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Nevada Historical Society Quarterly

The *Nevada Historical Society 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 archaeology of these areas; reprints of historic documents; 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, along with a copy on disk (in MAC© or IBM© compatible form-WordPerfect© 5.1, 6.0, or Microsoft Word©). All manuscripts, whether articles, edited documents, or essays, should conform to 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. Submission guidelines are available on request. Correspondence concerning articles and essays is welcomed, and should be addressed to The Editor.

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Front Cover: View of broken glass at Reno Power, Light and Water Company office, ca. 1920s. The office was located at 21 Front Street. The event documented an act of vandalism, explosion, or something else, is currently unknown. (*Roy Curtis Collection-143, Nevada Historical Society*)

Everday Mysteries
Roy Curtis's Photographs of Reno in the 1920s

LEE P. BRUMBAUGH

INTRODUCTION

The Nevada Historical Society is pleased to present an exhibition of work by Reno photographer Roy Curtis. The exhibition is based primarily on the more than two hundred Curtis prints and negatives in the Society's own collections. Most active in the 1920s, Curtis is notable today for his finely crafted, on-location work that forms our best record of the social and economic life of Reno during this relatively unheralded decade in Nevada's history. The famed Eastern photographer of the next decade, Walker Evans, derided the soft-focus style previously in vogue and proclaimed that there is nothing more mysterious than a fact clearly stated. The photographs of Roy Curtis are both exceptionally detailed and often eerily mysterious.

While nationally the economically roaring twenties and the flapper lifestyle of the newly "liberated" women were well documented, Reno, the "tough little town on the Truckee," was only holding its own. Reno's notoriety was for its lax divorce laws, a fame that would peak in the late 1920s and early 1930s. The divorce trade did not, however, spark a local photography boom comparable to that found in the mining camps. Neon naughtiness and ersatz glamour, prime subjects of later Reno photographers, would not crowd out conventional commerce—the topic of Curtis's work in our collection—until casino gambling was legalized in 1931. However, while no large body of such work is yet known in local archives, Curtis was most famous nationally for his news photographs of visiting celebrities, including, no doubt, divorce seekers.

If Curtis had simply documented Reno during Nevada's photographically lost decades, between the turn-of-century mining and railroading boom and the emergence of the casino industry, his importance among Nevada photographers would be assured. However, Curtis's meticulously composed images

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were no doubt at one level more detailed than his clients needed, and at another level more realistic than his clients might have preferred. In other words, Curtis was an artist.

Besides his unusual honesty, Curtis displayed a fine eye for social irony, a quirky visual wit, and, judging from his preserved images, a penchant for the odd and enigmatic. Curtis's role as an outsider—he had moved from New York in 1916—may have allowed him to see his Reno subjects with more objectivity and personal insight than would have been possible otherwise. The literal range of his work includes school pictures, both classes and sports teams, store fronts and interiors used in newspaper advertisements, mining and industrial views of the kind often published in annual reports to stockholders, and on-site portraits of the well-to-do. In his best images, Curtis has elevated each subject to the level of an archetype. His are not, however, casual or simplistic stereotypes or caricatures. Curtis is clearly fascinated by each subject. It is his perfection of the particular that make his subjects universal.

Outside the fine-art arena, the level of intentionality and self-awareness of a photographer can seldom be determined with certainty. Ultimately, it does not matter. Photographers' reputations are measured not by the erudition of their "artist's statements," but by the perceived significance of their work to the viewing audience. Only on rare occasions have long overlooked commercial photographers been rediscovered and nominated as major photographers worthy of national and international attention. Eugene Atget's views of Paris streets and gardens, Disfarmer's portraits from Heber Springs, Arkansas, and E. J. Bellocq's portraits of Storyville prostitutes in New Orleans are among the most famous such discoveries from the commercial ranks. It is hoped that the present article and exhibition will be a small step toward gaining Curtis's Reno photographs and his artistry a well-deserved wider recognition.

CURTIS AS A PHOTOGRAPHIC ARTIST

Curtis was a product of his time, as well as its most able photographic chronicler. Curtis's work displays neither the boomtown hype of Don Dondero, nor the Depression-era humanism of Dorothea Lange—as remarkable as these are in their own right—but something, to my mind, more startlingly realistic and enigmatic. Curtis worked with the cumbersome view camera, contact-printing his negatives in the sun, just like the frontier photographers of the nineteenth century. Older local photographers remember seeing Curtis printing his negative on the sidewalk in front of his Virginia Street studio. With these highly detailed 8x10 negatives, Curtis captured the intricate details of surface reality, the textures of asphalt and truck tires, of stone and brick store facades, of hard-worn wooden floors, of well-groomed horses and their well-groomed owners' clothing, of fur and textiles in fine shops; the gleam of metal and glass in ex-

pensive automobiles, of chandeliers and table settings at exclusive clubs. His work is a study in the repetitive geometric shapes of the machine age. At the same time, Curtis seems to delight in the unexpected, the out of the ordinary, and in many cases seemingly challenges the viewer to find this aspect as a sort of visual game. Thus in literary terms one might say that Curtis melds Proust and Kafka. In the language of photography historians, Curtis can be seen as blending documentary photography or topographics and a subtle surrealism.

The ability of Curtis to create such visually interesting photographs is made more remarkable by the fact that 1920s Reno, beyond the few luxury hotels and the famed courthouse steps, was a relatively dull place. Movie stars and other celebrities occasionally came to town for quickie divorces. Most of Reno was not yet dominated by casino-promoted glitz and glamour. Flapper clubs did not line the streets. Gambling had been outlawed in 1910. The primary business of Reno was still ordinary commerce.

The economic boom of the 1920s had not roared as loudly in Reno as in some parts of the country, hence the ever more active promotion of the divorce trade, and the re-legalization of casino gambling after the Depression began. In his later years, Curtis, according to his obituary, was actually best known for his spot news coverage of visiting celebrities. His briefly held national reputation was based on these images, which no doubt included shots of divorce-seekers. His photographs of Death Valley were similarly sought out by national publications.

Curtis's work is remarkable not only for its quality, but for its breadth. Whereas the work of "discovered photographers" usually has a very limited range (Disfarmer, poor rural farmers; Bellocq, female sex workers), Curtis's photographs cover the entire social spectrum of Reno, from the social elite on Newlands Heights to the average mechanic and milkman. His work also details rural and urban lifestyles, downtown Reno enterprises and outlying industries. As his *Nevada State Journal* obituary in May 1943 suggested, Curtis probably took more scenes of Nevada than any other commercial photographer in the state. This was in addition to his full-time operation of a portrait studio.

Curtis, if he could have known, would be surprised that he was ever considered "lost." He was not a little-known, peripheral photographer in his own time. He ran one of the largest and best-located studios in town. He was an associate and flying buddy of James Scrugham, one of the state's best known political figures, a popular governor, member of the House of Representatives and United States Senate. As the surest sign of success at the time, Lew Hymers, Reno's best-known cartoonist, caricatured Curtis in *Seen About Town* in 1940. Contemporary photographers, perhaps, should take note how often the work of even successful photographers is deemed "junk" and tossed on the proverbial and literal trash heap.

SEEING DEAD PEOPLE

The Greek poet Pindar defined human beings as shadows in a dream, by which he presumably meant the very fleeting nature of a human life within the larger pageant of the universe. All old photographs hold some level of interest just by evoking this sense of impermanence and associated melancholy. One might argue that it is simply this window on the past aspect, present in all historical photographs, that makes Curtis's work interesting. Historical photographs also evoke a sense of voyeuristic intrusion into the lives of long-dead people. Clothing styles, demeanors, and material surroundings of these men and women caught in time also seem odd—and hence visually interesting—by today's standards.

Certainly, these universal aspects of historical photography are a part of what make Curtis's work exciting. There is no need to deny it. However, with most historical photographs, this initial aura of temporal shock and visual strangeness wears off quickly. One ends up often surprised at how dull the images seem to be, especially in light of our assumption that past times must have been much more glamorous than today's.

Even photographs of the Comstock in its nineteenth century heyday can appear surprisingly mundane, especially compared to our expectations based upon literary accounts. Shop owners posed in front of their stores, bar keeps standing stiffly behind counters, distant views of mines perched on drab hillsides: these constitute the visual discourse of typical mining town photography in the nineteenth century. Only a few of the best photographers, including O'Sullivan, Watkins, Crockwell, and Cann, begin to match, on a visual level, what the national mythos leads us to expect from this fabled locale.

With George Eastman's introduction of the Kodak Brownie box camera and roll film in 1898, nearly every family would soon have at least one photographer. In many cases, unintentional mistakes—double-exposures, camera shake, light flare, less than sharp lenses, and the like—added a whole new layer of quasi-mystery and timeless dreaminess to this emerging snapshot genre.

CLARITY AND ENIGMA

Curtis's photographs are by no means dreamlike in the sense of being blurry or soft-focus—quite the opposite. The extreme sharpness of his large-format images gives them a super-real or surreal quality. Frederick Sommer, the leader of the 1940s surrealist movement in photography, may have been the first to employ sharp, view-camera images to create a sense of hyper-reality. Curtis's work presents a deeper or "darker" side that gives it a particular strength and visual edge. In contrast to the Kierkegaardian gloominess of Sommer, Curtis seems to have had a sense of humor. His images suggest a love for the visual banquet

that presented itself daily through his life as a commercial photographer.

Curtis began photography as an amateur enthusiast or "hobbyist," as one of his obituaries put it. When speaking of a photographer at the level of Curtis, it would be more apropos to say he began his career creating personal art out of a love for the medium. After a few years, he then decided to try to earn money from his chosen medium.

Curtis carried his commercial work, in all its aspects (compositional complexity, thematic depth, and print quality), to levels that went well beyond anything his clients needed, could have appreciated, or in many cases might even have desired. One of my own favorite Curtis photographs, showing the Reno Power Company Offices, illustrates all of these features. The photograph, seen on the cover, seems to document some kind of accidental explosion or act of vandalism that has broken a number of windows and glass cases. Curtis probably made the photographs for straightforward, "just-the-facts-ma'am" items like police reports and insurance claims. Most photographers then and now would have handled this job with a few quick, hand-held camera shots. The resulting images would have done nothing more or less than record the extent of the damage.

Instead of a simple and mundane document, Curtis turns the scene into a powerful psychological drama, intermingling light and dark in the best film-noir style, if you will (for this cinematic style was of course still in the future a decade or two). Curtis placed his bulky tripod-mounted camera in the deep shadow at the far back end of the office, his lens looking out on the demolished office and the shards of broken glass gleaming in the morning sun. To the right, a mysterious shadow-shrouded staircase, studded with dully-glowing glass fragments, ascends into the unknown. Dimly through the street-side picture windows, one sees the face of a man on the sidewalk peering into the office. Does this mysterious stranger represent the perpetrator returning stereotypically to the scene of the crime, or might he stand literally and figuratively as a symbol for the voyeuristic spirit in all of us?

Even bland record-shots of the event could well stimulate our fascination with crime, but it would be a momentary and cursory response. Through his careful composition and skillful use of available light, Curtis has transformed the event, regardless of its true nature, into the archetype of all crime. The dark staircase, leading to further indeterminate occurrences upstairs, is a touch of genius. One has the impression that someone brave enough to climb those foreboding stairs might find anything from Cain and Abel locked in deadly embrace to just-blinded Oedipus holding bloody shards.

STEEL DREAMS

Curtis's series of photographs of Nevada Engineering, located on Fourth Street in Reno, similarly illustrates his seeming propensity both for making subjects appear less attractive than his clients might have wished and, at other times, more creatively interesting than they probably needed. In one less than beautiful scene, ostensibly of the main shop and work crew, the workers are dwarfed by a great expanse of scattered metal plating and complex machinery pieces, all captured in great detail by Curtis's sharp wide-angle lens. The view gives more the impression of a junk yard than an orderly assembly operation.

A view from another angle, showing the brickyard at the same company, reduces the work crew to ant-like figures in the upper right. Old brick molds lying in collapsed piles or strewn haphazardly about the yard form the main subject of the photograph. The molds are reminiscent of honeycombs, but once more the image does not suggest orderly and prosperous enterprise and certainly not bee-like efficiency. The visual analogy that comes to mind is of hives in a commercial apiary after an attack by ravenous bears. Overall, the photographs look more like what we think of as documentary-style, fine-art photographs than images suitable for advertising. The series of images, by today's standards, seem more appropriate as documents for a contemporary beautification or redevelopment campaign.

The single most striking photograph of the series shows a partially completed tank, possibly a cyanide tank used in milling gold ore, sitting at the center of the shop's interior. The workers pose standing around the tank. For use in advertising, it might have been better to show the crew poised in the middle of construction activity. As an aesthetic statement, the dramatic light, streaming from high-placed windows into the dark building is highly effective. The artificial sunbeams, penetrating the darkness and spotlighting the workers and the tank, give the scene an almost religious aura. Even the frozen stances and seeming uncertainty of any actual activity adds to the mystery.

As viewed outside of its advertising context, the scene may depict events after the fall of technological society. For these post-apocalypse dwellers, the steel tank, like a giant witch's cauldron, has become central to an esoteric ceremony of reverence for the lost machine age. Following this scenario, the general disarray at the engineering works could have been caused not by metaphorical hungry bears, but by rampaging Luddites caught up in Marxian dysphoria.

Even excluding the science-fiction references, impressions and associations of this kind were probably not conscious or intended. The fact that they are readily possible points out the difference between Curtis's and standard professional work. Typical commercial work so clearly and specifically states a client's intent that little room is left for the imagination, except along limited lines intended by the advertiser. Consequently, commercial work seldom has any lasting interest for viewers and provides little stimulation to those who appreciate fine photography for its own sake.

Nevada Engineering, yard and brick workshop, with workers posed in front, 1920s. View looking north. (*Roy Curtis Collection-71, Nevada Historical Society*)

Machine shop at Nevada Engineering, 502 East 4th Street, Reno, 1920s. (*Roy Curtis Collection-181, Nevada Historical Society*)

Interior of Nevada Engineering machine shop, 1920s. Dramatic high-key lighting adds to the beauty and mystery of this image. (*Roy Curtis Collection-210, Nevada Historical Society*)

The exception would be those few commercial photographers, like Richard Avedon or Irving Penn, whose advertising photographs employ such innovative product pitches as to garner critical acclaim at a broader level. Photographers of that caliber do not usually set up shop in smaller cities like Reno. In contrast to Avedon and Penn, Curtis's similarity to fine-art photography lies not in the urbane polish of his images, but in their gritty realism—revealed with large-format clarity and psychological intensity—a style of photography that within the art realm would not even exist until the next decade.

"First carload of Firestone tires shipped into Nevada." Sierra Auto Supply Company, 11 West Plaza, Reno, ca. 1919. In this lively view, Curtis carefully arranged the tires to animate an otherwise dull scene. *(Roy Curtis Collection-11, Nevada Historical Society)*

Curtis's Place in Nevada's Photographic History

A consideration of Curtis's role and potential status in photographic history requires a brief review of the highlights of photographic activity in Nevada and on the West Coast generally. This review is by no means inclusive or even exhaustive; it is meant only to provide a basis for comparison. Photography in Nevada began on the Comstock. The first practical process of photography, the Daguerreotype, had been donated to the world in 1839 by the French government, in exchange for a lifetime government pension to its creator, Louis Jacques Daguerre. Theoretically, daguerreotypists might have captured the Forty-Niners crossing the Nevada desert, but none is known to have done so. Obviously, such photographs are extremely unlikely. By the time trans-continental travelers of the period made it to Nevada, their only concern was crossing the infamous Forty Mile Desert alive, and then making it across the Sierra Nevada before the first snowfall.

The earliest known original photograph in the collection of the Nevada Historical Society shows Young America Fire Engine Company #2 assembling for the Fourth of July Parade of 1862. This photograph has also often been termed "the earliest photograph of Virginia City" or even "Nevada"; however, the scantiness of research on photography of the period would seem to make a claim of that sort premature. Such scenes of the Comstock were most often printed and sold to tourists in the miniature carte-de-visite format. They typically were only a minor, secondary business for Virginia City's C Street portrait studios.

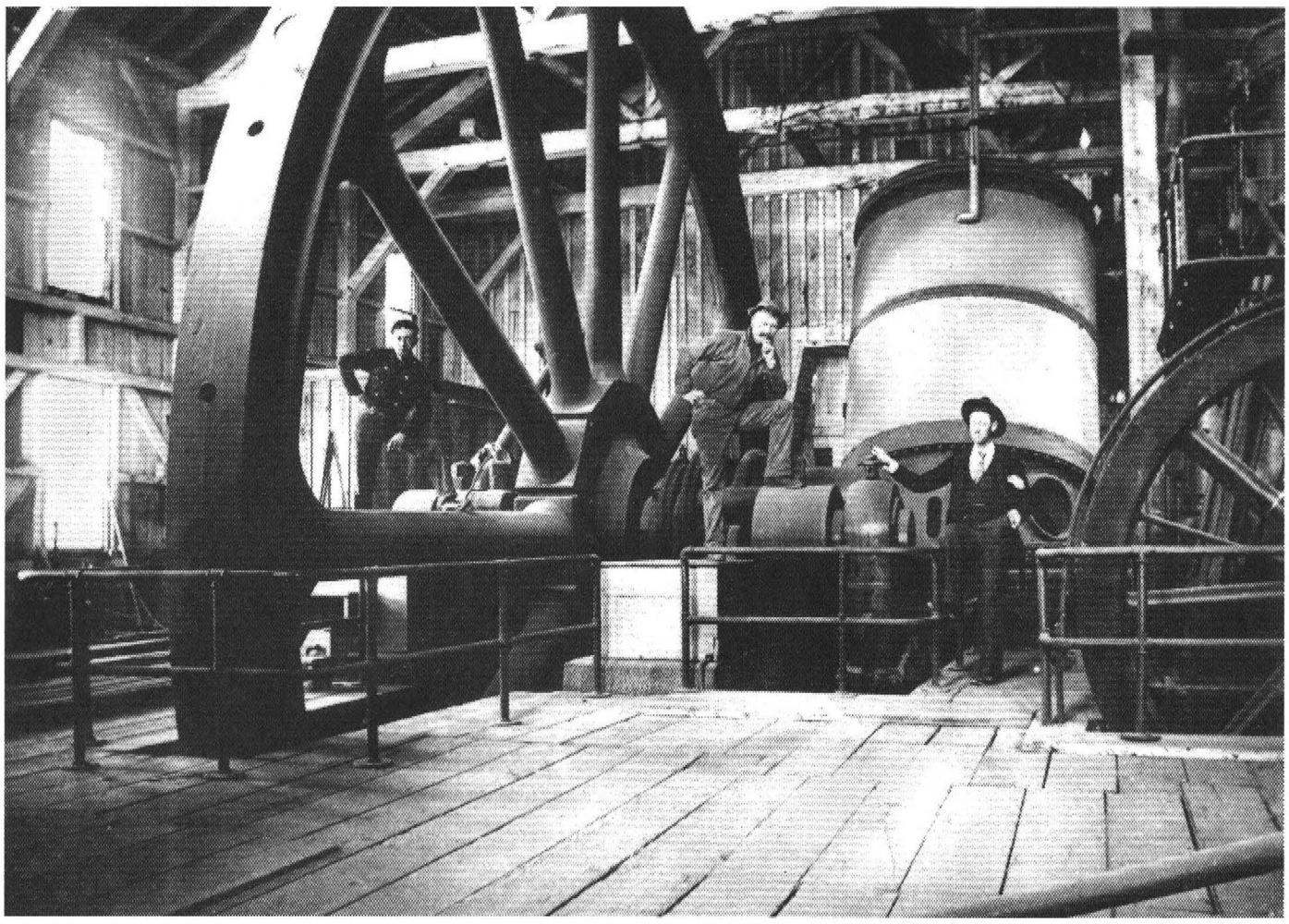
A good number of photographers operated successful studios in Virginia City during its heyday. R. H. Vance, who may have taken the "earliest" (1862) photo cited above, was among the first to open a gallery, as studios of the day were called. John Calvin Brewster was operating the Vance studio by 1864. The Sutterly Brothers, active by at least 1867, and prolific producers of carte-de-visite portraits, are probably the best-known practitioners of the period. The E. Hurd and the Noe and Lee galleries were among the other well-appointed establishments. Although the gallery waiting rooms in Virginia City were decorated in the height of Victorian luxury, the portraits produced retained the stiff and somber look of the earlier daguerreotypes. The Sutterlys' bird's-eye views of the Comstock, although limited in detail by their small size provide our best record of the physical layout of Comstock towns at the time.

James H. Crockwell, a Mormon photographer from Utah, along with his wife, Millie, took up residence on the Comstock briefly. Despite the short duration of his tenure, Crockwell produced the best documentary photographs of Nevada up to that time. Crockwell's compositions were sometimes not well resolved, but they contained more visual liveliness and sense of place than those typical of his day. His images comprise the first major body of documentary work taken in Nevada by a resident, albeit a temporary one. His photograph of the huge Cornish pump at the Union Mine may well be his most striking and best-

The Nevada Historical Society's best known carte de visite. Most historians believe this photograph from the Sutterley Brothers studio depicts Julia Bulette, Virginia City's most famous courtesan. Ms. Bulette was an honorary member of the Young America Fire Engine Company #1. (*Nevada Historical Society*)

Although only a resident for a few years, mainly 1888-1891, James H. Crockwell made images of life on the Comstock that are among the best. This famous photograph of California and Consolidated "miners" seems to actually show owners James Fair and John Mackay posing as miners. (NHS ST-1477, *Nevada Historical Society*)

Timothy O'Sullivan's 1869 photograph of miners at work in Virginia City's Savage Mine was among the first underground views ever made. (*NHS ST-1479, Nevada Historical Society*)



William Cann, the last major photographer resident on the Comstock, made this dramatic photograph of the Union Mine's giant Cornish pump around 1895. (*NHS ST-1488, Nevada Historical Society*)

known image. Such extravagantly sized pumps, invented in Cornwall, worked day and night to remove inflowing ground water. Cornish pumps, along with Deidesheimer's square-set timbering, made the deep mining of the Comstock Lode possible. As Nevada's mining frontier moved east, so did photographers. Long-term Nevadan Louis Monaco set up a photography studio in Eureka, the other major mining town of nineteenth-century Nevada. Like Crockwell, Monaco was among the first to document the interiors of mine and mill buildings, a more difficult task at the time than making exterior views.

The most famous photographs taken in Nevada were not by local photographers, but by two of the "big three" of nineteenth -century Western photography, Carleton Watkins and Timothy O'Sullivan. The other member of this leading triumvirate was William Henry Jackson, who seems to have done little if any work in Nevada. O'Sullivan made some of the first views of underground mining operations while on the Comstock. His 1869 photograph of miners at the surface entering the hoist cage for the risky descent into the deep is the classic of its type. O'Sullivan also made wonderful images of Nevada's natural landscape as early as 1867. These include his famous views "Desert Sand Hills near Carson Sink" and "Pyramid and Tufa Domes" taken at Pyramid Lake. Watkins's series of giant, mammoth-plate panoramics at Lake Tahoe in 1873 and Virginia City in 1875 are still often regarded as the greatest photographs ever made in Nevada. Although O'Sullivan made the first "natural scene" photographs of Nevada, Watkins's views of Yosemite not only led to the creation of the national park, but established the tradition of landscape photography as art, which would be taken up again in California by Edward Weston and Ansel Adams.

William Cann, who had traveled by himself from Cornwall to the Comstock, produced a significant body of work that in Nevada marked the transition in style of content from the nineteenth to twentieth century. As one of the last photographers in Virginia City, Cann recorded the gradual decline of mining. Tourism was already becoming a new Comstock industry, and part of his work consisted of taking pictures of mine tour groups. Later, as a druggist in downtown Reno, he sold his postcards of his own work and took sports photographs for the University of Nevada. His best images include environmental portraits of Native Americans in Virginia City and views of mill interiors. His real-photo postcards (photo emulsion coated on postcard stock), made along the Truckee River near Reno, are among the Nevada's best atmospheric scenic views of natural beauty in the modern sense.

Photography in Nevada was to a certain degree frontier photography even up through the first decade of the twentieth century. The history of Western historical photography to date has been defined almost exclusively in relation to the western expansion of America. Photography in Nevada can be understood only in relation to the eastern expansion of America, back from California across Nevada. The 59ers, if you will, who made up the Rush to Washoe after word of discovery of precious metals in Nevada leaked out, were almost exclusively Californians.

The great wealth of the Comstock mines, initially financed by the Bank of California, funded mining and settlement across northern Nevada before the end of the nineteenth century—and from those outposts down through southern Nevada during the first decade of the twentieth century. Although immigrants from the East, including photographers and future photographers, still joined each new mining rush, the main direction of economic and population expansion was toward the east, filling in, as it were, the gap left by the earlier "perilous crossing" of Nevada.

Some of the best resident photographers in Nevada before Curtis arrived as part of this last American gold and silver rush to southern Nevada. Silver ledges at Tonopah Springs south of Belmont were the site of the first rush. Al Smith, who had previously worked in Virginia City studios, established his fame in local photographic history for his first-on-the-scene views of Butler (later renamed Tonopah), while it was a fledgling mining camp. Smith's views record the first prospect pits of million-dollar mines and the first wooden buildings of what would—for a time—become Nevada's largest city.

E. W. Smith, who had studied at the same photography school as George Eastman, would be possibly the most skillful of these new Nevada photographers. E.W. Smith, the only photographer to live out his life in Tonopah, recorded a greater range of events and history than most previous frontier photographers. P.E. Larson, the only Nevada photographer for whom there is a published biography, is most famous for his photographs of would-be miners on their way to Alaska's Klondike, trudging over the Chilkoot pass in mid-winter. Goldfield, Nevada was the site of the next and last major gold rush, and Larson set up his Palm Studio there in 1902. Larson's work displays some of the flaws of a self-taught photographer, as well as a strong sense for the dramatic. His views of a miners' drilling contest, with a crowd of 20,000 spectators, and of a circus parade arriving in town are among his classic images.

Although it is not yet generally known, women have a long history in Nevada photography. William Cann's photograph of the Virginia City camera club in the 1890s shows that several women were members. Elizabeth Linton, most active in the first decade of the twentieth century, is probably the best-represented woman in the Nevada Historical Society's collections. Linton, a Reno resident, was a photography enthusiast who also published a number of postcards commercially, both in ink-printed hand-colored versions and as original real-photo postcard sets. Her most common views, like Cann's, were scenes of the Truckee River and downtown Reno. Her best-known work consists of sensitive portraits and candid portrayals of Native Americans at Wadsworth, west of Reno. Wadsworth, which grew up around the Southern Pacific Railroad shops, attracted a number of Native American residents, mainly from the nearby Pyramid Lake Paiute reservation. One of the most remarkable photographs ever taken in Nevada shows an elderly Native American woman carrying two full-size railroad ties on her back. Other notable women of Nevada photography will be covered in future exhibitions at the Nevada Historical Society.

Native American woman carrying railroad ties by Elizabeth Linton, ca. 1905. Linton probably made the photograph at Wadsworth, east of Reno, where one of her relatives lived. (*NHS ETH-753, Nevada Historical Society*)

Although all were important recorders of Nevada history, none of the photographers so far discussed displayed the technical proficiency or modern sense of visual play and conscious compositional manipulation to be found in Curtis's work. Curtis was not a flawless technician or scientific innovator like Ansel Adams. Use of basic filters would have made his skies a lot easier to print today, as would the more even development of his negatives. Despite the long time he spent composing each image, Curtis even went so far as to hang his freshly developed negatives to dry by steel clamps inside the image area. The consequent ragged tooth marks are, in fact, one identifying feature of his work. This method of hanging negatives is still considered normal by some commercial processors, but would make fine-art photographers faint.

Curtis's method of solar printing was more akin to frontier photography than to 1920s modern photography. Edward Weston, although still contact printing, worked with incandescent light in a darkroom for more precise control of burning and dodging, and, hence, higher print quality. Considering his "primitive" method, Curtis's own original prints are actually remarkably good. His prints, in the opinion of the present author, are better and more professional looking than those previously made in Nevada.

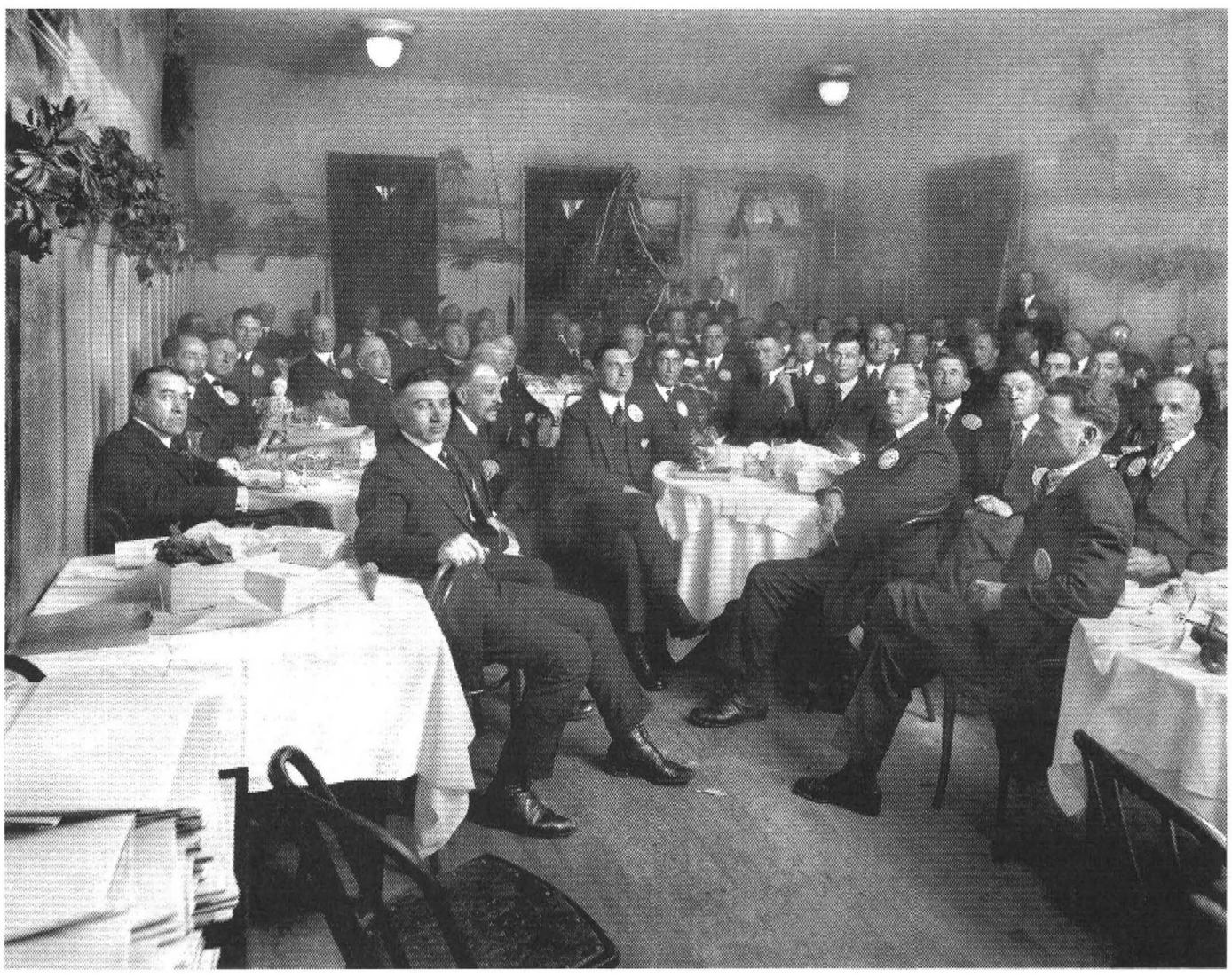
Curtis was in one way more technically advanced than was Edward Weston. The wide angle lens Curtis used was sharp even by today's standards, facilitating the crisp enlargement seen in the current exhibition. Weston's negatives, made with a comparatively antique lens, cannot be enlarged. In Weston's case, that may be a good thing, for he intended his photographs to be the size he made them. Curtis, in all likelihood was not a purist in this regard.

CURTIS AND MODERN PHOTOGRAPHY

Around the same time that Curtis was beginning his career in Reno, photographers associated with the artistic set, in places like Paris, London and New York, believed that the way to make photographs more artistic was to make them appear less optical, less machine-like, i.e., more like paintings. Usually this consisted of softening the focus or otherwise removing detail from the optically precise photographic image. Moody, dream-like imagery was supposed to reveal the deeper meaning in life and art. Nearly all of the photographers, including Alfred Stieglitz and Edward Weston, who would later become champions of the detailed modernist aesthetic, were still involved in this visually foggy school when Curtis was doing his best documentary work.

Although Curtis does not wear a bleeding heart on his sleeve, his images also imply a certain humanist perspective, in the manner of the 1930s New Deal

documentarians. Curtis's photographs often seem to poke fun at the pretensions of the well-to-do. His images of men's-club dinners and "smokers" typically do not show these worthies in the best light, so to speak. In this regard, he could be compared, at least to a degree, to the most famous photographer of the next decade, Dorothea Lange. Lange's work, however, epitomized the approach of what would later be termed "the concerned photographer" whose work openly champions the cause of the downtrodden of society. Curtis, by contrast, was being paid by his wealthy clients, not by a "left-leaning" government agency. His critique of capitalist excess, even if slyly conscious, could only go so far. Curtis, in any case, was seemingly no Marxist hardliner. He seems to have appreciated expensive cars and flying machines for their mechanical attributes, at the very least. As a successful businessperson and news photographer, Curtis hobnobbed with the movers and shakers of Nevada society, more than with the downtrodden.



Curtis made many remarkable group portraits that seem to provide insight into both the character of the time and the people portrayed. This is one of several classic views of proverbial smoke-filled rooms. Curtis's intent is not known, but his portrayals appear wittily satirical. Governor Tasker Oddie can be seen to the rear and left. (*Roy Curtis Collection-149, Nevada Historical Society*)

For style and content, Curtis's work is perhaps most similar to, among future famous photographers, that of Walker Evans. Although Dorothea Lange is better known than Evans, many critics today would consider Evans the greatest documentary photographer of the 1930s, perhaps of the first half of the twentieth century. Like Curtis before, Evans worked with the slow and difficult 8x10 view camera, not the modern press and roll-film cameras used by most photographers by then. Like Lange, Evans was hired by Roy Stryker to take photographs for the Farm Security Administration, part of President Roosevelt's New Deal department, the Works Progress Administration. The idea of the latter program, of course, was to stimulate the economy by hiring the unemployed for public projects. The photography section was not intended as "make-work" but as a source of images to promote Franklin Roosevelt's programs in Congress and elsewhere. Evans's laborious methods and artistic temperament led only to a trickle of images, by the standard Stryker expected. Only the insistence of more productive and then more famous photographers kept Evans on the payroll.

Today, Walker Evans's photographs largely define how we believe America looked in the 1930s. Evans in particular gave the rest of the country its first in-depth view of Southern lifestyles that would not begin to change until the 1960s. Within the conventional history of photography, Evans is regarded as the first to document ordinary American life, using the slower but more precise view camera. Of course, commercial photographers in the smaller towns and cities had been doing this for many decades before Evans took up photography. Evans's genius lay in recognizing that the commercial style of location photography had inherent value—value that went beyond its ability to advertise stores and their locations, sell products and newspapers, or provide tourists with keepsakes. Evans was also among the first to realize the artistic merit and collector value of both folk and corporate advertising art.

Curtis's work was a closer precursor visually to Evans than that of most professional photographers of the time. The broad range of urban and industrial subjects Curtis covered would be copied (figuratively speaking) by Evans, as would Curtis's documentation of ordinary workers and shopkeepers. Even more striking, Curtis's apparent love for recording auto-oriented billboards and motor vehicles would be directly echoed in the later work of Evans. Curtis, like Evans in the following decade, had a more than typical understanding of the importance of outdoor advertising signs of all kinds in the new automobile age.

Again, there is no reason to suggest that Curtis is as important or as great a photographer as Evans. Curtis had developed his own mature style more than a decade before Evans. Further, many critics would say that no photographer was, is, or perhaps ever could be as good as Evans. The remarkable thing is that a self-taught, small-city photographer like Curtis, beginning a decade earlier, could have produced a body of work that anticipates and (in its own way) rivals that of Evans. Walker Evans, after all, worked in close association with the most famous photographers, writers, and editors of his day. Roy Curtis worked in

close association with tradesmen, Chamber of Commerce boosters, city bankers and politicians, and camera club members.

Gove Motor Company billboard, Reno, ca. 1921. (*Roy Curtis Collection-109, Nevada Historical Society*)

Subject Range and Recurrent Themes of the Curtis Collection

The Material Object, Reno as Still Life

Although the divorce trade, and the luxury hotels such as the Riverside catering to it, were a rapidly growing part of Reno's economy, conventional purveyors of goods and services still dominated Reno's landscape, both downtown and in the surrounding commercial zones. Open gambling, soon to be the primary exotic enterprise in Reno, had ended by legislative mandate at midnight on September 30, 1910. This was actually documented with a series of excellent postcard photographs made inside Reno's gambling palaces on that last night. Gambling establishments would not be legalized again and become once more the predominant subject for Reno photographers until 1931.

By making Reno famous, the divorce trade would set the stage for Curtis's celebrity news portraits. This work, which may well date to the next decade, is not yet represented in the Society's collections, and probably on a percentage

basis never formed the majority of his assignments. Divorce-trade sites and symbols, popular with tourists generally, did form backgrounds for some of his advertising images.

For the purposes of the current exhibition at the Nevada Historical Society, I have divided the photographs between scenes without people—still life, if you will—and images with people. The peopled negatives are further broken down between those that depict businesses and work areas containing people, and those that might better be termed group or individual portraits. All of Curtis's negatives were made on location, not in a studio. In photography, scenes in which places, not persons are paramount have also been termed landscapes. This genre is often further divided between urban and rural landscapes. The dividing line between "landscapes with people" and "environmental portraits" is by no means absolute.

The Roy Curtis collection contains around two hundred original nitrate negatives. The term nitrate refers to the kind of plastic used to replace glass plates as the substrate for negative emulsions, beginning in the 1890s. Additional identified or presumed Curtis prints are present in the general photography collection at the Society. Examples of both will be included in the exhibition.

Within the landscape section and its divisions, I have grouped certain images by subject matter. Since commerce was Curtis's main subject, his landscape images are divisible into the categories of business generally: retail stores, service centers, wholesalers and distributors, mines and ranches, etcetera. The number of Curtis images in each of these categories similarly mirrors the number of each business type in the Reno area. The order of the preceding list is from most to fewest.

Some subject matter transcends neat categories. Curtis, for example, also created a wonderful series of images of automobiles and trucks. The number and quality of the photographs suggests Curtis liked these wonders of modern transportation (as they would still have seemed in the 'teens and 'twenties) and perhaps sought out commercial jobs involving them. Sometimes, whether a given image was produced for a car dealership's advertisement, for the car's owner, or some other purpose is unclear. Also, retailers and wholesalers, as well as ranches and dairies, mining companies and other kinds of enterprises, all had their own vehicles, as the identifying business names on the vehicles indicate.

Family group posed in front of their home, Reno, ca. 1920s. As in many of Curtis's images, human relationships here seem enigmatic and distant. (*Roy Curtis Collection-55, Nevada Historical Society*)

Young women's basketball team, Mckinley Park School, 1921. The image illustrates Curtis's use of dynamic diagonals to grab the viewer's attention. Making the best of the harsh noon light, Curtis emphasized the contrast of the girls' dark uniforms against the light-hued surroundings. (*Roy Curtis Collection-64, Nevada Historical Society*)

PEOPLE AND PLACES

As remarkable as are Curtis's photographs of un-peopled places, his most intriguing images are those that mix people and their environment. Most are not environmental portraits in the contemporary sense, because they were made for newspaper advertisements, not for their human subjects to display, or for fine art projects. These images are also not documents of people actually working, as that genre was not practical with a view camera. Curtis's photographs do show people posed in their work places, both business proprietors and their employees.

Another of my favorite photographs shows the interior of a Reno drug store and soda fountain. The owners of the establishment stand stiffly at the far back, dwarfed to seeming insignificance by the expanse of the shop. Curtis's use of a wide-angle lens exaggerates the effect. Although the couple has the distinct air of being husband and wife, they are separated both by space and by a profound emotional distance. At the center of the store are round tables circled by chairs, where fountain customers would be served. However, the glaring incandescent light of the room has shrouded this serving arrangement with deep shadows, having a distinctly uninviting and even ominous quality. One almost has the feeling that if one's foot entered this shadow zone it might not return whole.

Ansel Adams, in his famous Zone System of film exposure, defined three progressive units of shadow detail from Zone 1, or pure black to Zone 3, which he described as "black with detail." Curtis's shadows zones might be defined instead as shadows that bite. Another illusion created by distortion from Curtis's wide angle is that the floorboards seem to have been bent downward, so that the brooding shadows seem to be flowing into a pool, time is darkly pooling about the chairs and flowing out a secret Reno vortex.

Ansel Adams, through his flawless tonal ranges, intended to evoke the transcendent luminosity of nature as a spiritually renewing force, comparable to God within nature for the nineteenth-century Luminist painters. If I may be forgiven for puddling metaphors, Curtis's shadows are more akin to the black pool that absorbed the unpopular female crewmate in Star Trek (TV series) or the "black oil" that transmitted the DNA-corrupting "alien virus" on the X-Files.

One of Curtis's best individual portraits appears at least on the basis of her published photos, to show Hollywood socialite, champion equestrienne, and Nevada miner, Alma Dorothy Priester. The photograph, even if not of Priester, certainly depict a comparable member of the social elite. The image captures a well-groomed riding horse and the horse's equally well-groomed mistress standing holding the horse's reins. Curtis once more employs the technique of mirroring to create visual interest. Curtis highlights the visual and conceptual similarities between horse and owner. The visual similarities, minutely captured with his 8x10 camera, extend down to the almost identical texture of the horse's own highly brushed coat and the woman's fine, wool riding

Interior of a Reno drug store, 1920s. As seen here, cavernous space, eerie lighting and ambiguous personal relationships are frequent marks of Curtis's work. (*Roy Curtis Collection-205, Nevada Historical Society*)

This 1920s photograph appears to be of Alma Dorothy Priester, Hollywood celebrity, equestrienne, and Nevada miner. During his life, Curtis was most famous for his portraits of celebrities visiting Reno, published in national newspapers. (*Roy Curtis Collection-43, Nevada Historical Society*)

jacket. Oddly, as might be expected from Curtis, the flawless duo is posed in a weedy, trash-strewn, vacant lot. Visual interest is further enhanced by this contrast between the perfection of the equestrian pair and the decidedly less than perfect portrait setting.

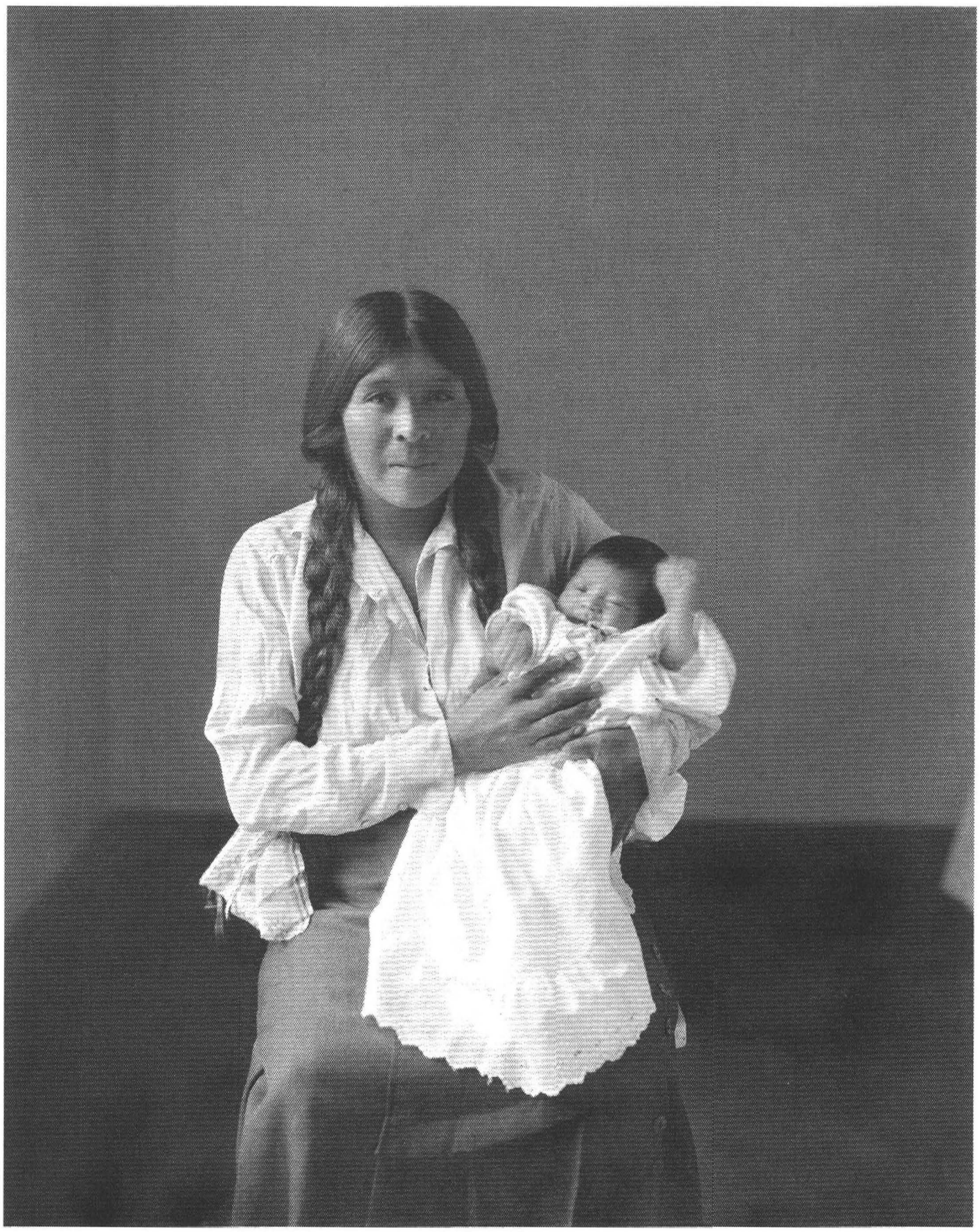
Two other excellent portraits depict individuals dressed in wrangler gear. One shows a man of possibly Asian or Pacific descent posed on the back of a striking and immaculate white horse, in front of a whole herd of black horses. The image clearly required either remarkable luck or remarkable effort to create. Yet, as in so many cases with Curtis, the picture's function and significance are less than certain. Is the man a visitor at a dude ranch or a remarkably "unbesmirched" ranch hand?

A second image shows a young woman, dressed as a cowgirl sitting on the corral fence at a different Reno-area ranch. The image is visually perfect in virtually every regard. The fact that it was taken during a winter snowstorm, with a light snow falling, makes it all the more remarkable. The technical difficulties of wind, melt-water on the lens, and low light making it almost impossible to focus on the dim ground-glass of the view camera, were not only overcome but completely mastered. Everything that should be in focus is; every aspect of the image around the young woman is perfectly composed. The plane of maximum sharpness perfectly intersects her eyes, freezing for all time her strikingly intense gaze. Her eyes are like the eyes of Lange's "Migrant Mother" except that they seem to reveal not worry and desperation, but strength of personality and youthful vigor.

The final portraits I shall discuss are those of a Native American woman and her newborn baby. One photograph shows the new mother seated in a chair holding her baby. The background is an empty, windowless room with blank walls. One imagines that the glow of motherhood and natural beauty might have been all that was needed to expose the film, especially considering the strange fact that there are no apparent windows or light fixtures in the room.

A second image taken at the same hospital shows a doctor and nurses clustered around the Native American woman. Considering the milieu of the times, the hospital staff may well have thought themselves the woman's social superiors. However, in Curtis's portrait they all appear in some way defective, if not even demented—crippled perhaps by the burden of being part of a social system strayed so far from the natural world that "walking (or sitting) in beauty," as the Navajo put it, is no longer possible. The strange tableau gives the impression of having been lifted directly from an art film about the evils of the British Empire. Such visual critiques of American society may or may not have been conscious on Curtis's part, but his unerring ability, for better or worse, to capture visual facts makes such interpretations possible.

Girl in wrangler gear at Reno-area ranch, ca. 1920s. The purpose of this remarkably perfect portrait made under adverse winter conditions is not yet known. (*Roy Curtis Collection-10, Nevada Historical Society*)



Roy Curtis made this sensitive portrait of a Native American mother and her newborn child at an unidentified Reno Hospital around 1921. (*Roy Curtis Collection-38, Nevada Historical Society*)

Native American mother with doctor and the nursing staff. (*Roy Curtis Collection-39, Nevada Historical Society*)

True Lies

It has been said in a quotation attributed to poet Dylan Thomas that all great art is about sex and death, and this pattern of content can certainly be noted among photographers regarded by critics as the great masters. Edward Weston, the founder of the West Coast tradition of fine-art photography, who is often considered the greatest fine-art photographer of the twentieth century, is noted for both sex and death symbolism. Weston's "sexy" photographs of garden vegetables were considered provocative at the time. I recently observed a group of teenagers walk past Weston's veggies without even noticing this fact, or allusion. One of them commented that the photographs must be there (in the museum) just because they are old, i.e., they were so boring, no other explanation was possible.

Most critics interpret Weston's most famous series of rocks and cypress trees on Point Lobos as an exploration of life and death, with the eroded rock forms equivalent to bones and the famous death's head of rocks and twisted cypress as symbolic of his own impending death from Parkinson's. The life force is again represented by the symbolically female shapes in rock, and the artist's own creative force is consciously represented by the twisting flame-like cypress roots. For fine-art photographers of the period and later advertising photographers such symbolism was conscious to one degree or another.

In 1920s Reno, slick, sexualized, advertising photography was generations off, and probably has never reached the level of conscious psychological manipulation seen in the work created for the New York advertising agencies. Nevertheless, psychological symbolism, I would argue, is a major factor contributing to the visual and emotional impact of Curtis's photographs. In photographs such as his view of damage at the Nevada Power Company, Curtis plays with basic human fears and instincts in ways that are seldom seen except in the best fine-art photography. How much of such metaphoric content was conscious is impossible to know.

Even Weston, who, along with Alfred Stieglitz on the East Coast, might be said to have invented the symbolic branch of modern photography, never admitted how much of what critics saw in his work was intentional. Weston is quoted as saying about critical analyses of his work, "If they want to see that, it's fine by me." Curtis undoubtedly was neither trying to be analytically objective nor artily profound. Instead, his very direct and powerful way of recording the world around him can open a crack in ordinary perception, leading in many directions, including deep within oneself.

Although there must be many early commercial photographers whose work is worth serious consideration, only a few have been widely recognized by critics as having merit comparable to the best fine-art photographers. As suggested earlier, one of the reasons commercial photography is generally held in little regard is that by its very nature it expresses the client's interests rather than the

photographer's own artistic statement or documentary insight. The idea that photographs, other than those made for advertising, do not lie, is, of course, one of the greatest lies ever told. Photojournalists and news magazines, no doubt, promoted this lie in order to help sell magazines. Everyone recognizes that in the commercial realm, the goal of the photographer is not to report truth but to manufacture lies. Such carefully created lies help clients to sell products, or give portrait seekers the feeling that they are better looking than they really are. "How to" guides to commercial photography could equally be described as handbooks for photographic lying. The customers and, in many cases, the consumers of the advertiser's products are happiest with the best lies.

Documentary photographers and photojournalists by the nature of their enterprise may believe they are trying to be factually accurate, not generate pleasing lies. However, the leftist critique of the news media as corporate stooges, as well as the more recent right-wing critique of the same news media as puppets of the left, suggests that even in news reporting, and its associated photography, the idea of a single truth is dead.

In the fine-art realm the same kinds of techniques are used to express the artist's personal view of the world, which is necessarily subjective, although usually promoted by the artist and supportive critics as a revelation of spiritual, social or aesthetic truth. Everyone understands some fine-art photographs stray far from literal depiction. Jerry Uelsmann's real-looking, fantasy montages can hardly be mistaken for reality. Many viewers do not realize that documentary style, fine-art images, such as those of Ansel Adams, are created rather than simply found.

Despite these considerable caveats, I would suggest that some photographers, such as Curtis, can, on occasion, reveal insights that, if not literal revelations of the nature of reality, come close enough to be worth contemplation—especially if they are taken not as givens but as routes to finding one's own understanding of the world.

CONCLUSION

All photographs are lies and all photographs are truth. Every photographic image presents a physical fact. At the same time, through selection of content and lighting effects, every photographer guides the viewer toward a particular interpretation. The intended interpretation may be as simple as "this is my daughter's baby" or as complex as a scene by Minor White intended to depict the mystical force of the universe. For me, Curtis's photographs reveal both the uncertainties of human existence and flaws in the social web intended to cover the unpleasant realities of life. At the same time, Curtis, through his images, reveals a redeeming hope in certain segments of society: ordinary workers, or people living close to the land, including Native Americans and ranchers.

If his goal was only to capture and express the ideals or uncritically confirm the sense of superiority of his wealthy patrons, he failed--luckily for us. More interestingly, Curtis documents with rare style not only the thesis of capitalism (the business of America and Reno is business) but also its dialectical antitheses—the workers, Native Americans and smaller entrepreneurs, who were increasingly losing their share of the American pie to the major financial manipulators. A strange mix of optimism and angst pervades Curtis's photographs. One observes his visual delight in fine cars and opulent displays of consumer goods, as well as a less than sanguine eye for excess. Curtis's photographic vision seems both an insight into his social times, and a foreboding of the collapse and depression to come.

It is not possible to argue that Curtis's photographs, or any photographs, reveal an objective truth, or, certainly, that my particular interpretation of Curtis, is the only possible one. The mere fact that Roy Curtis created a powerful visual world of his own—one which seems to step beyond the ordinary reality into a world of timeless archetypes—laces his work among that small number of comparable photographers, such as Atget or Disfarmer, Evans or Weston, whose work captures that ultimate illusion, the illusion of truth.

Undiscovered, professional photographers nominated for consideration as significant artists, are usually outsiders--recognized in their own time, neither as leading commercial or fine artists. Curtis was neither an overlooked outsider artist, nor an urban, bohemian sophisticate, but like the majority of American photographers of any period, something in between. Curtis is exceptional, not for his life, but for his talent.

Interior of unidentified store, possibly Reno Hide and Fur Company, showing furs, hides, clothing, and cloth yardage, Reno, ca. 1920s. (*Roy Curtis Collection-35, Nevada Historical Society*)

Special Interests Run Amuck
State Treasurer Eben Rhoades

PATTY CAFFERATA AND DALE ERQUIAGA

Nevada's first state treasurer, Ebenezer Rhoades, was an embezzler. Yet the magnitude and importance of Rhoades's embezzlement escapes most assessments of his place in history: His actions and those of his friends more than a century ago left the state with deficiencies in the funding of education that remain problematic today for twenty-first-century lawmakers. His is a story beyond mere embezzlement; it is a tale of influence peddling, cover-ups, and special interests run amuck. Indeed, Rhoades would have been of little consequence, a minor historical footnote as the first man to hold the office of treasurer in President Abraham Lincoln's Battle Born state. But the men around Rhoades—the powerful bondsmen who pledged their assets to protect the state's funds and then reneged on their deal with Nevada—unwittingly made the first treasurer both infamous and historically more important in their battle to protect their own bank accounts. Their victory destined the young state to pay the price of financial insolvency for years to come. Theirs is the drama truly worth telling, with Rhoades merely one actor upon the stage of Carson City politics, circa 1869.

No picture can be found of State Treasurer Ebenezer Rhoades, who preferred the shortened nickname Eben, to the multisyllabic moniker made famous by literature's Ebenezer Scrooge. While we do know that Rhoades, like Scrooge, was of English stock, we can safely discount any physical comparison between

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them. While Scrooge is known as the ultimate aging miser and gray-haired misanthrope, Nevada's first treasurer was a hale and hearty youth. Born on May 14, 1835, Rhoades was only twenty-nine years old when he became state treasurer,[1] the youngest person ever elected to that office.

Physical comparisons aside, it is nonetheless tempting to equate Rhoades with the character of Scrooge. Both loved money; Rhoades's love ultimately led to the embezzlement of $106,000 from the state treasury. And where Scrooge had his partner, Marley, Eben's story cannot be told without including his younger brother, Henry A. Rhoades, who accompanied him to Nevada from their home state of Massachusetts. Henry remained Eben's constant companion—and sometime apologist—throughout all that was to follow. Their aggressive approach to business and politics might well have made the firm of Scrooge and Marley proud.

AURORA TIMES

The story of the Rhoades brothers in Nevada begins when Eben, age twenty-five, and Henry, age twenty-two, ventured west from Massachusetts in approximately 1860. Their first Nevada residence was Aurora, the site of a sizeable silver discovery in August 1860. With 357 mining claims staked in the first two months of its own minirush, Aurora quickly became one of Nevada's larger towns with the opening of its mines.[2]

Eben and Henry arrived in Aurora soon after the silver discovery, no doubt in search of riches. During their time in Aurora, the brothers separately invested in mining claims and other property, to some profitable success. In addition, they bought a hardware store on March 5, 1862, for $400.[3] When the doors of Rhoades and Company opened on May 17 of that year, Eben and Henry placed an advertisement in the *Esmeralda Star*, one of Aurora's weekly newspapers, offering hardware, iron, steel, tin, copper ware, stoves, sheet metal, powder, fuses, window glass, and paint for sale.

The Rhoades brothers quickly became heavily involved in local politics. On April 14, 1863, the Esmeralda County Board of Supervisors received a petition to incorporate the town of Aurora. Henry Rhoades was one of the many signers of the petition. The supervisors approved the petition and ordered an election for May 4. Five men were elected town trustee; Eben was the top vote getter with 1,146 votes.[4] Just a few months later, on September 2, he was elected treasurer of Esmeralda County. The total vote for Rhoades was 981. His opponent, J. R. Keeney, received 712 votes.[5]

After his election, Eben quickly hired his brother, Henry, as his deputy in the county treasurer's office. With guaranteed salaries from the county, the brothers sold their store in January 1864. There are no reports of any financial impropriety during their tenure in the county treasurer's office. Eben garnered 550 votes for

Aurora, Nevada as it appeared in 1895, thirty-five tears after the Rhoades brothers settled there. *(Nevada Historical Society)*

re-election on September 7, 1864, defeating the People's Party candidate, Albert Mack, who received 501 votes.[6] Little more than a month after this re-election, Eben began his political journey to the state treasury.

State Treasurer Rhoades

The state treasurer is at best an obscure post. The Nevada Constitution establishes the office of Nevada state treasurer with relative simplicity in the provisions of Article V, Section 19, dictating only that the treasurer and certain other constitutional officers "shall be elected at the same time and places, and in the same manner as the governor," and setting the term of office as identical to that prescribed for the governor. Article V vaguely provides that the treasurer "shall perform such . . . duties as may be prescribed by law," while other provisions of the original Constitution detailed where the treasurer would keep an office, what the first treasurer's salary would be, and—of historical importance in the context of at least the first man to hold this office—that the treasurer would furnish bonds for the performance of his duties. According to the Nevada Revised Statutes, the treasurer's basic duty is to receive the state's money, bank it, and invest it to make money for the state. Nonetheless, the treasurer plays an integral part in the checks and balances in the state's accounting system. This was true even in 1869.

As has been true of most state treasurers who followed him, Rhoades was extensively involved in his political party. Eben was active in the National Union Party, which upheld Republican principles and consisted of the Republican Party and those Democrats who supported the North's war effort. In 1864, a majority of Nevadans were Republican, siding with the North and President Abraham Lincoln in the Civil War. As a member of the Lincoln/Johnson Club, the local Union Party organization, Eben was the corresponding secretary and a member of the Executive Board. Rhoades also served on the Grand Union Torchlight Procession Committee, which coordinated the parade held on Monday evening, November 7, 1864—the night before the first state general election.[7]

Party conventions were held mere days before statehood was achieved on October 31, 1864. On October 12, the National Union Party met in Carson City. Although he was not even a delegate to the convention, Eben was nominated as the party's candidate for state treasurer.[8] According to the October 13, edition of the *Virginia Daily Union,* only Rhoades and the candidate for surveyor general were nominated by acclamation—without so much as token opposition. The convention suspended the rules to nominate Eben without other names being placed into consideration. Rhoades's political views were reported nowhere before the election. If he gave any speeches, the newspapers did not cover them. By today's standards, his rapid rise to such prominence is nothing less than meteoric. Political conventions of the nineteenth century, however, were more likely to nominate dark horses than those in the twentieth century, and nominees often benefited from the right connections. Eben, clearly, knew the right people.

In the general election, held on November 8, 1864, Eben won a two-year term with 9,824 votes, defeating Democrat Paul Maroney, who received 6,491 votes.[9] This 3,333-vote margin of victory for Eben represented a straight party-line vote. Although Maroney was from Storey County, the largest population center in the state at that time, he was unable to overcome the Republican tide. Rhoades's party swept all of the statewide offices and gained control of both houses of the Nevada State Legislature.

The new treasurer promptly resigned his Esmeralda County post, leaving behind a town five times larger than the one he had moved to in 1860. He and brother Henry immediately moved to Carson City. Exactly where Eben lived in Carson City remains unknown, but he clearly spent a fair amount of time in San Francisco—particularly during his second term. While Eben and Henry purchased twenty-nine pieces of property or mining claims in Aurora during the three-year period they resided there, they bought almost nothing in Carson City during Eben's six years as state treasurer. Henry purchased six acres of land in September 1868, while his wife, Ettie, bought a house in Carson[10] after their marriage in 1869. Eben, however, bought no Carson City real estate.

The new state treasurer posted a $30,000 bond for the faithful performance of the duties of state treasurer on December 1, 1864. Apparently, professional

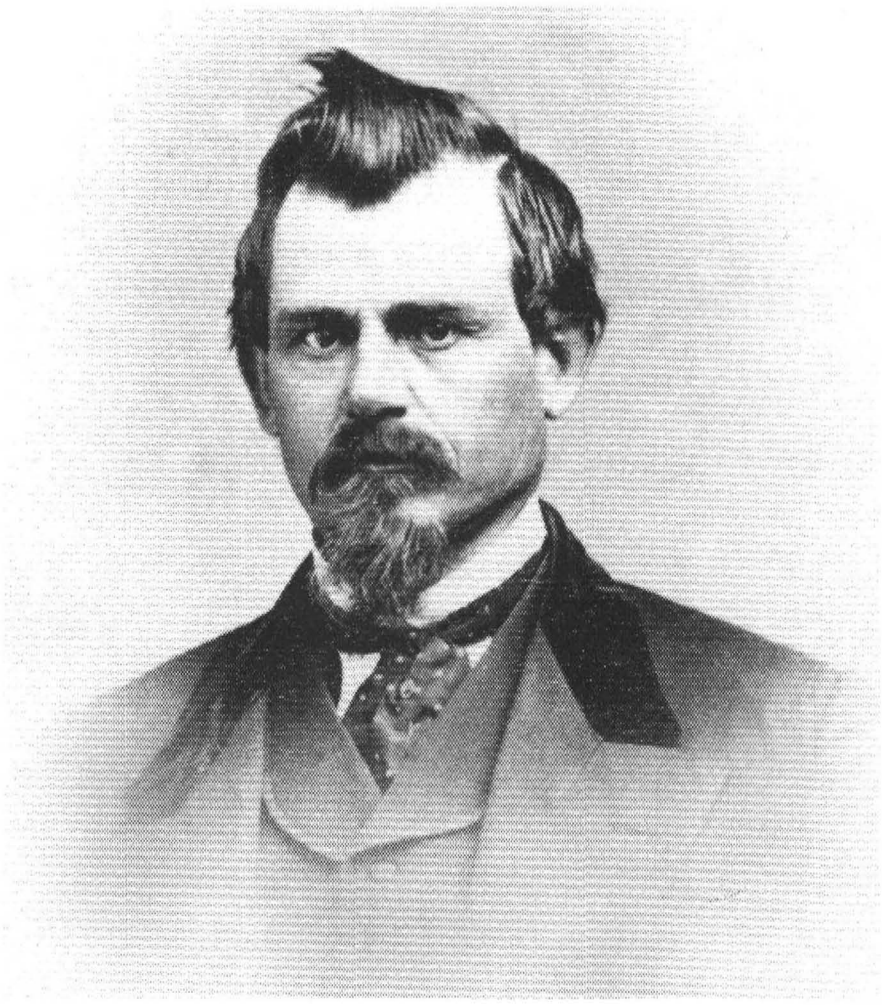
bonding companies were nonexistent, so the financial assurance of individual businessmen from Aurora secured his first-term bond. J. F. Hutchinson, Henry Smith, and A. A. Green, an Esmeralda County commissioner, each agreed to be liable for $5,000; Samuel Youngs, also an Esmeralda County commissioner and a delegate to the Nevada Constitutional Convention in 1863, and C. J. Robinson each pledged $4,000; and George L. Morton agreed to be responsible for $3,000. Eben was personally liable for the remaining $4,000.[11] On December 6, 1864, the state treasury officially opened for business when Eben signed a receipt for $1,101.98 and recorded the transfer of territorial funds from Territorial Treasurer John Kinkead, later the state's governor, to the state general fund.[12]

From the outset of Eben's term, his brother Henry was salaried as the deputy treasury clerk.[13] Henry was functioning in this position as early as January 6, 1865, when he signed a treasury receipt for $59.48 for the fees from the Kingsbury and McDonald Toll Road. An examination of Eben's books shows that Henry performed virtually all of the bookkeeping activities at the treasurer's office during Eben's two terms. Eben made few entries and wrote a limited number of receipts; indeed, his activity would consistently decline throughout his two terms in office.[14] Consistent with stories of Eben's prolonged absences from Carson City during his years in office, Henry even picked up Eben's $900 quarterly salary warrants in July and September 1865. (By 1869, Henry signed the Controller's Warrant Register to collect literally all of Eben's salary payments.)

All of Nevada's early constitutional officers traveled outside the state for weeks at a time. Since it took time to travel far distances, there was little criticism. All travels were widely reported, and Eben's reputation for spending a great deal of time in San Francisco on "state's business" was well known. On July 7, 1865, for example, Carson City's *Daily Appeal* reported that the "high toned and sturdy gaited state treasurer perambulated off to California." Other, similar trips—to San Francisco and as far away as New York City—were to be repeated in the years that followed.

After Rhoades's election as state treasurer, he continued his participation in Union/Republican Party activities in Carson City. On August 23, 1865, he signed a letter inviting United States Senator James Nye to speak in Carson City. State Controller Alanson Nightingill, Attorney General Robert M. Clarke, Nevada Supreme Court Justice C. M. Brosnan, and Party Chair J. Neely Johnson[15] also signed the invitation. So did H. F. Rice, the local banker who was to figure prominently in a money-lending scheme during the time of Eben's embezzlement.

Rhoades's political connections continued to pay dividends. On October 5, 1866, the Union/Republican State Convention nominated him by acclamation for a second term as state treasurer. That November, Rhoades won re-election as state treasurer in another Republican sweep of all constitutional offices. Rhoades collected 5,157 votes, while his Democrat opponent, M. C. Gardner,



Governor Henry G. Blasdel served the State of Nevada from 1864-1870. *(Nevada Historical Society)*

received 4,082 votes.[16] Because of the declining state population, fewer votes were actually cast in 1866 than in 1864.

When Eben took the oath of office on January 6, 1867, for his second term, he had posted a bond the day before. However, on January 7, the Board of Examiners rejected the bond because, according to the original document, each bondsman was not jointly and severally liable. On January 30, Governor Henry G. Blasdel and Attorney General Clarke approved the second bond presented, which provided for joint-and-several liability for each bondsman.[17]

The list of Eben's thirty bondsmen for his second term reads likes a who's who of businessmen and politicians in Nevada at the time. The list includes William Sharon, the executive (with the Bank of California with which Eben deposited the state's money), later a United States senator (1875-81) and one of the state's most powerful political and economic figures; former territorial legislators John D. Winters (1861), Aaron D. Treadway (1862), and Reuben Perkins (1862); state senators James W. Haines (1867-70), George T. Terry (1867), and D. L. Hastings (1867-72); assemblymen E. Mallory (1867) and A. Korneman (1867); Joseph Goodman, publisher of the Virginia City *Territorial Enterprise;* John Piper, later a state senator (1875-1878) and owner of the famous Virginia City opera house; Chauncey Noteware, secretary of state (1864-71); George L. Gibson, former Ormsby County commissioner (1862); Patrick Clayton, later on

the Board of Regents (1873-74); Horatio S. Mason, Ormsby County treasurer (1866-72); John Gillig, who purchased the Rhoades brothers' hardware store in Aurora; E. B. Rail, landlord for the state treasurer's and state controller's offices; bookseller John G. Fox; Henry Yerington, general manager of the Virginia and Truckee Railroad and a behind-the-scenes power in state politics; and A. K. Grimm, Storey County Commissioner (1863) and director of the Humboldt and Colorado Railroad. Several other well-known ranchers and farmers are also included on the list.[18]

After his re-election, Eben did not remain long in Carson City. He traveled to San Francisco in February 1867 to attempt to sell more of the state's bonds. In his only reported message to the Nevada Senate, Eben stated that few people in San Francisco wanted to buy Nevada bonds because confidence in the Nevada Supreme Court had been shaken after it rendered a decision in a contract case that caused many businessmen to sustain large losses. Rhoades elsewhere opined that New York financiers wanted to discount Nevada bonds too much to sell the bonds there.[19]

Little is known of Eben Rhoades's conduct during the remainder of 1867, or indeed the entire year of 1868. By 1869, it was widely acknowledged that the absentee treasurer spent most of his time in San Francisco. Not until Eben's sudden death, on September 9, 1869, did the full import of his absence from the state—and the conduct it masked—begin to surface.

Treasurer's Death

Eben Rhoades spent his final days at the Occidental Hotel in San Francisco.[20] With two hundred rooms, the elegant hotel at Montgomery and Bush streets opened for business on Christmas Day, 1862, boasting of handsome mirrors, elegant carpets, and large oak tables located in the principal hall; public and private parlors for the ladies furnished exquisitely with a first-class pianoforte, costly chandeliers. and curtains of silk, damask, and lace; guest rooms and chambers furnished with rosewood and walnut beds and marble-top bureaus; every room illuminated by gaslights and heated by steam; bathrooms and water closets located on each floor with separate accommodations distinctly marked for ladies and gents; and plumbing fashioned of Italian marble with ornamental porcelain basins and silver-plate faucets.[21]

In this deluxe setting, the thirty-four-year-old Rhoades met his end, allegedly after a brief illness. State Controller William K. Parkinson was reported to have been present at the time of Eben's death, so he apparently is the source of the spin that appeared in early newspaper accounts, which at first attributed the death to heart disease and pneumonia, despite Eben's youth and oft-reported vigor.

The story told was that Rhoades had been ill and was growing weaker ev-

ery day. The day before he died, he was barely able to walk, even with a cane. On September 9—the day he died—Eben stayed in his rooms. At 9:00 p.m., he requested that a waiter be sent to his room with a pillow, so that he might alleviate chest pain in the region of his heart by holding the pillow and leaning over it. The waiter attempted to summon a doctor. Unfortunately, when a Dr. Letterman arrived, Rhoades was already dead on the floor of his room. In his autopsy report, Letterman concluded that Rhoades had died of an enlarged heart and ossification of the aorta, with the right lung inflamed and its lining adhered to the chest.

Occidental Hotel, Montgomery from Bush to Sutter streets. 1870. *(San Francisco History Center, San Francisco Public Library)*

The *Daily Alta* reported details of Eben's funeral in San Francisco on September 13, 1869. A number of friends from California and Nevada, including brother Henry and State Controller Parkinson, attended the services and accompanied his body to the graveyard. His pallbearers were men prominent in Nevada business and political circles. They included William M. Stewart, a United States senator from Nevada and a leading mining attorney; J. F. Lewis, Nevada Supreme Court justice; and businessmen Steven T. Gage, John Gillig, E. B. Rail, and N.A.H.Ball. In death as in life, Eben Rhoades was surrounded by important Nevadans.[22]

Despite the elaborate tale of Eben's death that Parkinson and others peddled at the time, subsequent reports cast the events of September 9, 1869, in a different light. William Forbes, an early arrival to Nevada and the acerbic editor of the *White Pine News*, wrote several weeks later that Eben's sudden demise was due to an overdose of morphine. Forbes did not speculate as to whether the overdose was accidental or an act of suicide. However, three years later the *Daily Alta* reported, on September 14, 1872, that Henry A. Rhoades, then deputy county assessor of Marin County, California, had died after taking an overdose of chloral hydrate, a drug used to treat delirium tremens (D.T.s). The obituary noted that Henry was the brother of the former treasurer of Nevada, who had committed suicide. Nowhere in the article was there mention of Eben's alleged sudden illness or heart disease. Henry's overdose was not characterized as either accident or suicide.[23]

Almost thirty years later, official reports of the Nevada secretary of state sanctioned the theory of Eben's suicide. During the administration of Secretary of State Eugene Howell (1895-1903), a report published in 1901 stated that Eben Rhoades killed himself in the Occidental Hotel in San Francisco on September 9, 1869.[24]

Aftermath

Although a number of powerful Nevadans later admitted harboring suspicions about Eben Rhoades's misuse of public funds, the silence that pervaded Nevada during his tenure and in the months immediately following his death appears in retrospect to have been almost conspiratorial. From Eben's death in September 1869 through February 1870, not one word was printed about embezzlement.

When news of Eben's death first became public, a petition was circulated requesting that Governor Blasdel appoint Henry Rhoades the new state treasurer. According to newspaper reports, almost every state official and many businessmen considered Henry, who had discharged the duties of clerk well for a period of several years, worthy of support.[25] The governor, however, had other ideas. He appointed his friend from Virginia City, C. C. (Christopher Clayton)

Batterman, as state treasurer on September 15, 1869. It was Batterman who was ultimately to break the news of Rhoades's embezzlement the following year.

On October 14, 1869, death claimed another elected official. Less than one month after Eben's mysterious death, State Controller William K. Parkinson, the only man present at Eben's demise, died following a brief illness. Lewis Doron was appointed the new state controller.[26]

In December, the State Board of Examiners quietly hired Henry B. Bostwick, a bookkeeper and accountant with twenty years of experience, to audit Rhoades's books. Bostwick was new to Nevada, having just arrived in November of that year, and was thus not aligned with any of the state's handful of power brokers.[27]

Bostwick examined the state's accounts for the period from statehood in 1864 through September 13, 1869. He spent several months on the audit, examining the actual vouchers and receipts—not just the treasurer's books that Eben and Henry had prepared. For general-fund revenues, the treasurer and the controller worked together to ensure the necessary checks and balances in the system. The treasurer received the money for the treasury and reported the transactions to the controller, while the controller wrote warrants or checks to withdraw the money and reported these in turn to the treasurer. Bostwick discovered that from January 1, 1869, until Eben died in September, there were no revenue entries whatsoever in the cash book. Henry's explanation for the lack of entries was that he kept the books annually, rather than monthly.[28]

In Bostwick's report dated March 1, 1870, he highlighted two inherent weaknesses in the state's accounting system. The first problem was that Eben failed to report to the controller the school-fund money received from the sale of federal lands. At that time, the law required that the treasurer account to the controller only for general-fund money, and not for Irreducible School Fund (currently known as the Permanent School Fund) money. Eben and Henry justified their failure to account for these funds to the controller by claiming that, until the sale was completed, the land-sale money belonged to the buyers and not to the state. Thus, the treasurer alone handled the income from the sales of public lands. When a buyer purchased public lands, his or her money was placed on deposit with Rhoades. Approval by the federal government was required before the transaction was completed. In theory, after the federal decision, the treasurer reported the income to the controller; if the sale was denied, the money was refunded to the buyer with no accounting to the controller.

According to Bostwick's audit, Rhoades received $72,276.99 in deposits on land sales. After the federal government had approved or disapproved all sales, Rhoades turned over only $8,500 to the controller, and refunded $1,550 to would-be purchasers whose sales were denied. The difference was $62,226.99. Apparently, Eben pocketed it.

The second discrepancy, according to Bostwick, resulted because Eben directly obtained money on revenue stamps without the controller's knowledge.

Revenue stamps were a major source of income to the state and were required for most legal transactions. For example, to negotiate a check for more than ten dollars, the revenue stamp was two cents; to lease land for less than three hundred dollars, the stamp was fifty cents; to probate an estate of less than two thousand dollars, the stamp cost one dollar; and to record a promissory note of less than one hundred, the price was five cents. Counties sold the stamps and remitted the money collected to the state treasurer. In 1869, Eben called in $23,118.95 of stamp revenue from the counties without depositing or reporting any of the money to the controller.[29]

In addition, Eben apparently siphoned money from the property taxes that county treasurers collected on behalf of the state—to the tune of $20,815.65. Even dead men were not safe from Eben's larceny. Bostwick also discovered the embezzlement of $415.85 in gold coin belonging to the unsettled estate of William Henning, deposited with Eben for safekeeping.

In all, Bostwick concluded that Rhoades had embezzled $106,161.57 from the state treasury: $62,226.99 from the school fund, and the remaining balance of $43,934.58 from the general fund. As Bostwick carefully prepared his final report, the new state treasurer, Batterman, went public with the news of missing funds.

The Mighty Bondsmen Who Wouldn't

On February 10, 1870, the *Territorial Enterprise* reported that State Treasurer Batterman had discovered $109,000 was missing from the treasury. Batterman no doubt sought to "get ahead of the story" that was sure to result from Bostwick's report; in so doing, he wittingly or unwittingly allowed certain powerful interests to frame the coming debate.

The proprietor of the *Territorial Enterprise*, Joseph Goodman, was one of Eben's second-term bondsmen. He had pledged $5,000 toward Eben's conduct. In what can only have been an attempt to save himself from personal liability for a portion of the missing funds, the editor stated in his coverage of Batterman's announcement that he suspected that other state officials—such as the deceased state controller—had known of a problem with the books since July 1869. (How he knew this of the dead controller, or why his paper had not earlier reported any wrongdoing, Goodman failed to mention.) It was well known, Goodman wrote, that the Board of Examiners failed to count the money in the treasury during the last four months before Rhoades's death. The editor speculated that no more than $50,000 of the $100,000 could be collected from Rhoades's bondsmen because of lack of diligence on the state's part.

In an editorial on March 10, 1870, the paper reaffirmed its faith in Rhoades's integrity. The editorial's writer was loathe to believe Eben had been purposely or wantonly dishonest, and thought that he had prospered in his personal

Joseph Goodman was the publisher of the *Virginia City Territorial Enterprise. (Nevada Historical Society)*

speculations. The editor opined that Rhoades was entitled to the benefit of the doubt in his favor, despite the mystery of a missing book of the state's accounts, which was allegedly on Eben's person when he died (such a book was never found). While Goodman's reporters mentioned the deficit in the treasury, the *Enterprise* reiterated the suggestion that others may have assisted Rhoades in squandering the state's money.

When Henry Bostwick's report was finally made public, Attorney General Clarke joined with a prominent Carson City attorney and Democrat, A. C. Ellis,[30] to file the first of two suits against Henry Rhoades, the administrator of Eben's estate, and Eben's second term bondsmen. The lawsuit sought $10,000 from Eben's estate and a total of $90,000 from the bondsmen. Attorney R. L. Mesick represented the bondsmen.[31]

According to the case pleadings and transcripts, Ormsby County Judge Samuel H. Wright presided over the jury trial must have been the political trial of that century. Witnesses included most of the state's highest elected officials and Henry Rhoades, in his capacity as Eben's deputy. Henry was the first witness called, and his testimony was nothing short of mind-boggling. He testified that, as Eben's clerk, he made the entries in the treasurer's books. Even though he kept these books, he said, he could not tell at any given time how much

money was in the treasury. He kept the "special funds money" (money for sale of public lands) in a tin box with a key. He admitted that the deficiency was $106,432.58, but said he did not know exactly when the defalcation occurred, nor did he know how much money was carried over in the treasury from the first term to the second term.

State law required the Board of Examiners to count the money in the treasury on a monthly basis. Monthly counts never occurred during Rhoades's tenure; they were sporadic at best. In fact, Henry told the jury that he borrowed money from other sources for the "money counts" of the state's funds by the board. He admitted to borrowing no more than $20,000 at a time. The money was lent by H. F. Rice, a clerk at Wells Fargo Bank whom Henry and Eben knew. Henry claimed the first time he borrowed for such purposes was in 1867. He admitted to borrowing three times in 1868 for the Board's count, but denied borrowing for the February 1869 money count. The Board of Examiners was, he said, unaware that it was counting borrowed money.

The governor, secretary of state, and attorney general testified after Henry in their capacities as members of the Board of Examiners. The constitutional officials portrayed themselves as innocent of any negligence or other wrongdoing. Governor Blasdel told the jury that the board counted the money in the treasury on February 20, 1869. The money was in a tin box, not in a safe, the governor said. Blasdel testified that he had suspicions that things were not right in the treasury, but after inquiring he came to believe that his doubts were unfounded. Secretary of State Noteware testified that Blasdel had heard of $27,000 being improperly shipped to San Francisco, but after an investigation the money was traced back to the state's account. Noteware further testified that fears were expressed as early as 1867—and certainly by 1868—that Rhoades was using state money for personal stock speculation. Attorney General Clarke told the jury that, during the money count on February 20, 1869, there was no way to determine whether the money counted was public or private money. He denied that he had heard of any problems in the treasury, stating that he thought Rhoades to be personally wealthy.[32]

Because the lawsuit claimed damages from the second-term bondsmen, their legal counsel mounted a rigorous attack. Central to the bondsmen's defense was that the exact time of the embezzlement could not be determined. Their attorneys argued that the state produced no evidence that the defalcation occurred during Eben's second term. Eben's first term, set by the Nevada Constitution for a period of two years, expired in early January 1867, and a different set of men had bonded him for each term. The attorney general's lawsuit named none of the first-term bondsmen. The defendants argued that the evidence and testimony indicated that some or all of the missing money may have been embezzled prior to the beginning of Eben's second term. If this was true, the argument continued, it would be unfair to hold the second set of bondsmen liable for the default.

The jury disagreed with the bondsmen's claims. On November 1, 1870, the jury voted 9 to 3 against Rhoades's estate and the bondsmen. Judge Wright entered a judgment against the defendants for $100,000 to be apportioned among the bondsmen and the estate, and awarded court costs of $727.20 in gold coin. The bondsmen defendants filed for a new trial, which the judge denied on December 31.[33]

The bondsmen, however, were determined not to pay for Eben's malfeasance. They filed a Notice of Appeal of the lower court's decision with the Nevada Supreme Court on January 5, 1871. After reviewing the lower court decision, the Nevada Supreme Court remanded the case back to district court on the basis that Judge Wright had excluded the evidence that the embezzlement might have occurred during Eben's first term.[34]

THE 1871 LEGISLATIVE SESSION

Throughout the 1871 legislative session, the issue of Eben's defalcation and the resultant liability borne by the powerful and politically well-connected bondsmen remained on the collective mind of Nevada politicians. In his State of the State message on January 3, 1871, outgoing Governor Blasdel declared that he was unsure when, and how large a sum would ultimately be recovered from the bondsmen. He reminded legislators of their duty to replace any money that might have been improperly diverted from the Irreducible School Fund.

Blasdel also recommended specific legislation to prevent future embezzlement. He proposed making it a felony to lend money to the state treasurer; requiring county treasurers to send statements to the state controller when transmitting money to the state treasurer; keeping money from the sale of public lands in the state treasury subject to surveillance of the Board of Examiners; and imposing severe penalties for the failure to make monthly entries on the state's books.

The Senate responded to the governor's message by introducing Senate Concurrent Resolution (S.C.R.) 013 to appoint a bipartisan committee to inquire into the amount likely to be recovered from the bondsmen, and to further inquire into any dereliction of duty by the Board of Examiners. The S.C.R. 013 committee examined the records of the Nevada Supreme Court case and held six hearings beginning on February 17, 1871, to take testimony from all involved.

The first witness, H. F. Rice of Wells Fargo Bank, promptly implicated the governor in the embezzlement scheme. Rice testified that Rhoades and Blasdel came into the bank together on August 7, 1869. Eben drew a check on the state treasury (he did not have a personal account at the bank) in favor of the governor for $2,000 and handed it to Blasdel, who handed the check to Rice with instructions to deposit it in the governor's personal account. Rice testified that he considered the money a loan because the amount of the check did not

represent the governor's salary.

Rice also confirmed that, at least five times during the state money counts, Henry Rhoades borrowed between $3,000 and $10,000 and returned it the same day. Rice never charged interest for the loans, denied that he was aware of their purpose, and declared that he never suspected that Rhoades was a defaulter. Yet he admitted to some suspicions during the 1866 campaign because of Rhoades's intense anxiety and excitement at that time. Rice said his qualms were dispelled in the first two years of Eben's second term, but strengthened in the final year of the treasurer's life when rumors of his gambling and other personal irregularities, including unsuccessful dealings in mining stocks, began to circulate in the capital city. In addition, he noticed the Board of Examiners' report that Eben was carrying large amounts of the state's money on his person—as much as $38,000 at one point.

Also called to testify before the committee was former Governor Blasdel. Blasdel claimed that he personally borrowed $1,000 from Eben on August 1, 1869, and another $2,000 a few days later, and deposited the money in his account at Wells Fargo Bank. He said that he met the treasurer at the bank, where Eben filled in a blank check and handed it to Rice. Contradicting Rice's account, the governor reported that he never had his hands on Eben's check.

Henry Rhoades was another key witness at the hearings. He stated that he kept the "special deposit" money—i.e., the money from the sale of public lands—at the bank in a box that Rice provided him when he asked for it. Henry testified that the audit arrangements between the controller and treasurer were loose and admitted that they reconciled their books annually, rather than monthly. He stated that although the law required monthly money counts, the Board of Examiners examined the books perhaps twelve times in two years. Henry confirmed the stories about borrowing money and affirmed that the Board of Examiners was unaware that it was counting borrowed money.

A few days later, the committee recalled H.F. Rice to answer more questions. Rice stated that he had suspected Henry was borrowing money for the Board of Examiners to count. He admitted to being partial to Henry, as evidenced by his signature on the petition supporting Henry's appointment as the new state treasurer after Eben's death. Regarding the loan to Governor Blasdel, he testified that Eben told him the governor wanted the money to help him with the "Colfax entertainment" occasioned by a visit to Nevada by the then vice president of the United States, Schuyler Colfax.

Exactly what the bondsmen knew, and when they knew it, was a matter of much dispute throughout the session. Most claimed to have known nothing. By Henry Rhoades's own admission, bondsman A. K. Grimm became suspicious and reviewed the treasurer's books in April or May 1869, supposedly at the request of other bondsmen. He was satisfied the books were in order. Another bondsman, Aaron D. Treadway, testified before the special legislative committee that he also heard there might be problems in the treasury. Treadway claimed

that he asked Rhoades shortly before his death to release him from his bond. According to Treadway, Eben promised that he would soon do that. But the treasurer died before the release was made, if indeed Eben ever really intended to deliver on his promise.

According to Treadway, Henry even promised to send him a check for the $5,000 he had pledged on the bond, but he never received the money. H. M. Yerington, another bondsman and the general manager of the Virginia and Truckee Railroad, claimed that he heard rumors of the defalcation eighteen months to two years before Eben's death. Yerington testified that, in the summer of 1868, he had asked Eben about the defalcation, but the treasurer denied any wrongdoing. Eben agreed that the bondsmen should examine the books, but declared that the books were not up to date. It would take Henry about three weeks to put them in order, he said. Three weeks passed and Eben failed to make the books available. Yerington inquired a couple of times more, and Eben put him off each time.

The committee recalled Henry Rhoades to testify on February 25, 1871. The legislators questioned him about loans made to the late state controller, William Parkinson. Henry told the committee that Parkinson, first elected in 1866, borrowed money from the treasury the entire time he was in office. At first, Henry said that Parkinson owed between $3000 and $5,000. Then, Henry testified that about one month before his death, Eben had said that Parkinson would settle "the $15,000 to $20,000" he owed. On September 6, 1869, three days before Eben's death, the treasurer's clerk signed for a $1,000 check made out to Parkinson. Henry said he thought this sum was in addition to the $3000 to $5,000 amount mentioned previously. Finally, Henry testified that he knew of no other unpaid loans his brother had made.[35]

On March 1, 1871, the S.C.R. 013 committee issued its findings and reported the bill out of committee without recommendation. The final report not only excused the governor and Board of Examiners of any misconduct, but also relieved the bondsmen from liability. The committee's findings were (1) the Board of Examiners failed to count the money in the treasury, as required by law, (2) the law allowed the treasurer to deposit the money in banks in Virginia City, in Carson City, and in San Francisco, or to carry the money on his person, (3) the controller and treasurer failed to make monthly settlements, as required by law, (4) the controller's books did not and could not show the status of the land-sales money and the greenback funds, and (5) the Board of Examiners neglected to comply with the law, regarding the money count requirement, and attempts by the board to ascertain the true condition of the treasury were fruitless.

The committee concluded that even if the Board of Examiners counted the money every month as required by law, it would not have detected the deficiency or prevented the misappropriation of public money. The committee found that the board was not implicated in the scandal, but that the state controller contributed considerably and participated with the state treasurer in

using the state's money for private purposes. Further, the committee knew of no foundation for the charge that Rhoades indemnified any of his bondsmen against the loss.

Finally, the committee cleared former governor Blasdel by finding that he investigated the rumors about Rhoades's activities with some care and concluded that no basis existed for the rumors. The committee found that the governor borrowed $2,000 from Rhoades, but he gave as security the warrants for his salary. While deeming this imprudent, the committee believed that Blasdel was unaware that the loan was from public funds, and concluded that if the governor had intended to do something illegal, he would have done so in a different way. With the S.C.R. 013 report issued, the legislature adjourned.[36]

The 1871-72 Lawsuit

Since the legislature failed to settle the matter to the state's satisfaction, the next step was to return to court. The new attorney general, Luther Buckner, filed a new lawsuit against the bondsmen and Eben's estate in Ormsby County District Court, seeking to recover the missing $106,432.88. Attorney A.C. Ellis again joined the attorney general in the suit.

A jury trial, held before Judge C. N. Harris, began in September 1871. Most of the financial and chronological facts from the first trial were repeated. Many of the same witnesses testified, with two notable exceptions. C.C. Batterman, the second treasurer, testified for the first time, saying that he received $18,532.38 in currency from Henry Rhoades about one week after being appointed state treasurer. The currency was in ordinary tin boxes, and Batterman could not determine to which funds the money belonged. He said that Henry told him it was "special funds money."

Henry, living in California by 1871, did not testify at the second trial. Attorneys took his deposition, which was used at the trial for his statement that the money turned over to Batterman was "special funds money" only. The general-fund money had been sent to Eben in San Francisco for a purpose unknown to Henry.

At the close of the evidentiary phase of the trial, one of the jury instructions directed that land-sale money—the funds that should have been deposited in the school fund—did not belong to the state. Thus, Nevada could not recover this money from the bondsmen, because their bonds covered only the loss of state money. Another instruction was that, if the jury found against the bondsmen, it could do so only for the period of the second term. The jury found the bondsmen not liable and awarded them trial costs of $391.35.[37]

The state appealed the decision on December 2, 1871. A month later, in January 1872, the Nevada Supreme Court again reviewed the lower court's actions and reversed the case, remanding it back to district court for a new trial. The high

court disagreed with the jury instruction that money from the sale of public land was not state money. The court found that the special deposits belonged to the Office of the Treasurer in his official capacity, and therefore the bondsmen could be held liable.[38] No further action was taken in 1872, although the stage had been set for yet another trial.

FINAL RESOLUTION

Faced with another proceeding in district court, the 1873 Nevada State Legislature took the final action to close this dismal chapter of Nevada history. The senate introduced a bill, S.B. 23, providing for relief of the bondsmen from any debt to the state. In the January 12, 1873 *Territorial Enterprise,* the paper continued to side with the bondsmen. The paper justified absolving the bondsmen because (1) some of the theft occurred in the first term, (2) Eben Rhoades received $40,000 after the bond was filed, and the bondsmen had not agreed to insure that money, (3) the exact amount of the loss was uncertain, and (4) several of the bondsmen were insolvent or dead.

Legislators held hearings on the affidavits of the same witnesses called in the trials and during the previous legislative session. They essentially rehashed the evidence without covering any new ground. A Republican-majority committee report on S.B. 23 concluded that the Board of Examiners failed in its duty to count the money; that the clerk, Henry Rhoades, borrowed money and deceived the board, the public, and the bondsmen; that the embezzlement could have happened in either of Eben's terms; and that the bondsmen were not liable for money from the sale of public land until 1871. The committee therefore, reported that it was satisfied that $35,000 to $40,000 could be recovered, but it would cost the state substantially to do so in court.

Before the end of the legislative session, S.B. 23 to relieve the bondsmen passed both legislative houses. Governor Lewis R. Bradley, elected in 1870 as part of a Democratic takeover of several major statewide offices, vetoed the bill on February 26, 1873, causing the measure to be returned to the legislature for a vote to override the veto. On March 1, 1873, the *Humboldt Register* reported unusual actions by the governor with regard to this vote. Governors rarely visit the legislature and almost never sit on the legislative floor during debate, yet Bradley sat next to Speaker of the Assembly John Bowman (R-Nye County) for the override vote. It was generally believed that Bradley was there to influence the outcome. Whatever his purpose, however, the vote to override came down along party lines: The Republican senate voted 17 to 7 to override the veto, while the Republican assembly voted 35 to 11 for the override. The bondsmen were forever relieved of liability to the state for Eben's embezzlement. The saga was ended.

Implications of the Rhoades Affair

On its face, the embezzlement of more than $100,000 of state funds from a fledging state treasury is shocking enough. Considering the long-term implications of this loss, however, the event takes on much larger proportions. The revelations about the Rhoades brothers probably did nothing to hurt Democrats in the 1870 election campaign, and they won several state offices and increased their numbers in the state legislature. Nevada did not repay its territorial debt until the 1920s, needlessly diverting funds from other programs as a result of the revenue lost on Rhoades's watch. And because monies intended for the "Irreducible" or Permanent School Fund were embezzled, interest generated from that fund—still used for the betterment of education today—has lagged. A 1980s estimate made by one of the authors sets the state's loss of interest on the money that Rhoades embezzled close to $300,000,000.

The scandal also fit into a national pattern. Government and political corruption long had been major issues—and have remained so, in Nevada and throughout the nation. In 1868, while Rhoades was embezzling from Nevada, Ulysses S. Grant won the presidency. By the end of his two terms, in 1877, members of his administration had been tried for various crimes. Schuyler Colfax, his first vice president, whose visit to Nevada played a role in the trial related to the Rhoades embezzlement, left office in disgrace over his actions in the Crédit Mobilier scandal, involving the Union Pacific Railroad. Although corruption has obviously never gone away completely, civil-service reform became, and remained, a political issue until the 1883 passage of federal legislation. And more local forms of corruption suffered when the Progressive Era muckrakers of the early twentieth century turned the spotlight on it.

Eben Rhoades escaped criminal prosecution apparently only by taking his own life; his conduct surely would have been revealed when he left office. His powerful friends, however, paid nothing. While they themselves had committed no crimes, their promises to secure the state's funds proved hollow. The ramifications of Eben's conduct are one thing, but bondsmen's conduct adds insult to injury. Nevada, with a limited resident population, was rushed into existence by Abraham Lincoln and his party; a clubby environment, easily dominated by special business and political interests. The sheer power wielded by Eben's cadre of newspaper editors and powerful business figures is the stuff of larger-than-life national figures like William Randolf Hearst, who is blamed for using his newspaper to start the Spanish-American War, or President Warren G. Harding, brought low by his friend's misdeeds in the Teapot Dome affair. Yet, the story played out here, too in the Silver State, perhaps proving that old adage correct: Trust nobody where large sums of money are concerned.

NOTES

[1]Eben was the oldest of five children born to Ebenezer and Hepzibah Craft Holbrook Rhoades.

[2]Don Ashbaugh, *Nevadas Turbulent Yesterday: A Study in Ghost Towns* (Las Vegas: Westernlore Press, 1963), 124. According to DeGroot's 1860 census dated August 5, 1861, Aurora had 1,985 residents. The total Nevada population at the time was 16,374 people, most of whom lived in Virginia City.

[3]Recorders "Deeds," Book A, Mono County, California.

[4]Board of Supervisors "Minutes," First Book, p. 82, Mono County, California.

[5]Board of Supervisors "Minutes," First Book, pp. 99-100, Mono County, California.

[6]Mack was elected Town Trustee of Aurora with Rhoades on May 4, 1863. Board of Supervisors "Minutes," First Book, p. 82, Mono County, California.

[7]*Esmeralda Daily Union* [Hamilton] (4 November 1864).

[8]*Virginia Daily Union* [Virginia City] (13 October 1864).

[9]Dean Heller, *Political History of Nevada, 10th ed.*, p. 266. Maroney's name is spelled Moroney in Myron Angel (Oakland: Thompson and West, 1881), 87.

[10]This house was later purchased by Jerry Schooling when he was state treasurer. Ormsby County Recorders Deed Vol. 12, p. 425; Vol. 14, p. 141; and Vol. 18, pp. 337-338. Ettie Louise Gardner and Henry Rhoades married on October 28, 1868 at St. Peter's Episcopal Church in Carson City by the Rev. Charles W. Hayes. St. Peter's Episcopal Church Records, 1867 to 1890, located at the Nevada Historical Society, Reno, Nevada.

[11]*Official Bond Book*, recorded December 5, 1864, Nevada State Archives, Carson City, Nevada.

[12]*State Treasurers Money Count Book, 1864-1867*, Nevada State Archives, Carson City, Nevada.

[13]*Controllers Warrant Register, Vol. 1*, Nevada State Archives, Carson City, Nevada.

[14]*Ibid.*

[15]Later a Justice of Nevada Supreme Court, Heller, *Political History*, 220.

[16]Heller, *Political History*, 266.

[17]*State v. Rhoades*, 6 Nev. 661 (1871).

[18]Heller, *Political History*; Sam Davis, *History of Nevada* (Reno, Elms Publishing 1913); Angel, *History of Nevada*.

[19]Appendix to *Nevada State Journal of Senate and Assembly, Third Session, 1867*, "Message Senate Ways and Means Committee," 19 February 1867, p. 204.

[20]On page 2 of the September 11, 1869 edition, the *White Pine News* reported Rhoades died at Lick House in San Francisco, but the Occidental Hotel seems a more likely location. On September 13, 1869, on page 1, the *Daily Alta*, San Francisco's major newspaper, reported that location.

[21]*Carson City Daily Appeal* [Carson City] (12 September 1869) 2-3.

[22]*Daily Alta* [San Francisco] (13 September 1869) 1.

[23]*White Pine News* {Hamilton] (7 February 1870).

[24]Howell was the son-in-law of J.W. Haines, one of Eben's pallbearers and bondsmen. The information regarding Eben's suicide was deleted from later secretary of state reports by Secretary of State Malcolm McEachin in 1941.

[25]*Carson Daily Appeal* [Carson City] (14 September 1869).

[26]Heller, *Political History*, 109.

[27]Henry Bostwick, "Report to Board of Examiners," March 1, 1870, State Archives, Carson City, Nevada.

[28]*State v. Rhoades et al*, 7 Nev. 434 (1872), Trial Statement filed October 2, 1871.

[29]Henry B. Bostwick, Report to Board of Examiners on Eben Rhoades, March 1, 1870.

[30]Ellis was a prominent Carson City attorney and the Democratic nominee for U.S. Senate in 1872, for Congress in 1874 and 1876. Angel, *History of Nevada*, facing 88 and 93-94.

[131]*State v. Rhoades et al*, 6 Nev. 661, 1871. It is assumed that Ellis took the case because Attorney General Clarke, a member of the board of examiners, would be a witness at trial.

[32]*State v. Rhoades et al*, Ormsby County case #496.

[33]*Ibid.*, Judgment (2 November 1870).

[34]*Ibid.*, Nevada Supreme Court decision (1871).

[35]*Journal of Nevada Senate, 5th Session* (1871), "Report of Committee on Defalcation in State Treasury."

[36]*Journal of Nevada Senate, 5th Session* (1871), "Report of Committee on Defalcation in State Treasury."

[37]*State v. Rhoades et al*, Ormsby County case #55156 (January 2, 1872).

[38]*State v. Rhoades et al*, 7 Nev.434, 439 (1872).

Notes and Documents

Territorial Governor Nye as Poet

ROBERT E. STEWART

Before coming to Nevada as President Abraham Lincoln's appointee as governor of the Territory of Nevada, James W. Nye was an attorney in New York State. In 1848, he was an unsuccessful candidate for the United States House of Representatives as a Free Soiler. That party's position went beyond simple hostility to slavery and its pretenses. Members linked their opposition to slavery to a land-reform agenda that pressed for free land for poor settlers, in addition to land free of slavery. In the coming years, Nye was to make hundreds of speeches throughout the state in opposition to slavery.

During 1848-49, while serving as county judge in upstate New York, Nye gained statewide attention for his deft handling of a difficult case. It involved members of the Loomis Gang, a group that would many years later be "disbanded" when vigilantes hanged a key member. During this time, Nye penned a poem in opposition to the death penalty. Although he was widely recognized as an eloquent speaker, this is his only known foray into poetry. The next year, at the end of his term, Nye became a judge in the state chancery court.

In December 1855, James W. Nye entered into a law partnership with William S. McCoun in Jamaica, New York. In reference to the advertisement of the new partnership, James J. Brenton, editor of *The Long Island Democrat*, observed that Nye's "thrilling eloquence, high legal attainments and fine social qualities make him a favorite with the bench and jurors."[1] The following year, Nye aligned himself with the fledgling Republican party.

Boss William Tweed was now in power, and his Tammany Hall politics held sway in New York City. There, in 1853, the police were first outfitted with uniforms. Then in 1857 the Republican state legislature created the Metropolitan Police for the cities of New York and Brooklyn, and Westchester County. Nye was appointed as the first president of the Metropolitan Board of Police. Democratic mayor Fernando Wood resisted the new board, and tried to maintain his city police force for several months before Nye shut him down. It was estimated in 1860 that one citizen in ten in the New York metropolitan area had a criminal

Robert E. Stewart came to Nevada as managing editor of the *Elko Daily Free Press*, and later became the editor for the *Nevada State Journal*. In 1971, he was named press secretary for Governor Mike O'Callaghan, and in 1979 he was appointed chief of public affairs for the United States Bureau of Land Management in Nevada. Now retired, Mr. Stewart is continuing his research and writing about territorial Nevada.

James W. Nye, Nevada Territorial Governor, 1864.
(Nevada Historical Society)

record.[2] Under Nye's leadership, Metropolitan Police officers were allowed to carry arms for the first time.[3]

As territorial governor of Nevada, Nye was not directly involved with carrying out the death penalty in the state. At the time in Nevada, the county sheriff implemented the decisions of the courts. During Nye's tenure, local officials carried out a handful of legal hangings, but two committees of vigilance were responsible for two incidents, one in Aurora and the other in Dayton.

Governor Nye had tried to head off the Aurora action, in which a local Committee of Vigilance hanged four men. The wife of Nye's former law partner McCoun was a sister of Samuel Youngs, a California forty-niner who had settled in Aurora shortly after the discovery of precious metals there in 1861. Youngs and Nye exchanged telegrams about the impending executions. When Nye was unable to avert the hanging through telegraphic means, he made the day-long trip from Carson City to Aurora and ordered the gallows removed. His companions on that trip included Jacob Van Bokkelen, the provost marshal of the territory.[4] Van Bokkelen had no problem with a committee of vigilance: In 1856, he had served as chief of police for such a committee in San Francisco. That committee publicly hanged two men. Van Bokkelen's more sanguine attitude toward such committees was probably responsible for keeping the governor relatively calm.[5]

In Aurora, the committee had formed weeks before it took action, and warned the lawless to leave town. But in Dayton the vigilante action was more summary. When a popular saloon keeper was killed, a gang of men took the slayer from the jail in the dark of night. When he protested, they stuffed his mouth with dirt. Then they hanged him. His body was returned to the jail cell, where the sheriff found it in the morning.

Governor Nye was just up the road to the west in Carson City. The report he received of the death indicated that there was now a disorderly and riotous crowd in the streets. He called for a squad of soldiers to come west from Fort Churchill, and, unaccompanied, headed east to Dayton. The streets he found were empty. Although the incident had a cleansing effect on the populace of Dayton, it appeared to be more a crime of passion by a group of men than an organized committee of vigilance. Governor Nye mounted the balcony of the Odeon Hotel and vented his anger in a speech without an audience. As one report put it, he "read the riot act" to the empty street.[6]

The 1849 poem appears in a clipping from *The Long Island Democrat*; it was discovered while conducting research on another subject in the library of Queens, New York. The specific situation that led to Nye's venture into anti-capital-punishment poetry in that year could not be readily determined from newspapers available to the researcher then or since.

The Condemned[7]

By J. W. Nye

He is thy brother! Let him breathe
The air by God so freely given;
The tie which binds his spirit here,
By mortal hands should ne'er be given!
Take not the life thou dids't not give,
But let thy erring brother live!
What is thy duty, but to win
Him back to virtue's pleasant way;
To put upon his clouded mind
The gleam of love's subduing rays,
And guide his erring mind aright
Mid scenes of pleasure and delight.
O treat him kindly, who like thee,
Was once a guileless infant fair,
Who prattled on a mother's knee,
And smiled in infant beauty there;
A mother's heart oft thrilled with joy,
As she beheld her darling boy.
That mother died, and he was left
To breast the storm of life alone;
Sank early to the darksome tomb,
The guiding star that o'er him shone!
Without that star to guide aright,
He went astray in error's night!
And we, more favored, might have erred—
A prey to snares of vice and hate!
We might have strayed as far as he,
If guarded not from such a fate!
The smiles of love that round us shone
Were not upon his pathway thrown.
Then drive him not to dark despair,
By frown and threat and gallows high;
But let a smile and kindly word
Bring back a love light to his eye;
Then wilt thou save a soul from death—
But take thou not a brother's breath!

Notes

[1]*The Long Island Democrat* [Jamaica, Queens County (Long Island), New York] (11 December 1855), p. 3:1.

[2]Internet sites: New York Historical Society, New York City Police Department timeline, 1801-63; Bioguide to Congress, James W. Nye.

[3]Robert Ellison, historian of Carson Valley law enforcement, personal communication with author, 3 September 2005.

[4]See "Col. Samuel Youngs' Journal," Ethel Zimmer, trans. and ed, *Nevada Historical Society Quarterly*, 2:2 (Spring 1959), pp. 27-67.

[5]Robert E. Stewart, Aurora, *Nevada's Ghost City of the Dawn* (Las Vegas: Nevada Publications, 2004), 60-67.

[6]*Pioneer Nevada*, "The Hanging at Dayton," p. 94 (Reno: Harolds Club, 1951), *Nevada Historical Society Papers* (19), 3:68.

[7]*The Long Island Democrat* (19 June 1849), 1:3.

New Acquisitions at the Nevada Historical Society

NEVADA HISTORICAL SOCIETY STAFF

LIBRARY

We recently purchased five new items for the Nevada Historical Society's substantial ephemera collection. Ephemera can be defined as any material that is printed for a specific short-term purpose and can include such items as promotional materials, flyers, posters, menus, airline tickets, napkins, labels, matchbooks, the list can go on and on. They can be used as research tools, illustrations for books and articles, or just for fun to look through.

Our new items are:

1) A promotional booklet put out by Reno's Riverside Hotel (circa 1930s) contains pictures and information about the hotel and things to do in and around the Reno area.

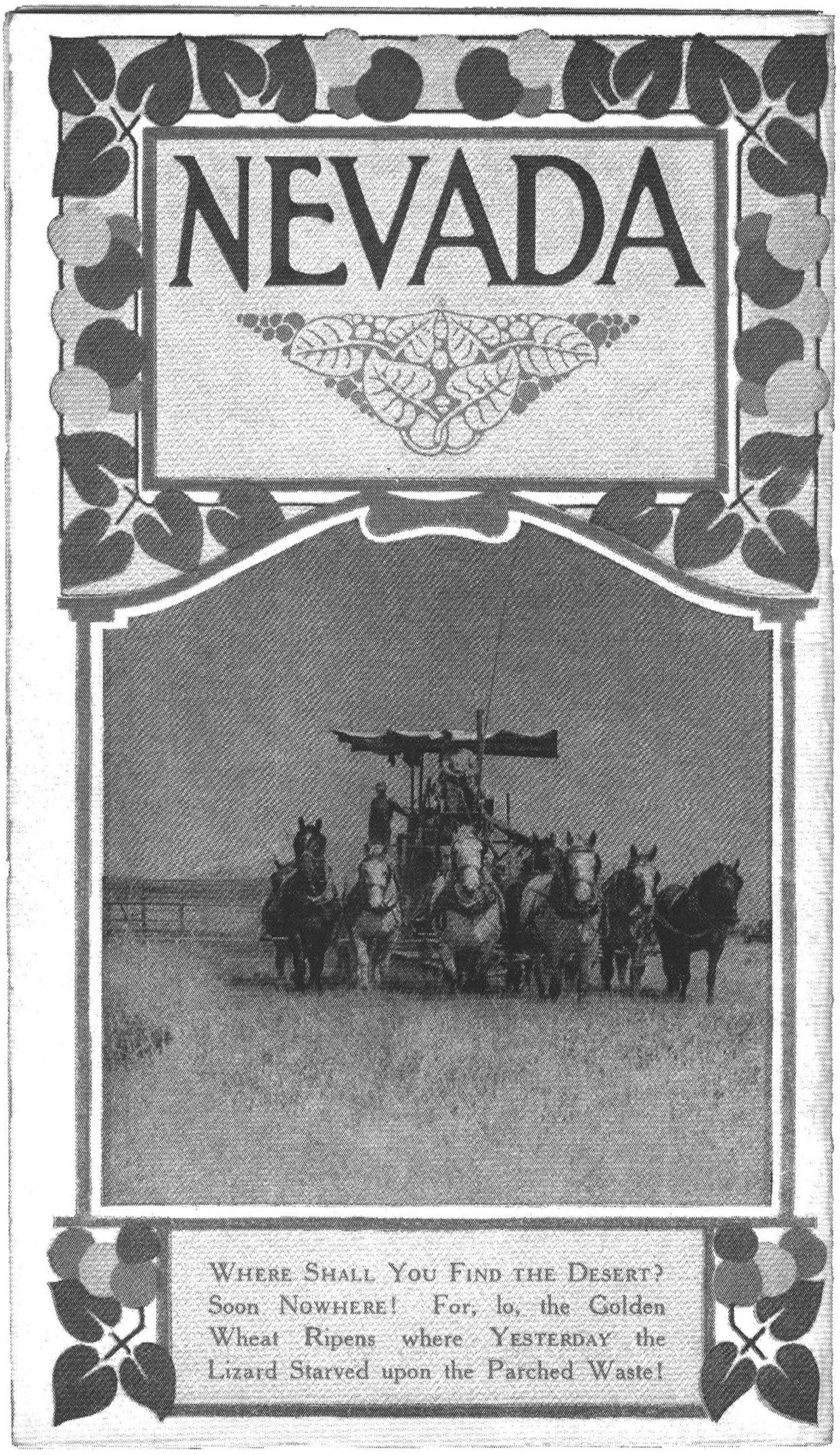
2) Another promotional booklet entitled, "Nevada Fifty Years Asleep! Awakening 1915" contains interesting information under the headings of the Consolidated Mill in Goldfield, Lincoln Highway, the Great Copper Pit in Ely; Alfalfa Pastures in Mason Valley, and Homeseekers', along with valuable statistical information.

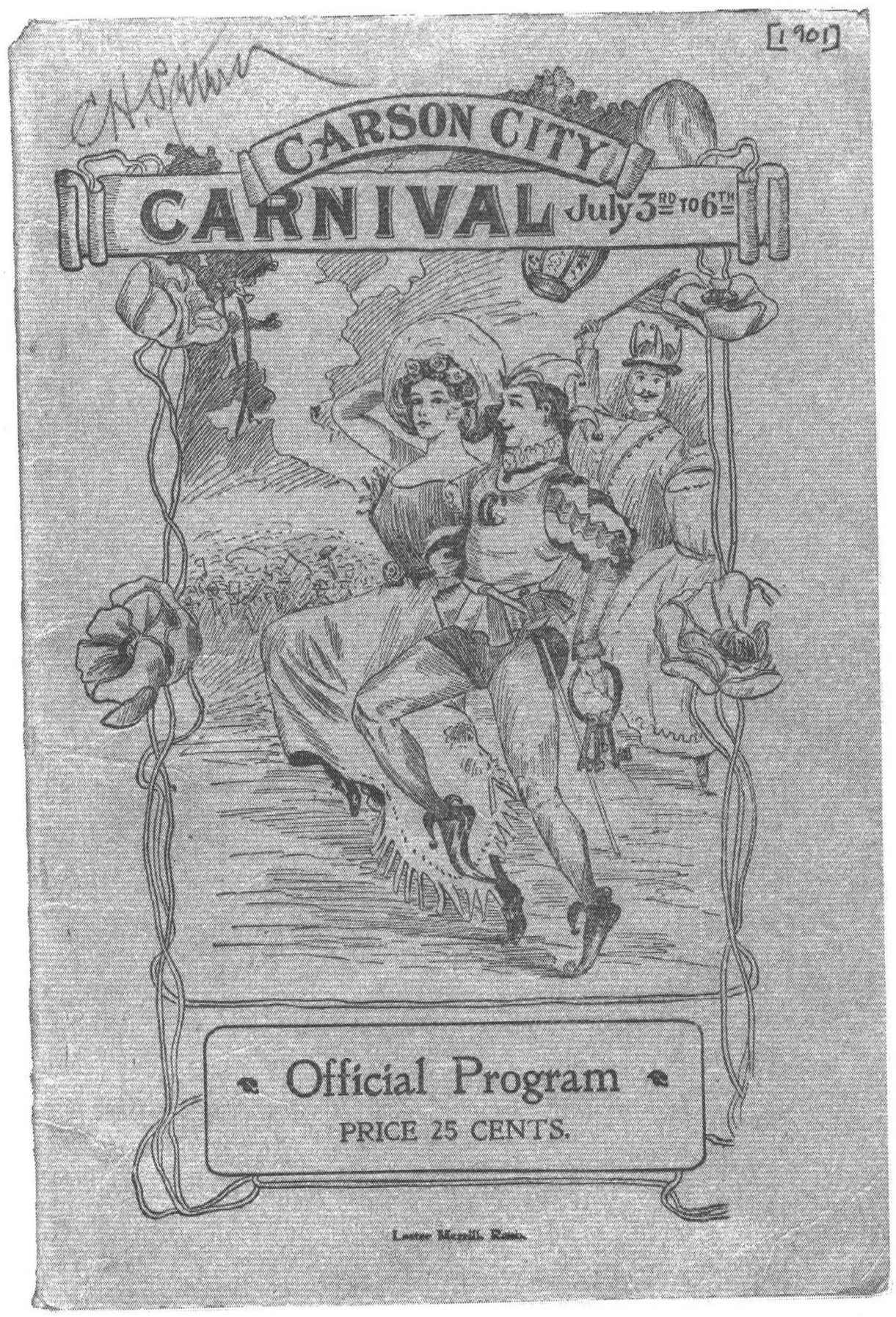
3) The Official Carson City Carnival and Street Fair program (circa 1901) was the program for the first street fair and carnival held in Nevada. It was "intended to be a guide to the stranger in Carson during Carnival week, and at the same time set forth to the world something of the extent and resources of the counties of western Nevada."

4) A Harolds Club casino calendar from 1958 will be added to our large calendar collection.

5) And what collection would be complete without a Dude Martin and his Nevada Nightherders promotional picture that includes the words to five of their songs printed on the back. The band was known for such hits as "Nevada Memories," "Lookin' for a Dogie," and everybody's favorite, "Come A-Ti-Yippy-Yay-Ho."

Michael Maher
Research Librarian


NEVADA
WHERE SHALL YOU FIND THE DESERT?
Soon NOWHERE! For, lo, the Golden
Wheat Ripens where YESTERDAY the
Lizard Starved upon the Parched Waste!


[1901]
CARSON CITY
CARNIVAL July 3RD to 6TH
Official Program
PRICE 25 CENTS.
Lester Megill, Reno.

PHOTOGRAPHY

The Mono Mills photograph collection consists of eleven real-photo postcard (RPPC) views of the Bodie Railway & Lumber Company trains and facilities at and in the vicinity of the Mono Mills townsite, Mono County, California. The railway and mill operated seasonally and intermittently from 1881 to 1918, supplying cordwood and mining timbers to the town of Bodie, 30 miles to the north. All images are circa 1905-1910. The four-by-five images copied from originals were made available by Gregory H. Bock. Negatives and digital images are available for each. The images and information on them were compiled for the Nevada Historical Society by volunteer Larry Meeker. Mr. Meeker is a civil engineer, specializing in railroad construction. His weekend avocation consists of exploring old train routes and compiling historical information on short lines in the Nevada-California border area. Mono Mills was particularly important to the history of Nevada because it was a major supplier of lumber to Nevada towns and mines, including Aurora, Goldfield, and Tonopah. The original real-photo postcards were kindly lent to the Society for copying by Gregory H. Bock.

Lee Brumbaugh
Curator of Photography

Six-horse team hauling logs to Mono Mill. *(Nevada Historical Society)*

Museum

In recent months, the Nevada Historical Society has acquired a number of important artifacts through generous donations. Without funds to purchase artifacts, the Historical Society must rely on the generosity of the public. Obtaining artifacts from historic Nevada families is a crucial part of the Society's collecting mission. These items represent important aspects of Nevada's history that might be lost to future generations.

The unique Jim and Sylvia Jacobitz donation includes Nevada and California ore specimens, an antique store display case, and a Reno fireman's helmet. The helmet is a wonderful documentary artifact of the history of the Reno Fire Department. The helmet was owned by William W. Webster, Reno fire captain from 1904-1909. The antique store display case is made of oak and curved glass top and it dates to the 1880-1900s. The large ore specimen collection was purchased in Eureka, Nevada by Dr. Jacobitz some years ago. It is difficult to date the collection, but its appearance suggests circa 1915-1940, typical for a miner or geologist that might move around from mine to mine. The collection is composed of fifteen groups of specimens, each representing a specific geographic region of Nevada and eastern California. The collection appears to center mostly around the Austin, Nevada area, with most specimens from Austin, Battle Mountain, Pershing, and other regions, and all typical of the producing mines of the region during this time span. Specimen collections like this one are rare, and someone has carefully taken small, high-grade samples from mines at these sites.

The Society got a lucky shot with a bowling memorabilia donation of an important "Kingpin" in the Professional Bowling Association (PBA). The estate of the late Harry Golden was forwarded to the museum by the State of Nevada this fall. The donation consists of PBA rings, cuff links, pins, trophies, photographs, and other miscellaneous objects. The Society loaned several of these objects to the International Bowling Museum and Hall of Fame in St. Louis, Missouri where they will have a display dedicated to Harry Golden.

Nevada's Harry Golden was a prominent figure in the history of bowling in the United States. He was a PBA bowler for eleven tournaments, but cut short his career on the lanes in 1961 to become the PBA's Tournament Director. By the time he was inducted into the Hall of Fame in 1983, he had never missed a tournament or a telecast. When Golden took the position of national tournament director, he chose to forego the normal lifestyle of home and family to travel the PBA Tour for more than thirty-five weeks a year. Known as "Goose" by his PBA family, Golden helped develop and refine many of the policies of the PBA, making contributions to the Pro-Am, Pro Tour Qualifier, and tournament formats. Golden was inducted into the PBA Hall of Fame in 1983 in the Meritorious Service Category. The PBA tour Rookie of the Year Award was renamed the PBA Harry Golden Rookie of the Year Award in 1992.

Sherlyn Hayes-Zorn
Registrar


CAPTAIN
RFD

Book Reviews

Gifts from the Celestial Kingdom: A Shipwrecked Cargo for Gold Rush California. By Thomas N. Layton. (Stanford: Stanford University Press, 2002).

Building on a previous book about the *Frolic*, an opium clipper turned cargo vessel that sunk off the northern California coastline, historical archaeologist Thomas N. Layton tells the century-and-a-half-long tale of a ship's China cargo bound for gold-rush California in 1850. *Gifts from the Celestial Kingdom* tells the story of the cargo, the men involved in purchasing the goods, and how the items resurfaced thanks to wreck divers, treasure hunters, and archaeologists. It also clearly shows how the search for one thing can lead to many unanticipated, yet delightful discoveries.

In 1979, Thomas Layton's original project began with the study of Mitcom Pomo Indian sites near the Mendocino coast. There, Layton found numerous Chinese pottery shards that, at first, he considered to be contamination of the dig site. Soon, however, he discovered that the pottery shards were remnants of the *Frolic's* cargo. Using archival resources, including the files of Augustine Heard and Company, Layton chose to fictionalize the story of John Hurd Everett, *Frolic's* captain, as well as *Frolic's* adventures to make the tale come alive. Augustine Heard and Company, American China traders and opium merchants, owned the *Frolic* and her cargo. The company hoped to expand its business by sending Chinese products to California during the gold-rush years. Having gained an enormous profit on the cargo of the *Eveline*, the company hired John Everett to purchase a cargo for the *Frolic* that would bring at least 75 percent profit on every item when sold in San Francisco. To separate reality from fiction, Layton uses his endnotes to explain what liberties he took in constructing his fictional creation. None of these departures detracts from his purpose of explaining that commercial enterprise spanned the Pacific, and that new evidence is found all the time that helps clarify historical events.

Chapters 2 through 5 read like an adventure novel as Layton describes how China trade goods were purchased, how opium was produced, how merchants dealt with the Chinese *cohong* system, how traders lived and worked, and how one cargo influenced those that followed it. Chapter 5 deals with the sinking of the *Frolic* and what may have happened to the cargo. Layton explains that some of it sank with the vessel, while other parts of it washed ashore and were salvaged by Native Americans. The gathering of goods by the Indians might explain how the Chinese pottery shards ended up in the Mitcom Pomo diggings.

In Chapter 6, Layton explains how his research took him to wreck and treasure divers to see the relics they recovered from the vessel's remains. Between the 1950s and 1990s, numerous efforts were made to identify the *Frolic*, but few museums or parks were interested in investigating or identifying yet another sunken ship. The divers knew it was a cargo ship, but that was all. In Chapter 7, the author well summarizes the significance of the cargo. For historical archaeologists, he makes the point that new things could be discovered from recent historical periods, not just ancient ones. He also emphasizes how the study of one thing can lead researchers down several paths allowing them to see connections that were not obvious earlier.

Layton shows that for nearly five hundred years the Chinese made objects for export that incorporated foreign design. The question arises whether or not truly Chinese products came to California in any quantity or if the majority of Chinese goods in California was made for overseas consumption?

Thomas Layton wanted to write a book to explain the importance of the *Frolic's* cargo in an international context that would demonstrate how items are connected to the study of humanity. He also hoped to do justice to John Everett, the Chinese merchants, and the crew of the *Frolic*. As a scholarly source, the book lacks the standard academic apparatus, such as full documentation. But as a book to get a general audience interested in history, anthropology, and archaeology, the work is a success. It reads well, keeps the reader interested, and could easily be used in an historiography class along with his first book, *The Voyage of the Frolic,* which investigates the opium clipper's early adventures.

Diana Ahmad
University of Missouri, Rolla

Crater Lake National Park: A History. By Rick Harmon (Corvallis: Oregon State University Press, 2002).

National parks are some of the most appealing, if paradoxical, places in the United States. From the spectacular scenery of Glacier and Yosemite to the history lessons provided at Civil War battlefields, the land reserved under that system seems to preserve the elements of American life and culture that are most beautiful, enduring, and timeless. The parks appear immune to the destructive power of time. At the same time, as several recent studies of the history of national parks and the park service have illustrated, America's national parks are products of particular times, places, and political arguments, and their landscapes have hardly been protected from human manipulation. Rick Harmon's *Crater Lake National Park: A History* provide a valuable addition

to this literature, marking the hundred-year anniversary of Oregon's only national park by describing both the struggle to establish the park and the difficulties of managing it.

Harmon uses a variety of primary and secondary sources, including administrative reports and histories of the region, the recollections of travelers, and oral history interviews with the administrative staff of the twentieth-century park, to explain the origins and evolution of Crater Lake National Park. The Crater Lake park was established in 1902 in southwestern Oregon, at the site of one of North America's deepest and most spectacular lakes. Harmon explains the volcanic forces that led to the birth of this enormous body of water, but his interest centers on the human activity that grew up around the ancient lake. Crater Lake was important both spiritually and economically for the four major Indian tribes living in the region, groups known collectively today as the Klamath people. Beginning in the 1820s and 1830s, their lives began to change as Euroamericans arrived and altered political and economic power in the region. The Klamaths eventually were forced to cede territory and accept a reservation. The Euroamericans' promotion of Crater Lake as a natural wonder and tourist destination quickly obscured the lake's traditional uses.

While the Klamaths struggled to adjust to reservation life, the lake began to acquire a reputation as one of the West's scenic wonders. Various exploring parties visited its shores and sent back excited reports. Photographs of Crater Lake came into wide circulation, and government scientists took an interest in its geographic features. Visitation to the lake and its surrounding region brought it attention, but convincing federal officials to remove the lake from the threat of private development was to take years of assiduous promotion. Central to these efforts was Will Steel, a Portland businessman and amateur mountaineer, whose long campaign to create a national park at Crater Lake finally succeeded in 1902. The park that emerged after 1902, Harmon shows, gradually became an important tourist destination, even if it never became as popular as Yosemite or Yellowstone. As in the case of those parks, Crater Lake experienced a variety of administrative programs and priorities while following the shifting course of park administration in the twentieth century. During the first two thirds of that century, park administrators focused on attracting increasingly affluent and mobile tourists, and providing them with fairly elaborate facilities. In the last three decades of the twentieth century, attitudes at Crater Lake began to change. Administrators, confronted with tiny budgets, now began to focus on environmental protection and scientific study, hoping to protect a fragile ecosystem. As it passes the hundred-year mark, Crater Lake National Park seems uniquely positioned to provide a new model for the park system. With its "largely intact ecosystem," moderate number of yearly visitors, and tradition of popular interpretive programs, Crater Lake could become a leading "preservation-oriented, ecosystem-based natural area" (p. 237). It could help promote the idea that limits on use at national parks preserves their most important values.

Harmon's book is an important addition to the growing number of studies that explore the creation and operation of America's national parks. Clearly written and thoroughly researched, the study links changes in the administration of the park to wider trends within Park Service management and changing attitudes in American politics. While Harmon's discussion of the experience of the Klamaths sometimes reads like it was pasted onto a separate history of the park, such an addition is nevertheless welcome, as it reminds readers that establishing Crater Lake National Park was the result of choices that excluded traditional users from a place defined as an embodiment of unique American virtues. Indeed, books like Harmon's are most important when they demonstrate how places like Crater Lake National Park have emerged from a series of choices about how to use land, and how to describe that use. As Harmon shows, national parks are hardly refuges from an inauthentic modern world; they are products of the politics and culture that define that world. In demonstrating that fact, Harmon also reminds all who care about such places that changes in the political and cultural climate are as important to the future of national park ecosystems as fossil fuel shortages and proliferating greenhouse gasses.

Richard Lindstrom
State University of New York, Binghamton

American Indian Politics and the American Political System By David E. Wilkins. Ethnicity in National and Global Politics Series, (Lanham, Maryland: Rowman and Littlefield, 2002)

This volume is designed as a text for a college level ethnic-studies course on Native American political organization. Rather than being an intensive analysis of a body of original research, *American Indian Politics and the American Political System* uses selective secondary, newspaper, and internet sources to survey the numerous contemporary political constraints on and opportunities for Indian tribes.

Wilkins is a prolific writer who strongly advocates an expansionist view of tribal sovereignty, which forms a central theme of this volume. He argues that tribes, which he calls tribal nations, preceded the founding of the United States and hence are external to and not bound by the United States constitution. He also insists that the foundation of all federal Indian law is the treaty relationship, a mutual agreement of terms between autonomous sovereigns. By means of both frequent quotation and similarity of position, Wilkins demonstrates a close intellectual affiliation with his mentor, Vine Deloria.

This book begins with a series of vignettes that illustrate the variety of contemporary Indian political issues and response strategies. Next the author works to identify key concepts and principles that will figure prominently throughout the subsequent discussion. Then the structured institutional relations between tribes and other relevant types of governments (state and federal) are laid out. Only then are these principles and structures placed in historical context, tracing their origins and development. He uses short case studies to sample the range of indigenous, historically modified, and contemporary types of tribal governments. Wilkins penetrates the logical contradiction between asserted tribal sovereignty (and hence separatism) and national political participation through parties, voting, and lobbying. Two topical chapters, on reservation economies and media imagery, however, are not convincingly integrated with the rest of the discussion. Indian activism, such as the 1973-74 occupation of Wounded Knee, South Dakota, by the American Indian Movement, he describes as "the particular strategies Indians have employed to guarantee their right to participate in American politics" (p. 245). Such events, he maintains, were effective in changing federal policy.

Wilkins concludes that tribes cannot solve their very real problems until the tribal-federal relationship is resolved (p. 59) by correction of the inequitable position of tribes "in the intergovernmental matrix" (p. 203). He recommends that Congress renew making treaties with tribes, a practice abandoned in 1871, and that it voluntarily abjure its long-asserted plenary power to make laws binding on Indian persons and tribes (252-56), neither of which actions appear to this reviewer as very likely. Internal political issues that face tribes, including poverty and high crime rates, he attributes to American colonialism and racism, which he treats as synonymous terms. He advocates gaming as the economic solution to reservation poverty and declares that on the basis of tribal sovereignty Indian gambling operations should be allowed to proceed unfettered and unregulated by either state or federal oversight (pp. 164-66).

Despite the broadly conceived scope of this work, there are some important omissions. Virtually all of the book focuses on reservation-based tribes, tribal governments, and their powers and problems under federal law. There is only occasional mention of the political position and behavior of the more than half of all Indians who are members of unrecognized tribes, or whose tribes lack reservations or treaties. Wilkins avoids discussion of intratribal politics, so the political system he describes is that from the tribe outward. Even there, the focus rests on political and legal structures, as the author defines his own subject within the volume (pp. xv, 9, 62, 245-246), rather than the processes of politics and politicking, as the title implies.

Wilkins is strongest on his synoptic treatment of Supreme Court decisions, which were the subject of both his doctoral dissertation and a subsequent important scholarly monograph. His narrative tone shifts into a fluid use of legal terminology, clearly denoting his comfort and control of that material. He states

with great ability the general pattern of tribal relations, while not oversimplifying the great diversity of Indian experiences. His skill as a teacher shows in his numerous useful lists and summary charts that make detail available without overburdening the text.

However, two of those charts are identical, despite different titles (p. 35). There are technical terms used many pages before their definitions (e.g., p. 15), repetitious sentences and phraseology (e.g., pp. 14, 58, 155-56), ungrammatical and ambiguous prose (e.g., pp. 41, 47, 55, 70-71, 100, 111, 115, 133), intrusive paragraphs on tangential issues (e.g., pp. 11-12, 41), awkward transitions (e.g., pp. 34, 162), and typographical errors that were either not caught in editing and proofreading or are in fact dramatic misquotes (e.g., pp. 127, 129, 134). Many of these problems seem to be the result of overly rapid, computer-based word processing by the author coupled with weak editing by the press. The writing and organization in the first three chapters is particularly rough, as general principles and framework are laid out, after which the author seems to catch his stride. Nevertheless, this initial portion is precisely where conceptual organization and smooth prose will be critical for a student reader unfamiliar with this material.

One of the themes Wilkins repeatedly states is that the federal posture toward tribes is fundamentally ambivalent and ambiguous (pp. 7, 247), leaving tribal leaders unsure of where they stand. His book describes well many areas of that confusion, but does not chart an analytical or intellectual framework to explain that myriad of detail, and so does not successfully elucidate the confusion.

Martha Knack
University of Nevada, Las Vegas

Becoming Citizens: The Emergence and Development of the California Women's Movement, 1890-1911. By Gayle Gullett (Urbana: University of Illinois Press, 2000).

Becoming Citizens: The Emergence and Development of the California Women's Movement, 1880-1911 offers a close look at the changing political and social forces within California that led to the enfranchisement of women and their subsequent claims to a place in the public sphere. As expected, California women—white Protestants from circumstances of means—take center stage in this account. The author Gayle Gullett has produced a work more complex than a local case study of a tightly defined sorority might suggest.

This is a solid book, researched from repositories and agencies far flung across the reaches of California. Gullett makes the most of the state sources, which she

has buttressed with a rich secondary literature. The text covers a thirty-one year period that saw California women recast their individual private lives into a collective public force. For Gullett, the key to activism and advancement can be explained by the power of organized womanhood, a force that energized the female quest for empowerment. There are but four chapters, for which Gullett chooses the word "politics" as the binding agent. Thus, this study examines, in a linear chronology, the politics of women's work, suffrage campaigns, altruism, and progressivism. Gullett does not shy away from the unattractive aspects of this movement, addressing the ways in which it excluded women of color and retained an elitist aura.

Understandably, in a study of associations and their members, one encounters a large cast of characters, many of whom labored without celebrity to guarantee that women's voices would be heard in state and national arenas. The subject, with its backdrop of civic institutions, lends itself to a near unavoidable linguistic repetitiveness. As a result of these two elements, this work, although thorough, is a somewhat dense monograph that requires measured reading.

Gullett argues that when the 1911 California legislators extended to women the right to vote, their move was more important than the same action taken earlier by five other western states. Size, population, urban development, and electoral votes–these were, according to Gullett, the markers that set the California gender victory apart from western neighbors. This assessment that pits large versus small might be challenged if the intangibles of psychological energy, regional independence, and gender momentum are considered in those other states.

Further, the author contends civic organizations served as the breeding ground for defining the public rights women demanded, which demands they pursued by harnessing themselves into a movement that should be understood for its state and national implications. Gullett asserts that in their quest to change society, women drew on traditional gender definitions, while at the same time, they challenged those notions. This is not a startling thesis. The idea that white Protestant women, especially during the Progressive Era, sought greater public power, but recoiled from those calling for a radical restructuring of American society or of women's lives generally is something of a constant in feminist scholarship.

In no way is this observation intended to diminish the importance of *Becoming Citizens*. Quite the opposite, it points to the underlying significance of Gullett's work, most particularly as a publication that bridges from the West to the rest of the nation. As Gullett demonstrates, prominent figures in eastern activist organizations were happy to applaud the initiatives and successes of their western sisters. A major strength of this book then is that Gullett considers her material within its own milieu, but also shows its legitimate place within the general patterns of the history of American women.

While much of California during these three decades could no longer be called

frontier by any definition of that word, clearly some citizens continued to hold to a "westering" image for the state. Indeed, Gullett's inclusion of a New York political cartoon depicting a young woman in fringed attire, gunbelt about her waist, pistols blazing might have allowed the implications of that Wild West ethos to be further explored (p. 8). That such a figure, with her Anglo features and Mexican sombrero could not have been found within the boundaries of the gold-rush state did not deter eastern imaginations. A long tradition of portraying the West only in stereotypes—as did this cartoonist with his frontier beauty, seen with buckskins, guns, log-cabin home, and majestic mountain homestead, "threatening" violence to a portly and decidedly eastern establishment politician—destined western political history to be of slight regard, rated as some minor consequence in the American story. In fact, the West, with its unique federal relationship, evolving governance, and diverse populations, has been a major but undervalued contributor to the emergence of the nation's political history. Gayle Gullett understands this as she convincingly shows California women as thoughtful activists committed to shaping the gender component of responsible citizenship.

Ultimately, Gullett makes a powerful case for the fact that women in the West brought a full share to the chronicle of American life. "Real" women's history occurred in the West, as well as in the East, South, and North. As the author suggests, it is more than time for that point to be acknowledged in the scholarly literature. Gayle Gullett is to be commended for *Becoming Citizens*, for she places a part of the political history of California women exactly where it should be—at the forefront of issues that concern race, class, and gender whether in a regional or national context.

Ann Butler
Utah State University

Birds of the Lahontan Valley. By Graham Chisholm and Larry A. Neel (Reno and Las Vegas: University of Nevada Press, 2002).

Birdwatching has become enormously popular with thousands of Americans who rise at dawn on weekends in search of that elusive bird to add to their life lists. One place worth getting up early for is Lahontan Valley, one of the birding hot spots in the West, lying along the Pacific Flyway. Lahontan Valley, also called the Carson Desert, is a wetlands oasis in western Nevada, surrounding Fallon. It is the remnant of a vast lake from the end of the Pleistocene era. The valley was under water 13,000 years ago. Today, wetland acreage is estimated to average less than 10,000 acres (p. xv).

While it is unlikely that most birders would take *Birds of the Lahontan Valley* into the field in place of the *Golden Guide* or Roger Torey Peterson, it

is an important addition to birdwatching literature. As such, it supplements Fred Ryser's book, *Birds of the Great Basin*, published by the University of Nevada Press in 1985. The Ryser book remains an invaluable reference guide to lifestyles, habitats, and bird lore in Nevada. Ryser, for instance, writing about the ubiquitous mourning dove, notes the history of observations, techniques of building its flimsy nest, brooding habits, number of eggs in a clutch, calls, food intake, and how it feeds its young.

The Chisholm-Neel book is a bit disappointing in that it lists the birds that can be seen in the valley, giving arrival and departure times, but offers little to stimulate readers' interest about the wonderful sport of birdwatching—no anecdotes, quotes, or insights. (Chisholm is executive director of the Nature Conservancy of California. Neel is a biologist with the Nevada Division of Wildlife.)

Still, the book is a useful guide to the best times to visit the valley:

> Tens of thousands of waterfowl, including snow geese, gadwalls, northern pintails, and green-winged and cinnamon teal begin returning in February and early March. American white pelicans also start returning by late February. Many of the winter raptors, including bald eagles, northern harriers, rough-legged hawks, and short-eared owls remain into late March and early April. Nesting ducks begin breeding in late March and April. Shorebirds begin arriving in small numbers in March. Migration peaks in the third week of April" (p. 25). . . . "The first bald eagles typically arrive in the valley around the middle of November (October 27, 1993, earliest record), and most depart by the middle of March" (p. 66).

Birders are unlikely to see many of the nearly three hundred species that either nest in or migrate through the Lahontan Valley. Many birds are defined as vagrants with "fewer than five records," or rare, meaning that they "cannot be expected on any given day or even every year" (p. 28). Many also are listed as uncommon, meaning that they are "usually missed unless a special search is made in the appropriate habitat" (p. 28).

Chisholm and Neel list hypothetical and escapee sightings in the valley. Among them are a magnificent frigatebird, a marabou stork, a greater flamingo, a white-tailed kite, and a yellow-billed magpie, normally found only in the Sacramento, California, area.

The authors cite two "outstanding areas" for birdwatching in the valley: Stillwater Marsh and Carson Lake (p. 189). On Carson Lake, peregrine falcons, a prize on any life list,"can occasionally be seen hunting shorebirds during migration peaks, which occur in the third week of April" (p. 191).

The book is crisply written, although it probably tells birders more about vegetation, trees, geography, history, ecology, and average rainfall than they care to know. The line drawings by ornithologist Mimi Hoppe Wolfe are excellent. But this greedy birder—who wants it all—can't help wishing for color photos tipped into the book. On the buff front cover of the paperback, for example, are wonderful color illustrations by Keith Hansen of a Virginia rail and a long-billed dowitcher. A marsh wren, also illustrated by Hansen, is in color on the back cover.

(Personal note: Jack Walters of Carson City is named in the acknowledgments as one of the people who "made concrete suggestions or contributed information" (p. xiii). Jack may be the best birder in Nevada. I remember with awe how during birding trips with the Reno Audubon Society he would call "red-tail" before any of us even saw a hawk.)

Jake Highton
University of Nevada, Reno

Bound for Santa Fe. The Road to New Mexico and the American Conquest, 1806-1848. By Stephen G. Hyslop (Norman: University of Oklahoma Press, 2002)

Steven G. Hyslop has written a remarkable text on the Santa Fe Trail, the route between Santa Fé de Nuevo México and Missouri in the United States, which came to life at the dawn of the nineteenth century and became a vital space for both regions soon after its formal inauguration in 1821.

Drawn from an impressive sum of primary sources (memoirs, private letters, journals, military, and diplomatic reports), as well as classic scholarship on the subject, *Bound for Santa Fe* provides a vivid and comprehensive account of the Santa Fe Trail prior to the Treaty of Guadalupe Hidalgo and the transfer of New Mexico, and half of Mexico's national territories, to the United States in February 1848.

The author presents the Santa Fe Trail with a fluid prose and dynamic approach reminiscent of the archetypal book on the Chihuahua Trail by Max L. Moorhead, spilling beyond the confines of commerce and military history to portray some the social and cultural ramifications of this road between two different worlds.

This book is divided into three general sections. The first emphasizes the varied forms of exchange and centers on the interaction between different parties. The second focuses on the trip conditions and experiences of the passage as travelers of all walks of life remembered them. The last section deals with the military occupation of New Mexico and Chihuahua by United States troops during the Mexican-American War (1846-48).

Although Hyslop vows to make a conscious effort to present a balanced perspective on the trail and give voice to the Spanish/Mexican actors, American views clearly prevail throughout the book, and the overwhelming use of English-language sources engulfs any possibility of a truly two-way narrative. Consequently, those English speakers *Bound for Santa Fe* completely overshadow the perspective of *nuevo mexicanos* traveling in the opposite direction.

To the book's notable failure to incorporate *el otro lado* we should add as a weakness the lack of an analytical perspective on the literature of the Santa Fe

Trail. Given that the vast majority of those tied to the trail were Anglo men performing in a public sphere, no significant analysis is provided regarding their deeply seated biases as to gender, race, and ethnicity. Instead, Hyslop's research presents a rather celebrational and feathery perspective of generations bred in the credo of Manifest Destiny and imperial expansion. With a flair reminiscent of classic Westerns, Anglo men appear in the trail exhibiting a cowboy-hero mentality that is never questioned or critically analyzed by the author.

The trail itself pales in the text and, far from becoming a hybrid space for all sorts of social and ethnic interactions, turns at times into a scenic background, in the best of southwestern traditions, for the praising of American frontier heroes and their march west. Despite these flaws, this work represents a significant step in the field for it provides a lucid and comprehensive overview of the first-hand English-language accounts of the Santa Fe Trail in the late Spanish and Mexican periods.

Juan Javier Pescador
Michigan State University

Rooted in Barbarous Soil: People, Culture, and Community of Gold Rush, California. Kevin Starr and Richard J. Orsi, eds. (Berkeley: University of California Press, 2000).

One of the wonderful aspects of historical scholarship is that it moves. Not necessarily forward. Sometimes the effort to present something new and different produces weird and far-fetched results. In some instances, a weighty and overly detailed tome is best to put aside in favor of an older book that brings the subject to life. But the movement is forward on the whole. New information comes to light, new perspectives from authors of different backgrounds emerge, and familiar subjects are reborn in a whole new guise.

Scholarship on the California gold rush offers a case in point. The gold rush may have ended in the early 1850s, but authors continue to mine it, as prospectors still pan rivers and streams for the occasional nugget. Recently, the pace has quickened, with Mary Hill's *Gold!* presenting the geology in understandable form for the scientifically challenged, Brian Robert's *American Alchemy*, arguing that the gold rush was a liberating adventure for the eastern middle class, and H.W. Brandes's *The Age of Gold*, proposing that the rush was a formative event that altered the American dream from its Puritan and Jeffersonian foundations to a fantasy of instant wealth in El Dorado.

Rooted in Barbarous Soil, an anthology edited by Kevin Starr and Richard J. Orsi, is the third in the California History Sesquicentennial Series and well deserves a place among these recent offerings. As is true of most anthologies,

the quality varies, but at its best, it is very strong. Nancy Taniguchi develops a welcome synthesis in answer to the long standing question as to whether the gold rush proved empowering for women: "Increasing numbers of respectable Yankee women stratified and hardened California's once-fluid society based on their own religious and ethical standards, yet many changes could never be reversed" (p. 164). Several other authors present fascinating specifics. Malcolm Rohrbough encapsulates a portion of his instant classic, *Days of Gold;* Sucheng Chan provides exact numbers on where foreign-born groups in California originated and where they settled; Robert Phelps analyzes California urban centers by population and function from 1850 to 1860, illuminating the role of mining as the catalyst for urbanization. In general, the authors and editors turn an unflinching gaze on racism in early California. James A. Sandos's essay on Indians uncovers the reprehensible practice of arresting them for vagrancy so they could be sold at auction and compelled to work.

Just as the human avalanche of California gold rushers was unique, so too has been the flood of scholarship explicating the event. If the analysis of other western mining rushes begins to catch up, we may learn how many of the features examined here were replayed in other settings.

Sally Zanjani
University of Nevada, Reno

Spain in the Southwest: A Narrative History of Colonial New Mexico, Arizona, Texas, and California. By John L. Kessell (Norman: University of Oklahoma Press, 2002).

John L. Kessell has produced an exceptional volume on the history of the Spanish colonial settlements in what is now the United States Southwest. This book follows the best traditions of scholarship dedicated to the Spanish colonial Borderlands, started by Hubert H. Bancroft, Herbert E. Bolton, and France V. Scholes, then continued by J. Lloyd Mecham, Philip W. Powell, Edward H. Spicer, John Francis Bannon, and David J.Weber.

Spain in the Southwest begins with the early Spanish expeditions from the Caribbean to Florida between 1513 and 1540 and follows, through thirteen chapters, the exploration, conquest, and colonization of New Mexico, Arizona, Texas, and California. In this wonderfully written work, soldiers, friars, and civilians come to life as they head north from central Mexico and establish permanent communities on behalf of the king of Spain. Kessell's narrative is fluid, engaging, and showcases the human side of the stories.

Being a *veterano de la frontera* himself, with an impressive career as historian in the Borderlands—from the Jesuit missions in La Pimería to the Franciscan

experiences in New Mexico, or the historical papers concerning Diego de Vargas's *reconquista* of the Upper Rio Grande—Kessell is in a privileged position to provide an updated and comprehensive narrative of the Spanish colonial Southwest. The result is a detailed, elegant, and vivid account of the vast efforts centered in colonial Mexico that aimed to advance the Spanish Catholic dominions first into the Gran Chichimeca, followed by expansion in different directions until permanent Spanish-speaking communities were consolidated from Texas to California.

This extensive narrative presents all the prominent figures in the history of the Borderlands (from Capitán Miguel Caldera to Popé, from Zebulon M. Pike to Gaspar Pérez de Villagrá, Francisco Eusebio Kino to Juan Bautista Anza or Sor María de Jesús de Agreda), with a sympathetic and intimate perspective, acquired by the author from years of teaching and researching this vast subject. Across time and space, Kessell traces the different tides through which the Spanish Crown consolidated a transcontinental chain of settlements from Texas in the Gulf of Mexico to California at the Pacific Ocean. Together, the episodes provide a dramatic portrait of individuals, groups, and institutions that played a significant role in the three-centuries-long effort to establish Catholic Hispanic communities and Iberian authority over the land. Kessell's book is carefully edited and contains remarkable illustrations, along with valuable maps.

Kessell's work departs from the Borderlands school's previous works in two ways. The text makes no effort to compare the distinct social and cultural traits of these settlements with their Iberian and central Mexican counterparts. The concept of Borderlands as a space marked by permanent cultural interactions is rather dismissed in the text. In fact, Kessell makes no use of the Borderlands as an analytical category that encompasses all these territories. The book provides no opportunity to learn the author's reflections on the commonalities and differences among these otherwise unconnected pueblos and *regiones de frontera*. The only link in the text for these settlements, other than that they were ruled from Mexico for the Spanish king, is the fact that they were annexed to the United States in February 1848 by virtue of the Treaty of Guadalupe Hidalgo and the final redrawing of the United States-Mexico border in 1853.

Moreover, this book does not provide a comparative perspective on the impact of Christianization efforts and colonial policies on the Indian, Mestizo, and Spanish residents of these areas. Kessell does not address the responses of local populations to the "tides of empire" or "cycles of conquest." Although we learn in great detail about episodes such as the Pueblo revolt, the Chichimeca wars, and the Apache "problem," we miss the author's over-all perspective on native responses to colonial rule. Truly missed at the book's end is a chapter that would have addressed such issues analytically and reflected on these parallel events.

Notwithstanding these shortcomings, which could be easily amended in future editions, we are indebted to Kessell for such a magnificent narrative of

the Spanish colonial past. *Spain in the Southwest* will certainly become a classic in the field as well as an obligatory read for students and scholars alike in the history of northern New Spain, greater Mexico, or the southwestern United States.

Juan Javier Pescador
Michigan State University

The Greatest Menace: Organized Crime in Cold War America. By Lee Bernstein (Amherst and Boston: University of Massachusetts Press, 2002).

The greatest menace in post-World War II America may not have been organized crime, international communism, or, from a more recent perspective, terrorism, but rather big government and big media scaring the American citizenry into giving up many rights as part of a campaign to rid the nation of one or another of these menaces. If this viewpoint appeals to you, read *The Greatest Menace,* Lee Bernstein's well-documented study. You will find much to substantiate such a radical interpretation.

Bernstein, an assistant professor of American studies at San Jose State University, asserts in his concluding chapter, "If the history of organized crime in postwar America proves anything, it may be that getting at the truth is often impossible." He argues that the media and government focus, exemplified by the investigations led by Senator Estes Kefauver and then by Senator John McClellan, on the foreign origins and presumably foreign values of most organized crime entities had social and economic roots both in the pervasive racism of mid-twentieth-century America and in the capitalist system itself. The popular media—newspapers and magazines initially, but by the 1960s television—constantly conveyed the theme, often articulated by elected and appointed officials, that deportation and imprisonment of perhaps a few hundred evil men, mostly with names ending in vowels, would put a stop to crime and corruption.

Bernstein provides an excellent example of the many fulminations against organized crime that neither the speakers nor the media pundits and commentators were capable of putting in a larger context. "Crime is international; criminals have no patriotic concept of country," remarked Estes Kefauver. He went on to warn that "national borders are of no more concern to them than county lines." Of course, this commentary could have been equally applied to the many American corporations that were seeking foreign markets when Tennessee's presidential hopeful spoke, and that soon thereafter began establishing production facilities abroad. Such a comparison was not to be found in the popular media. After all, readers and viewers find stories about mafia meetings in Palermo more exciting than dreary accounts of how former textile workers

in South Carolina are suffering because factory owners have relocated production to Bangladesh. Were any commentator during the height of the Cold War to have drawn a comparison between organized crime leaders and corporate executives, he probably would have invited the attention of the FBI.

Bernstein draws substantially from secondary sources ranging from mafia–denying scholar Dwight Smith's *The Mafia Mystique* to hoodlum Vinnie Teresa's *My Life in the Mafia* (with Thomas Renner). He also makes use of congressional hearings and a variety of other government records, as well as materials from the archives of the Order of Sons of Italy in America (OSIA). Indeed, Bernstein is the first scholar to address the extent to which OSIA spared no effort in the three decades following World War II to persuade opinion makers in the print and electronic media to avoid the term mafia (and worse yet, *Mafia*) and to stop stereotyping Italian Americans as leaders of a seemingly vast criminal network in America.

He details quite well how every small and painstaking achievement of the OSIA was undone by the extensive media attention first to the 1957 meeting of more than fifty Italian Americans, many with criminal convictions, in the village of Apalachin in upstate New York, and then to the apparently spontaneous revelations of lifelong mid-level street criminal Joe Valachi as he testified before Senator McClellan's Senate Permanent Subcommittee on Investigations in 1963. Indeed, the combined efforts of OSIA and an anti-defamation organization formed by Congressman Alfred Santangelo had resulted in the agreement by executives of Desilu, which produced of the popular "Untouchables" television series, to reduce the number of Italian surnamed gangsters featured on weekly episodes, and eventually to virtually eliminate the use of Italian names. Yet all that presumably good work was undone by Valachi's testimony that included descriptions of mafia initiation ceremonies.

Bernstein correctly credits Ramsey Clark, President Lyndon Johnson's attorney general, with rejecting the idea that virtually all organized crime had an Italian-American connection. He quotes Clark: "For many organized crime is the alien conspiracy that absolves us of the responsibility for crime in America." Clark argued often and in many settings that racism, malnutrition, poverty, and corruption of local law-enforcement agencies were greater causes of crime, organized or otherwise, than some conspiracy hatched in Palermo. Yet, for all his fervor, he did not persuade most congressmen, the popular media, or even the majority of Justice Department professionals. The *Godfather* trilogy, beginning in 1972 and continuing through 1990 (with Italian Americans involved interestingly enough at all levels of production) kept some public attention focused on largely third-generation men whose names ended in vowels, even as both elected and appointed officials as well as journalists and their television counterparts were bemoaning the threat that immigrant Latino gangsters presented to the American way of life.

The greatest value of Bernstein's work lies in the persuasive and appropriately

detailed manner in which he shows how the media accepted as fact the statements of public officials regarding the origins of organized crime in America, statements that often did not convey the complexity or extent to which such crime was interwoven with American culture. The unquestioning acceptance of official pronouncements led often to the misapplication of law-enforcement resources. The Justice Department during the George H. W. Bush and William Clinton presidencies made the conviction of Italian-American organized crime figures a major goal even as Colombian and then Mexican-based gangs had demonstrated the ability to market illegal goods and launder the proceeds. The capacities of these gangs far eclipsed those of even the much-publicized five families who were alleged to dominate organized crime in the greater New York City area. Recent revelations about organized, indeed, quite well organized, crime in corporate boardrooms across the nation show how unprepared regulatory and law-enforcement agencies were to deal with manipulators of stock and energy markets. Those perpetrators, with scarcely a foreign–born citizen among them, often netted fortunes seldom attained by counterparts bearing names not found on Mayflower passenger lists or those of other ships from northern European ports.

Alan Balboni
Community College of Southern Nevada

Lewis and Clark Trail Maps: A Cartographic Reconstruction, Volume II. [Beyond Fort Mandan (North Dakota/Montana) to Continental Divide and Snake River (Idaho/Washington)—Outbound 1805; Return 1806]. By Martin Plamondon II (Pullman: Washington State University Press, 2001).

This is the second volume of a planned three-volume set covering the Lewis and Clark trek. Its publication coincides with the bicentennial celebration of one of America's most important voyages. Volume I traced the expedition's route from the Missouri River near St. Louis to present-day North Dakota. In Volume II, 180 trail maps chronicle 1,400 miles of the Corps of Discovery's movement along the Missouri River in North Dakota to the Continental Divide at Lemhi Pass, as well as their journey along the Snake River to its confluence with the Columbia. Each map contains information for both the outgoing and returning trips.

Vancouver cartographer Martin Plamondon's *Lewis and Clark Trail Maps* uses United States Geological Survey topographical maps as the base maps, and he then charts the explorers' route of some two hundred years ago. He also incorporates the Universal Transverse Mercator Mapping Grid System to make his cartographic reconstruction more precise. Plamondon confesses his

reliance upon William Clark's numerous survey notes and maps as his guide. Even though Clark consistently overestimated his daily traverse distances, he was a remarkable cartographer in his own right. The hundreds of maps he drew also provide a superb cartographic record of the expedition and are available in *Atlas of the Lewis and Clark Expedition,* edited by Gary E. Moulton (1999).

Plamondon's second volume picks up the journey near present-day Bismarck, where the explorers left the short-grass prairie and entered the barren Dakota badlands, Montana's high plains, and the deep mountain gorges and arduous passes of the Rocky Mountains. Along the way they passed the Yellowstone, Milk, Musselshell, Judith, and Marias rivers before beginning a difficult month-long portage of canoes and equipment around the spectacular Great Falls of the Missouri. From there they ascended the Missouri to its source and fortuitously found the Lemhi Shoshones. Acquiring horses from them, they ventured over the Continental Divide and entered the Bitterroot Valley before following the Lolo Trail. Short rations, exposure, extreme exertion, and deep snow demoralized the party before they arrived at the Clearwater River and received assistance from the Nez Perce before proceeding on down the Snake.

In addition to the maps covering this portion of the route, the author has embedded interesting journal entries and cartographer's notes about each campsite and the newsworthy items of the locale onto each map. In areas where the elevation differences are the greatest, the many topographical lines make the maps difficult to decipher. He has, however, added a useful index to the maps that is searchable by camp, date, place, and event.

Plamondon's atlases are a welcome addition to the understanding of the expedition and the role geography plays in exploration. His third volume will complete the set, depicting the explorers' journey down the Columbia River to the Pacific Ocean, and the return explorations of the Columbia, Marias, and Yellowstone watersheds. Then, like the arrival of Lewis and Clark in St. Louis in late August of 1806, Plamondon's cartographic journey will be complete.

Jay H. Buckley
Brigham Young University

The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America. By Sarah Barringer Gordon (Chapel Hill: University of North Carolina Press, 2002).

Slavery and post-Civil war Reconstruction, the industrial revolution, and the settlement of the West are three major overarching themes in American nineteenth-century historiography. By relating the political and legal questions

surrounding polygamy to each of these themes, Sarah Gordon's *The Mormon Question* cogently moves polygamy from the obscure periphery to the center of American history.

In Gordon's skillful hands, the web between polygamy and the major issues of the nineteenth century is beautifully woven into a complex but clearly discernible pattern. The Republican Party platform in 1856 yoked slavery and polygamy, calling them the "twin relics of barbarism" (p. 55). Both became national political issues because slavery expanded into and polygamy was established within the territories as settlement moved west. The extent of the federal government's power to govern the territories remained contested until the late nineteenth century. Finally in *Reynolds v. United States* (1879), the United States Supreme Court upheld the congressional prohibition of polygamy in the territories, although laws about marriage had previously been deemed to be under local jurisdiction. To secure their triumph, antipolygamists justified the disincorporation of The Church of Jesus Christ of Latter-day Saints and confiscation of its properties by labeling it a monopoly, playing on public fear of big business in the wake of industrial change. Senator George Edmunds, sponsor of the Edmunds-Tucker Act that disincorporated the church, also wrote many provisions of the Sherman Anti-Trust Act.

Polygamy and slavery were intertwined not only by reformers who wished to abolish both but also by events. Before Union troops fought against the Confederacy, President James Buchanan sent federal troops into Utah to subdue its supposed rebelliousness. After Reconstruction faltered in the South, the judiciary undertook "a second 'Reconstruction'" in Mormon Utah (p. 144). While this relationship between Mormon and American history is well known to scholars of Mormonism—though too little known by others—Gordon's insightful analysis goes well beyond previous works to reveal that the issues surrounding the Mormon question were not simply a sideshow or an echo of other events. Rather, the battle over polygamy "forever changed" the limits of local sovereignty (p. 238).

While the Thirteenth Amendment abolished slavery, Gordon persuasively argues that *Reynolds* overturned the limitations on congressional authority in the territories that were inherent in *Dred Scott v. Sandford* (1857). Moreover, Reynolds was the first decision to determine the legal meaning of a provision of the First Amendment. The Supreme Court took a provision in the Constitution that ostensibly limited the national government's power, and overrode local power in controlling domestic relations. By drawing on state law to support its punishment of religious behavior that conflicted with Protestantism, the Supreme Court decision cloaked in familiarity the "sea change in federalism" (p. 122) that *Reynolds* represented. In addition, by "integrat[ing] the protection of Christian marriage into the First Amendment" (p. 135), this and other Supreme Court decisions about polygamy shaped "the contours of the law of church and state in America" (p. 238). The distinction between belief and action made in

Reynolds established the precedent still applied in religious cases today.

Holding degrees in religion, history, and law, Gordon possesses the rare ability to integrate the three disciplines to bring fresh interpretations to her topic. Reflecting that breadth, the research underpinning this book is varied and exhaustive. Her exposition of Mormon and Protestant beliefs elucidates not only the differing views of marriage but also their consequently varying ideas about the Constitution. *The Mormon Question*, rich with new insights on religious belief and political culture, is particularly incisive and illuminating on constitutional changes wrought by cases involving the conflicting sovereignties of church and state.

Nancy Cott's *Public Vows: A History of Marriage and the Nation* (2000) shows how American public policy has enforced Christian monogamy by both positive and punitive measures. Her portrait of diverse groups painted with broad strokes is complemented beautifully by Gordon's picture of one group painted with a fine brush. Drawing on her rich palette of interdisciplinary knowledge, Gordon illuminates previously shadowy recesses and shows how a small religious minority that lost crucial Supreme Court cases shaped nineteenth-century law.

Gordon challenges common assumptions. She shows that the institution of marriage, often perceived as private, brought about longlasting constitutional change; that polygamy and its opponents are central to understanding nineteenth-century political culture; and that Mormon history, often slighted by historians, is integral to the political and legal tensions that dominated the last half of the nineteenth century. This is a signal achievement. *The Mormon Question* demands close attention, especially by those not versed in the law, but its compelling reinterpretation of late nineteenth-century political and constitutional history makes it both an essential and a rewarding book.

Kathryn M. Daynes
Brigham Young University

Water Follies: Groundwater Pumping and the Fate of America's Fresh Waters. By Robert Glennon (Washington D.C.: Island Press, 2002).

Water, obviously, is power in the West. Sometimes, however, the lines that follow water and power are interrupted by shapes that seem to move only towards themselves, large green circles that appear to have been left by a visitor from above. These green circles come rather from below than from above, evidence of schemes to make the water stored in underground aquifers the fuel for cash crops. Pumping water for economic purposes is not, of course,

confined to the West. As Robert Glennon's *Water Follies: Groundwater Pumping and the Fate of America's Fresh Waters* shows, Americans nationwide have turned increasingly to the water stored underground to quench their thirsts. Glennon's book provides an important introduction to the costs and consequences of this practice in the United States.

Glennon offers a powerful argument for how American law and environmental activism have failed to adequately consider the role of underground water in ensuring the health of American watercourses. Glennon explains how the American legal system encourages the profligate use of groundwater through the doctrine of prior appropriation, which gives the first user of a source the right to use all water necessary to achieve a "beneficial purpose." This concept encourages appropriators to strengthen their claims by using water excessively (p. 17). Adopted by most states to cover groundwater as well as surface supplies, this doctrine has had disastrous results as irrigators have shifted their focus from rivers to below-ground sources of water. As farmers on the Great Plains began to tap the massive Ogallala Aquifer, they operated on the principle that drilling a well conferred a right to use all the water a farmer needed to sustain crops, even if that meant removing water faster than it could be replaced and squandering resources that took thousands of years to accumulate. This practice betrays a costly ignorance of the way water moves through the environment. Groundwater, while it is plentiful, inexpensive to acquire and distribute, and usually of high quality, is also essential to the processes by which water circulates through rivers, lakes, and streams: "there is no sharp, meaningful distinction between surface and groundwater . . . [they] form a continuum in the hydrologic cycle" (p. 30).

Glennon provides case studies to illustrate the environmental costs of the growing rate of groundwater pumping in the United States. He shows how rivers like the Santa Cruz, in Tucson, Arizona, and the Ipswich, in Boston's suburbs, have been drawn down by excessive groundwater pumping. The Santa Cruz has become a dry wash, and in both cases the trees and wildlife that had flourished in and around the rivers have been devastated. In other areas, like Tampa Bay, Florida, excessive groundwater pumping has altered the landscape, drying up swamps and ponds, destroying animal habitat, and damaging property as the absence of stored water has caused the ground to shift, creating giant sinkholes. Economic interests have also pumped water in ways that create environmental disaster, both in extractive industries like mining and in less obviously destructive businesses. In Maine, the wells of blueberry growers have depleted rivers at times crucial for the spawning of the threatened Atlantic salmon. In Minnesota, demands by fast-food companies for French fries of uniform size and appearance have led to extensive pumping of groundwater, a scheme that threatens one of the state's most popular trout streams. These case studies lead Glennon to reconsider the legal doctrines surrounding groundwater. He argues that the environmental problems created by these practices can be solved only

by a system that combines government regulation with market pressures to reward users for wise conservation practices.

Glennon's study represents an important contribution to scholarly debate surrounding water use in the United States. It forces policymakers and researchers to see the connections between water above and below the surface. He writes with wit and nuance, and argues persuasively for environmentalism that draws regulations based on an awareness of hydrological realities. Though a lack of footnotes limits the value of Glennon's research, a glossary offers a means to understand better the science of groundwater and an appendix that provides a way to turn learning into action by listing groups involved in groundwater protection. Glennon also makes excellent use of science to highlight the costs of pumping, even as he shows how the contending parties in land-use disputes are able to mobilize friendly scientists to their causes. In this discussion of science, however, Glennon misses an opportunity to explain another reason why we have the groundwater and environmental problems we do: The knowledge we have of nature comes to us filtered through the lens of culture and power, and the ability to buy science is a prime example of that process. A sharper focus on such issues would make his book, already an excellent resource, a clearer explanation of the source and distribution of the strange shapes one sees while flying over the American West.

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