Washington, Superintendent Bowler mailed Chairman Sampson a letter telling him that he was authorized only to "carry out the instructions of a majority vote of [the] council"; she told him that "election as chairman of a council gives no individual Indian any power." At the time of her letter, the process which led to the first Constitution of the Colony was under way. Referring to this, Bowler told Sampson that "your group has not yet organized for self-government under the Indian Reorganization Act. . . . Your group has only begun its work looking toward self-government and is not yet organized for that purpose."[29]

She was apparently trying to tell him that he and his council had no authority, although the council had been organized by the Agency. In a letter to the "Reno Indian Council" written February 20, 1934 Holst stated:

I hereby recognize this as a lawfully constituted council and will confer with it or its representatives on any or all matters relating to the government and welfare of the Reno Indian Community. Your council should gradually become the governing body of your community. You should prepare to obtain a government charter, which

This photo of Harry Sampson (top left) and his brother, Dewey (top right) was taken at the Reno-Sparks Indian Colony around 1919. Bottom l to r: Juanita Sampson, Sam Withorn and Daisy. *(Photo courtesy of Clayton Sampson)*

charter will acknowledge specific obligations on your part and will guarantee to you specific privileges in return.[30]

It is true that Holst misunderstood the circular from the Washington office, and it was also true that he had been replaced by another superintendent a few months after this. Nevertheless, Bowler's denigration of the council elected by the Colony must have caused concern among the members of that body.

The incident over the petition to remove the policeman seems to have been the beginning of a conflict which ultimately led to a decision by Superintendent Bowler that she would refuse to work with the Reno-Sparks Tribal Council.

After the acceptance of the IRA in the referendum vote at the Reno-Sparks Colony, the Agency took steps to develop a written constitution to replace the council elected in 1934. Whether this was because of dissatisfaction with this council or the assumption that any government of the Colony should be based on a written constitution is unclear. The documents which have survived in the National Archives are inadequate to describe the process of constitution-writing in detail, but several features of the process can be reported.

On behalf of the Indians, a committee of five men—Harry Sampson, Cleveland Cypher, George Hunter, Jack Mahoney, and Willie Tendy—worked on the constitution; they were paid two dollars a day for the time they

actually spent working on the document. (All but Hunter were members of the council elected in early 1934.)[31] On behalf of the Bureau, most of the work was done by Organization Division employees Kenneth A. Marmon, a member of Laguna Pueblo, and John H. Holst, who as Acting Superintendent had organized the first council. (Actual organization work was conducted largely by employees of the Organization Division in Washington, although they were supposed to acknowledge the authority of the local Superintendent.) Marmon and Holst reported to the Commissioner of Indian Affairs in mid-August, 1935 that they spent an average of fourteen or more hours each day for eight straight days (including Sundays) helping write constitutions for the Reno-Sparks Colony, the Pyramid Lake Reservation, the Washoe Tribe, and the Fort McDermitt Reservation.[32]

Unfortunately there are no reports about the nature of this work on the Reno-Sparks Colony. Also missing are the comments from the Washington office on the draft sent from the field. This was a crucial stage of the process, during which much uniform language was inserted in constitutions and the viewpoints of the office often prevailed over those of the Indians and the field staff.

In December, 1935 another field agent of the Organization Division, George LaVatta, a Northern Shoshone from the Fort Hall Reservation, spent two weeks in Nevada campaigning for several constitutions, including the one drawn up for the Reno-Sparks Colony. On December 5 he spent an evening at the Colony reading and explaining the constitution to residents. Because there was insufficient time to handle all of the questions, he returned on December 11 for another meeting. LaVatta reported of this second meeting that "Considerable enthusiasm was aroused at this meeting, and before the meeting was over, the Indians expressed themselves to the effect that they were ready to vote on their constitution and by-laws."[33]

The election for the adoption of the Constitution was held on December 16, 1935, and was approved by a vote of fifty-one to one. The votes were not counted by tribe.[34] The two most significant portions of the document were those dealing with membership and the election of a governing body. Reflecting the mixed character of the Colony from a tribal standpoint, the membership provision did not mention tribal membership, merely stating that "all persons of Indian blood who have completed one year's continuous residence in the Reno-Sparks Colony" were members. This provision did state that membership could be lost by "one year's continuous absence" from Colony residence, and it also authorized the Reno-Sparks Tribal Council to enact ordinances providing for enrollment of new members; however, it offered no guidance to the council in enacting such ordinances. No mention of tribal membership and no requirement for a "blood quantum" for membership are unusual in Great Basin constitutions.

While the provisions establishing the Tribal Council did not mention tribal

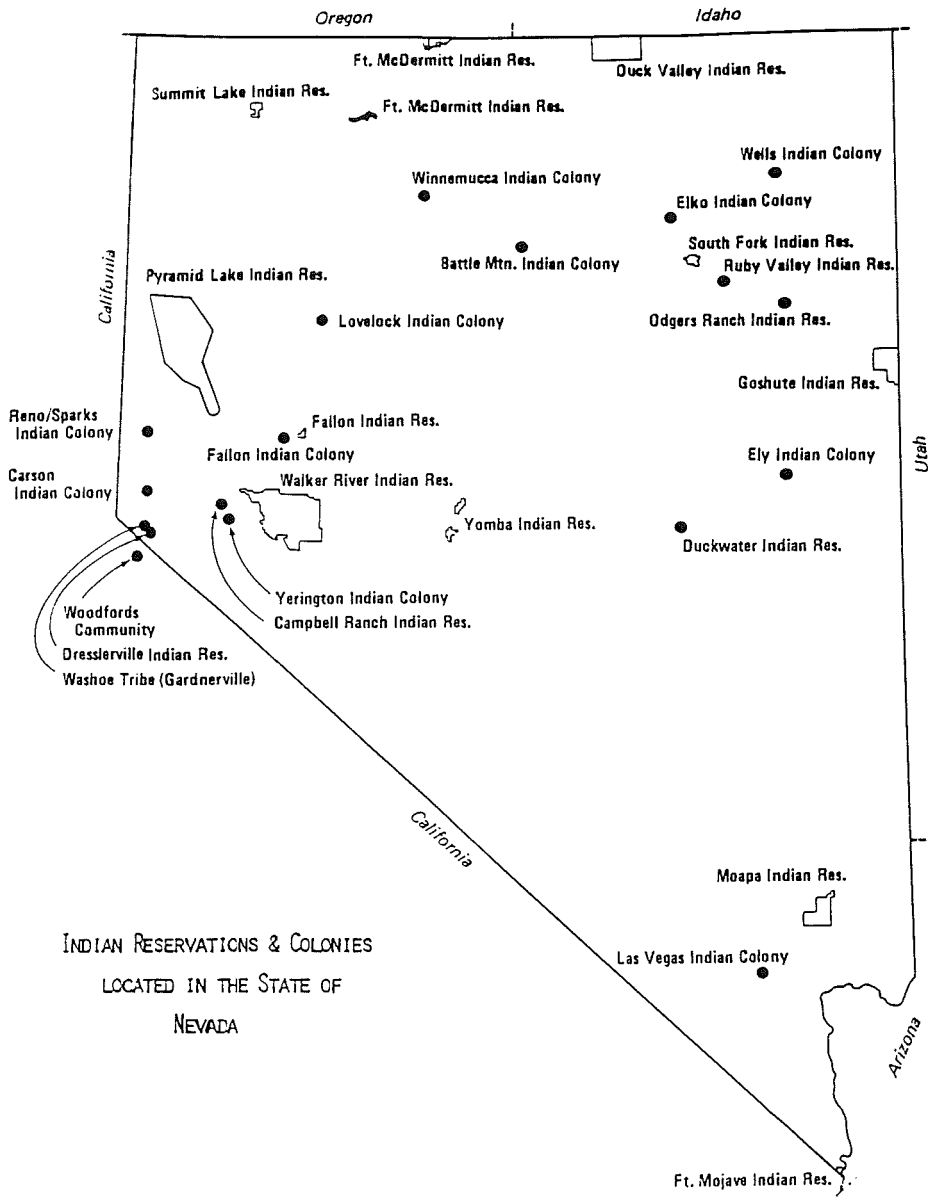
affiliation, they did provide for election from districts which corresponded with tribal membership. The governing body of the Colony was an Indian Council consisting of six members elected for two-year terms. The officers of the Council—Chairman, Vice-Chairman, Secretary and Treasurer, at a minimum—were elected by the Council. The crucial feature of the elections procedure was the division of the Colony into two districts, by a line running east-west "through the center of the Community house." At that time, Washoes lived in the southern half of the Colony while Paiutes lived in the northern half. Each of these districts was to elect three members to the council. Moreover, a provision of the by-laws stated that it was the duty of each council member "to make reports to the district from which he was elected, concerning the proceedings of the council." Thus, the major division within the Colony was explicitly recognized by the document, although not identified as a tribal division.

Adopting a Charter

The Colony then proceeded to take steps in adopting a charter. In June, 1936 a petition to hold a charter election was forwarded to Washington by Superintendent Bowler. She indicated there had been a delay because an earlier petition had contained "signatures obviously not in the handwriting of the persons themselves, since we had names on it that were written by the same person." Apparently this was the result of confusion over how to deal with persons who could not sign their names; when the petition was returned with instructions to have persons who could not write make a cross or a thumbprint, either witnessed by two persons, it came back in good order.[35]

Perhaps the Agency did not assign high priority to securing a charter for the Colony because of its view that most of the activities made possible by a charter were appropriate only to reservations with agricultural resources. In her letter transmitting the properly prepared petition for a charter to Washington, Bowler wrote that she had not been able to meet with Indian councils as often as she would have liked because of the pressures of rehabilitation work in the Agency, and therefore did not know why the charter was being requested. She wrote: "I am sorry to say that we do not know just what this Reno-Sparks group has in mind in getting a business charter. They have no agricultural lands on which credit funds could be expended in development." She indicated she would find out later what the Colony had in mind and report back to Washington.[36]

After this, even longer delays took place because Agency staff were too busy to spend much time on charter questions. Charters were essentially boiler-plate documents prepared by Washington attorneys. They are so legalistic in form that even a well-informed non-attorney has difficulty understanding them, so there is little doubt that the Indian input from the Colony



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on the drafting of the charter was small. George LaVatta played an important role in drafting the charter. Bowler explained the delay in part was due to doubt on her part that the Colony could make use of a charter. She wrote the Washington office in April, 1937 that:

One reason for Mr. LaVatta's delay may be because we do not quite see any very feasible use of credit funds up there. However, I think we should permit that group to go ahead and obtain its charter. Then we can deal with them on the basis of approval of any plans they may make for use of credit funds for which they wish to apply.[37]

This letter indicated the delay was due partly to the workload of the Agency; she afforded that the rapid approval of charters was creating problems for her staff, which was not expanding rapidly enough to keep up with the increased work. Further, Bowler expected there would soon be five charters among Carson Indian Agency groups, and she was "a little frightened at the speed with which these things are moving ahead."

That is all to the good as far as opening up credit resources for our Indian people is concerned. On the other hand it means a very considerable additional responsibility of an important kind without additional personnel to help develop the program. You know what that means.[38]

The charter was approved at an election held January 7, 1938 in which thirty-five persons voted for it and one against it. While the process of writing this document has not been studied, the likelihood that the charter was essentially written in Washington is supported by the fact that it refers in one paragraph to "the Colony grazing lands."[39]

The Constitution adopted during the 1930s lasted until 1970, when an entirely new document was adopted: this constitution governs the Colony today. The new Constitution changed the membership rules significantly. While allowing members who qualified under the former rules to retain their membership, the new Constitution requires at least "one-fourth (1/4) degree Indian blood of the Washoe, Paiute or Shoshone tribe" and Colony residence for at least one year to qualify a person as a member. Spouses of persons who do not meet these qualifications cannot be members, although they may continue to reside on the Colony if they were living there when the new Constitution was adopted; children of members are members only if they are at least one-fourth Washoe, Paiute or Shoshone. There is also an unusual provision which allows a member of the Reno-Sparks Colony to be a member of another tribe or reservation "unless such person has received land or money by virtue of his membership in or affiliation with another tribe or group of Indians." This permits Washoes living on the Colony, for example, to be members of the Washoe Tribe, whose constitution does not require residence on a reservation. John H. Dressler, Chairman of the Washoe Tribe for several years, lived on the Reno-Sparks Colony during those years. In addition, the new Constitution abolished the system of electing council members by district. Instead, a seven-person council is elected by all of the voters of the Colony.[40]

Proposals for Economic Development

In spite of her conflicts with the Sampsons, Superintendent Bowler cooperated with efforts made by the Reno-Sparks Tribal Council to bring about economic development on the Colony, at least initially. Although Bowler had not known what economic development plans the Colony might have had earlier, these became clear by December 1936. On December 18 she wrote J.E. White, the Bureau's Credit Agent in Salt Lake City, enclosing a letter from the Tribal Council. She wrote:

> Last week the Chairman and Secretary of the Reno-Sparks Tribal Council came in to talk briefly about their wishes to obtain some of the credit money to finance certain industrial enterprises at that Colony. I suggested that they put in writing something of their ideas on the subject and that I would then send it on to you.[41]

In their letter written December 13, the council said that at a special meeting on December 11, 1936 the council had "recommended for establishment of a cooperating laundry, [a co-operative] store and meat-market combine, and a gas-filling station," and for "Poultry raising and a harness repair shop for individual Indian members who wanted to do business for themselves."[42] A credit report subsequently reiterated these requests and noted that the chairman of the council had appointed committees "to investigate the feasibility of these proposed projects and report their findings and make definite recommendations to the council by June 1, 1937."[43] (It is not clear what happened to this proposal.)

An important part of the Indian Reorganization Act was the section authorizing the purchase of lands to create or enlarge reservations. In January 1937 a formal proposal was made to purchase agricultural land for the Colony in the Truckee Canyon to the east of Reno. As noted, the purchase of more land for the Colony had been raised by Harry Sampson at the Riverside Congress in March 1934. In February 1934 Commissioner Collier noted in a letter to Superintendent Holst that the bill which had been introduced in Congress would permit very flexible programs tailored to the needs of each reservation as the members of that reservation saw these needs. Holst wrote that "In such a case as the Reno Colony, the bill would make it possible to acquire land suitable for cultivation."[44]

E.M. Johnstone, Land Field Agent stationed in Sacramento, wrote the report recommending the land purchase. On January 14, 1937 he sent the report to Credit Agent White, Superintendent Bowler, and Field Agent George LaVatta.[45] In this report he stated that the Indians on the Colony were "To all intents and purposes . . . landless" because, while eight of the 28 acres was used for gardens "to a limited extent," even this portion of the Colony was not very useful for agricultural purposes because its source of

water was the Truckee River, "which runs dry in July." Johnstone continued that "Wages from seasonal farm labor, returns from glove work and labor of the women as domestics as afforded at irregular intervals, constitute their income and average approximately $300.00 per annum, per family."

Johnstone proposed buying land for twenty Indian families (including about ninety individuals) in the Truckee Canyon, just west of the southern tip of the Pyramid Lake Indian Reservation, between Highway 40 and the Southern Pacific Railroad tracks. It was proposed to purchase 309 acres of irrigated bottom land, 200 acres of bottom pasture land, and 571 acres of upland grazing land, for a total of 1,080 acres. It was proposed that each farming household would have approximately fifteen acres of "good farm land" and fifty acres of grazing land. While no detailed appraisals had been made, it was estimated that the lands could be purchased for $19,163; with $10,000 for improvements, the total cost to provide for the twenty families was estimated to be about $30,000. The lands involved were mostly fenced and had "ordinary houses and farm buildings upon them," although additional houses would have to be built. Although there was no specific mention of purchasing water rights, it was noted that there were various rights dating back to 1879. Clearly, the assumption was that the water rights would go with the land.[46]

On January 22, 1937 Credit Agent White wrote Johnstone approving "the proposed purchase of the Reno-Sparks Project, although he suggested that a more precise estimate of the carrying capacity of the lands for livestock be made. On January 25, Superintendent Bowler wrote the Commissioner of Indian Affairs asking "favorable consideration" of the proposal, but asking that only Paiutes be eligible for lands purchased for the project. "I should prefer," she wrote, "that this project not [be] limited to the Indian residents on the Reno-Sparks Colony." She continued that "The mixture of Paiutes and Washoes on that Colony has always been a serious error. They never have and we do not believe they ever will live and work together in harmony. . . . It is our intention to consider the Washoes as eligible for the land being purchased in Carson Valley for landless Washoe Indians." She indicated that the Washoe families living on the Colony were already being "canvassed" along with "all other Washoes" to determine who would receive assignments in this Washoe project. Bowler believed that the proposal had originated with the Agency on February 8, 1935 as a proposal to acquire about 1,600 acres "for the use of scattered Paiute Indians including those resident on homesite colonies without usable land." The proposal was also approved by LaVatta, although he wondered if the project would really "take care of the twenty families as shown in your justification."[47] Again, what happened to this proposal is not known, but to this day the Reno-Sparks Colony has no agricultural land.

Conflict Develops

By 1939 relations between Bowler and Harry Sampson and his brother Dewey had deteriorated to the point that the Superintendent made the statement that she did not desire to cooperate further with the Colony. The immediate cause of the rupture was a decision to reassign a house which Bowler originally thought had been assigned to the father of the Sampsons. (Houses were not owned by individual Indians, but the right to use them could be "assigned" by the Superintendent.) However, it developed in the course of the dispute that the house had actually been assigned to Nick Downington. His widow, Annie Downington (who was the stepmother of Harry and Dewey Sampson) was temporarily living with members of her family, but according to the Sampsons, wished to retain the house.[48]

During the course of correspondence between the Sampsons and Bowler, bitter words were exchanged. In a letter to Bowler written July 24, 1939, Dewey Sampson accused Superintendent Bowler of having visited the Colony only twice since she had come to the Agency. He insisted that he had written the Commissioner of Indian Affairs on "subjects vital to Indian progress" but that "invariably when responding to these request [sic] that we believe to be advantageous to Indians, the employees of the Indian Service have replied in numerous cases that our objections are unfounded, and often without proper investigation." This letter asserted that the issue was one of self-government. He wrote, "We contend that the Indian Council have certain authority to govern the Reno-Sparks Colony in all that does not break the laws of the U.S. Government."[49]

On July 25, Bowler wrote Dewey Sampson expressing "surprise" and "regret" that he had written this letter. Bowler asserted that she had attended "more than two Council meetings at the Indian Colony" and had "made other visits there." She said that the Agency's information was that the house in question had been rented illegally to persons not eligible to live there and that it was needed for an aged, indigent Indian. Bowler wrote that "I had hoped that in your public office you would forget selfish interests and be genuinely interested in the welfare of all Indian people." Bowler charged that the Colony had not made proper use of a BIA-installed irrigation system, and virtually declared that she would not cooperate further with the Colony:

> I will in all fairness state that I have visited the Reno-Sparks Colony less frequently during the last two years because the attitude of the Indian members of that community has been so poor. They have not shown a disposition to help themselves. I have therefore felt that I could render better service by working diligently with communities that do endeavor to help themselves and that are not so entirely willing to take everything that they can get from the Federal Government without putting forth any effort of their own. . . . Of course, when a different attitude develops in that community and they present evidence of being able to work together harmoniously

and to have a desire to improve their condition, we will be more than glad to renew activities on their behalf.[50]

Harry Sampson replied on August 4, 1939 that the problem with the irrigation system was that a road built through the Colony had "destroyed the natural irrigation ditches that supplied water to certain portions of the colony. This impracticalbe [sic] management of the Indian Affairs in our colony naturally lost our interest, and our belief, in your ability to supervise."[51]

Summary and Conclusions

The confusion about the legal status of Nevada colonies at the beginning of the Indian New Deal was cleared up in a Supreme Court case which originated in the Reno-Sparks Colony, determining that colonies were not legally different from reservations. Efforts to organize a Nevada Indian Association and develop an Indian program began before passage of the Indian Reorganization Act, with leadership from Harry Sampson. A local agency official organized a temporary tribal council at the Colony headed by Sampson, and when a constitution drawn up under authority of the Indian Reorganization Act went into effect, Sampson also led this body. Sampson, and his brother Dewey, found it increasingly difficult to deal with the Nevada Indian Agency. By 1939 Superintendent Bowler was unwilling to work with the Colony's elected leadership as a result of several bitter disputes with the Sampsons.

The BIA held that the most serious source of conflict on the Reno-Sparks Colony was differences between Washoes and Northern Paiutes due to the voting procedures acceptance or rejection of the IRA being counted separately by tribe. Likewise, the first constitution under the IRA conducted elections for the Tribal Council by tribe. This provision was dropped in a new constitution approved in 1970. In neither document was there any requirement of tribal membership in order to be a member of the Colony.

The Reno-Sparks Tribal Council pushed for adoption of a charter after the constitution was adopted, and made requests for loans to enable the Colony to establish several businesses. The Agency supported these requests, and also made an application for purchase of agricultural land for Northern Paiutes, including colony residents, in the Truckee River east of the Colony. Neither of these efforts came to fruition, however. Only in the last couple of decades has the Reno-Sparks Colony experienced economic development. Perhaps not coincidentally, in recent decades the level of conflict among Colony residents has also declined.

Notes

[1] There is a brief discussion of this controversy in David H. Thomas, et al., "Western Shoshone" in *Handbook of North American Indians, Great Basin*, vol. 11, ed. Warren L. d'Azevedo (Washington: Smithsonian Institution, 1986), 274-279; Catherine S. Fowler and Sven Liljeblad, "Northern Paiute," in

Handbook of North American Indians, Great Basin, vol. 11, ed. Warren L. d'Azevedo (Washington: Smithsonian Institution, 1986), 436-437; 446-449.

[2] For a discussion of the complexities of trust status, see Felix A. Cohen, *Handbook of Federal Indian Law* (Charlottesville, Virginia: Michie Bobbs-Merrill, 1982), 471-522.

[3] Steven J. Crum, "The Western Shoshone People and Their Attachment to the Land: A Twentieth Century Perspective," (nd).

[4] F.B. Kingsbury, "Pioneer Days in Sparks and Vicinity: Early Settlers and Points of Interest," in *Nevada State Historical Society Papers,* 1925-1926 (Reno: Nevada Historical Society, 1926), 285-374.

[5] Thomas Wren, *A History of the State of Nevada, Its Resources and People* (New York: Lewis Publishing Co., 1904), 472-74; Sam Davis, *The History of Nevada* (Reno: Elms Publishing Co., 1913), 1123-24.

[6] Wren, *Nevada,* 473.

[7] Ibid., 182, 473.

[8] Boyd Moore, "Persons in the Foreground," in *Nevada, Newsletter and Advertiser* (January 1915): 7, 10.

[9] *United States v. McGowan,* 302 US 535 (1938). The circumstances of the purchase of several Nevada colonies in 1917-19 are treated in greater detail in an unpublished manuscript by the author, "Purchasing Nevada Colonies."

[10] O'Sullivan to Pittman, 9 December 1914, Pittman Papers, Box 65, Library of Congress.

[11] Senate Committee on Indian Affairs, *Hearing on Indian Appropriation Bill* (Washington: GPO, 1916), 188.

[12] 39 Stat. 125, Section 13, 44 Stat. 328.

[13] Richard O. Clemmer and Omer C. Stewart, "Treaties, Reservations, and Claims in *Handbook of North American Indians, Great Basin,* Vol. 11, ed. Warren L. d'Azevedo (Washington: Smithsonian Institution, 1986), 532-533.

[14] House of Representatives Subcommittee on Indian Affairs, *Hearings on Indian Appropriation Bill* (Washington: GPO, 1915), 260.

[15] Kenneth A. Marmon and John H. Holst, memorandum on "Reno-Sparks Indian Colony," 30 August 1935, National Archives Building, Record Group 75, Records of the Bureau of Indian Affairs (hereafter cited as BIA Records), Organization Division, file 9708A-1936-Carson-068-Reno-Sparks.

[16] Alida C. Bowler to Commissioner of Indian Affairs, 18 December 1934, BIA Records, Central Classified Files, 1907-1936, file 64044-1934-Carson-170.

[17] *United States v. McGowan,* 302 US 535 (1938).

[18] Alida C. Bowler to Commissioner of Indian Affairs, 18 April 1935, BIA Records, Organization Division, file 9708-1936-Carson-066.

[19] Ibid.

[20] Marmon and Holst memo, 30 August 1935.

[21] Bowler to Commissioner of Indian Affairs, 10 June 1935, BIA Records, Organization Division, file 9708-1936-Carson-066.

[22] Harry Sampson to Key Pittman, 11 May 1933, "Suggestions for the Relief of Nevada Indians," Pittman Papers, Box 73, "Executive Departments," file "Indian Affairs."

[23] Ibid.

[24] BIA Records, Organization Division, Wheeler-Howard Files, "Proceedings of the Conference for the Indians of Southern California": 34, 32-3, 52.

[25] Holst to Commissioner of Indian Affairs, 14 February 1934, BIA Records, Central Classified Files, 1907-1936, file 9532-066-Carson.

[26] Holst to Reno Indian Council, 20 February 1934; Holst to Commissioner of Indian Affairs, 10 February 1934; Reno Indian Council to John Collier, 9 February 1934; Holst to Commissioner, 14 February 1934, BIA Records, Wheeler-Howard Files, file 4894-34-066-Part 1A.

[27] Sampson to Pittman, Pittman Papers, Box 73, "Executive Departments," file "Indian Affairs."

[28] Bowler to Reno Mayor John Cooper, 17 June 1935, BIA Records, Wheeler-Howard files, file 4894-34-066-Part 1A.

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[30] Holst to Reno Indian Council, 20 February 1934, BIA Records, Wheeler-Howard File, file 4894-34-066.

[31] Marmon to Bowler, 20 November 1935, BIA Records, Organization Division, file 9532C-1936-Carson-057.

[32] Marmon and Holst to Commissioner of Indian Affairs, 14 August 1935, BIA Records, Organization Division, file 9532C-1936-Carson-057.

[33] George LaVatta to Commissioner of Indian Affairs, 24 December 1935, BIA Records, Organization Division, file 9532C-1936-Carson-057.

[34] Bowler to Commissioner of Indian Affairs, 17 December 1935, BIA Records, Central Classified Files, 1907-1936, file 9708A-1936-Carson-068-Reno-Sparks.

[35] Bowler to Commissioner of Indian Affairs, 4 June 1936, BIA Records, Central Classified Files, 1907-1936, file 9708B-1936-Carson-067.

[36] Ibid.

[37] Bowler to Allan G. Harper, 16 April 1937, BIA Records, Central Classified Files, 1907-1936, file 9708B-1936-Carson-067.

[38] Ibid.

[39] Corporate Charter of the Reno-Sparks Indian Colony, ratified January 7, 1938.

[40] Constitution and Bylaws of the Reno-Sparks Indian Colony, approved December 5, 1970.

[41] Bowler to J.E. White, 18 December 1936, Laguna Niguel Regional Archive, Record Group 75, Records of the Bureau of Indian Affairs, Division of Extension and Industry/General Correspondence, 1937-1952/Carson/Box 302 (hereafter Extension and Industry records), file "Reno-Sparks Colony/Carson Agency/Social and Economic Information/1937."

[42] Ibid.

[43] "Social and Economic Information for the Reno-Sparks Colony": 17, in Laguna Niguel Regional Archive, Extension and Industry records, file "Reno-Sparks Colony/Carson Agency/Social and Economic Information/1937."

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[45] E.M. Johnston to Bowler, 14 January 1937, Laguna Niguel Regional Archive, Extension and Industry records, file "Reno-Sparks Colony/Carson Agency/Social and Economic Information/1937."

[46] Ibid.

[47] White to Johnston, 22 January 1937; Bowler to Johnston, 25 January 1937; LaVatta to Johnston, 27 January 1937, Laguna Niguel Regional Archive.

[48] Library of Congress, Pittman Papers, Box 73, "Executive Departments," file "Reno-Sparks Colony."

[49] Sampson to Bowler, 24 July 1939, Pittman Papers, Box 73.

[50] Bowler to Sampson, 25 July 1939, Pittman Papers, Box 73.

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