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**THE COVER**

Chinese Housing  
in Early Nevada



*Chinese peddler in Dayton*



# **Social Demography of The Chinese In Nevada: 1870-1880**

by Gregg Lee Carter

THE FIRST CHINESE to enter Nevada were the 50 Orientals employed by John Reese to dig a ditch at the mouth of Gold Canyon. From 1858 to 1869, "Celestials" trickled across the Sierra taking up the placer mining of gold and performing the menial tasks of the white population. The trickle became a flood when 1,000 Chinese were hired to construct the Virginia & Truckee Railroad to the Washoe and Comstock mines, and when the Central Pacific Railroad began building its Nevada section of the Transcontinental Railway. The Central Pacific employed thousands of Chinese coolies,<sup>1</sup> who diligently "drilled, placed blasts, and spiked down rails" across the state's rugged terrain.<sup>2</sup> After the famous 1869 meeting of the Central Pacific and Union Pacific railways at Promontory Point, several thousand of the coolies were discharged and spread across Nevada in search of work.<sup>3</sup> By 1870 most of these Chinese had implanted themselves in every major Nevada town.

This paper attempts to illuminate the nineteenth century Chinese experience in Nevada by the presentation and brief examination of demographical data extracted from the U.S. Censuses of 1870 and 1880.<sup>4</sup> It focuses upon the distribution, concentration, ages, sex, and occupations of the Chinese during their most populous era in Nevada, i.e., the decade from 1870 to 1880.

## **Distribution and Concentration**

Tables 1 and 2 show the county-by-county distribution of Nevada's Chinese

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population in 1870 and 1880 respectively. It is not astonishing to find that the overwhelming majority of Chinese had located in counties with large towns. Nearly all of the Chinese occupations required an urban area to maintain themselves (see Table 6). Therefore, the two least populated counties, Churchill and Nye, contained less than 2 percent of the total number of Chinese in the state. Conversely, the counties with the greatest urbanization, i.e., Elko, Ormsby, and Storey in 1870; and Elko, Eureka, Ormsby, Storey, and Washoe in 1880, contained over 60 percent of the state's total Chinese population.

Inspection of columns 5 and 7 in Table 2 reveals that all three of the large urbanized counties of 1870 had a small, but notable, decrease in their percentages of Chinese residents. This fact can be explained, in part, by the rise of urban centers in other counties—including Eureka, Humboldt, Lander, and Washoe. These counties had developed large towns whose existence created a need for the Chinese workforce in the form of servants, cooks, and menial laborers.<sup>5</sup> And because of intensive segregation, these workers, in turn, needed a “Chinatown”—with all of its accompanying services—to maintain themselves.<sup>6</sup> In short, there was a correlation between the size of a town and its ability to support a “Celestial” community—the larger the number of whites, the larger the number of Chinese.

Both Carson City and Virginia City offer good examples of this correlation. Both cities were comparatively large urban centers, and therefore, both had large Chinese populations.<sup>7</sup> Reciprocally, Hamilton and Treasure City also demonstrated the correlation. Both had large white populations in 1870 which engendered a fairly large number of Chinese. But by 1880 the whites in these two communities had dwindled to a fraction of their 1870 size, and not surprisingly, so had the number of Chinese (see Tables 1 and 2).

It is important to note that nearly all of the Chinese within any given urban area resided in a single section of town. Undoubtedly, this condition was largely due to the “nativism” of the white population. But it was also a situation readily accepted by the Chinese, who as a group wished to maintain their Oriental traditions, values, and institutions.<sup>8</sup>

### **Age and Sex**

Tables 3 and 4 present the county-by-county divisions of both the white and Chinese populations by sex. The most striking fact which the tables evince is the enormous numerical disparity between the Chinese sexes. To be sure, the difference between the sexes of the white population was large: three (males) to one (female) in 1870, and two to one in 1880. But these differences were hardly comparable to the gaping male to female ratios of the Chinese; which were nine to one in 1870 and sixteen to one in 1880. The numerical predominance of males was a well-known characteristic of frontier populations. In the white community it propagated prostitution and forms of coarse recreation such as fighting and gambling. But the ramifications of such a sex disparity were far greater for the Chinese. Not only were prostitution, gambling, and fighting fostered, but also polyandry, opium smoking, and the almost total absence of legitimate conjugal families.<sup>9</sup>

TABLE 1

DISTRIBUTION OF THE POPULATION BY COUNTY:  
NEVADA, 1870

1	2	3	4	5
County	Whites	Chinese	Chinese % of County Population*	Chinese % of State's Total # of Chinese
Churchill	186	17	8.37	0.54
Douglas	1,144	24	1.98	0.76
Elko	2,977	427	12.37	13.67
Esmeralda	1,482	57	3.68	1.82
Humboldt	1,689	222	11.58	7.10
Lander	2,554	215	7.68	6.88
Lincoln	1,789	23	1.26	0.73
Lyon	1,722	116	6.30	3.71
Nye	1,082	6	0.55	0.19
Ormsby				
(a) Carson City	2,273	700	23.30	22.41
(b) Total County	2,831	772	21.23	24.71
Storey				
(a) Gold Hill	1,399	200	12.46	6.40
(b) Virginia City	6,092	536	7.97	17.16
(c) Total County	7,491	736	8.84	23.56
**Washoe	2,959	216	6.76	6.91
White Pine				
(a) Hamilton	3,688	161	4.12	5.15
(b) Treasure City	1,776	130	6.79	4.16
(c) Total County	6,827	292	4.06	9.34
State Total	37,393	3,123	7.64	100.00

Calculated From: U.S. Bureau of Census, *Population Schedules of the Ninth Census of the United States: Nevada, 1870*.

\*Percentage of the total number of whites, blacks and Chinese—does not include Indians.

\*\*Includes Rook County.

Stanford Lyman, author of *The Asian in the West*, sees the effects of the male numerical predominance in terms of the Chinese attraction to urban centers. He reports: "The fact that the Chinese . . . were either single or had left their wives behind served as an added factor in determining their urban location. [For example,] the laundry business, which has come down as a stereotype of the Chinese, originated because of the absence of women . . ." <sup>10</sup>

The real sadness of the situation rested in the notion that "the Chinaman

[was] above all, a lover of home and children."<sup>11</sup> In fact, the dominant reason given by most interpreters of Chinese immigration for the migration of the "Celestial" to America was that he wanted to earn enough wealth to be able to return one day to his native China and become a respected family-head. He wanted to be a man who more than sufficiently supported his family.<sup>12</sup> But these cherished beliefs of home and family were annihilated by the aforementioned

TABLE 2

## DISTRIBUTION OF THE POPULATION BY COUNTY, NEVADA, 1880

1	2	3	4	5	6	7
County	Whites	Chinese	Chinese % of County Population*	% Change from 1870	Chinese % of State's Total # of Chinese	% Change from 1870
Churchill	447	32	7.28	-1.09	0.60	+0.06
Douglas	1,382	157	10.14	+8.16	2.97	+0.99
Elko	4,721	564	10.62	-1.75	10.68	-2.99
Esmeralda	2,634	241	8.37	+4.69	4.56	+2.74
**Eureka	6,021	623	9.33	—	11.80	—
Humboldt	2,696	524	16.21	+4.63	9.92	+2.82
Lander	3,000	385	11.32	+3.64	7.29	+0.40
Lincoln	2,126	98	4.39	+3.13	1.85	+1.12
Lyon	2,020	388	16.10	+9.80	7.35	+3.64
Nye	1,772	59	3.08	+2.53	1.11	+0.92
Ormsby						
(a) Carson City	3,358	794	18.89	-4.41	15.04	-7.37
(b) Total County	4,233	972	18.48	-2.75	18.41	-6.30
Storey						
(a) Gold Hill	2,035	53	2.53	-9.93	1.00	-5.40
(b) Virginia City	10,377	469	4.30	-3.67	8.88	-8.28
(c) Total County	15,312	592	5.92	-5.14	11.21	-12.35
***Washoe	4,939	536	9.76	+3.00	10.15	+3.24
White Pine						
(a) Hamilton	181	17	8.54	+4.42	0.32	-4.83
(b) Treasure City	41	3	6.81	-0.02	0.05	-4.11
(c) Total County	2,287	107	4.46	+0.40	2.02	-7.32
State Total	53,590	5,278	8.91	+1.27	100.00	+1.27

Calculated From: *Population Schedules of the Ninth Census* and *Population Schedules of the Tenth Census: Nevada, 1880*.

\*Percentage of total number of whites, blacks, and Chinese—does not include Indians.

\*\*New county, created 1873.

\*\*\*Includes Roop County.

social anomalies and vices, which seem to have been partly rooted in the huge numerical disproportion between the sexes.

Why were there so few Chinese women in Nevada and in the United States? Again, the major interpreters of Chinese immigration point to a single, major reason; namely, that during this era there was a strong sentiment in China against any respectable woman leaving home, even with her husband.<sup>13</sup>

The impact of sex disparity could have been mitigated had the Chinese intermarried with other races. Inter-marriage rarely occurred, though, because of at least two major reasons. First, in urban areas such as Carson City in the decade from 1870 to 1880, "there was a deep-seated fear that the Chinese would literally take over economic control of the community. The Irish attacked the Chinese when they attempted to enter the mines; the Scots and Basques refused to herd sheep with the foreigners. . . ." <sup>14</sup> The Italian coal burners clashed with the Chinese in 1872 in Eureka County after Chinese wood cutters had been imported into the area to reduce the price of coal.<sup>15</sup> This economic fear led to the formation of anti-Asiatic organizations in communities throughout the state. These groups were strongly supported by the press which vigorously endorsed every move to rid Nevada of the "Yellow Peril."<sup>16</sup>

The state and local governments were also pitted against the Orientals. For example, the enabling bill for the Eastern Nevada Railroad was passed by the Assembly of the Nevada Legislature in 1871 "with an amendment prohibiting Chinese labor."<sup>17</sup> A resolution of Gold Hill miners in 1859 included a regulation that "No Chinaman shall hold a claim in this district."<sup>18</sup> In 1869 a judge dismissed all charges against those whites who were involved in the "Chinese War Of Unionville" in which the entire "Celestial" community of Unionville was ruthlessly dislocated from their homes.<sup>19</sup> In 1876 the judge of the Sixth Judicial District ruled that an alien could not acquire title to mining ground.<sup>20</sup> The Chinese "were the only immigrant group who underwent this degree of discrimination. Virtually all other immigrants were welcomed to the mining towns."<sup>21</sup> The culmination of anti-Chinese actions came in the presidential elections of 1880 when the white citizens of Nevada voted against further Chinese immigration 17,259 to 183.<sup>22</sup>

Thus, with such prolific anti-Chinese laws, court decisions, and sentiments, apparently grounded in economic and status rivalry, it is of little wonder that "Celestials" were not able to intermarry with the white population. Even the Indians of Nevada despised the men from China. Again, this hatred was undergirded with economic competition, for it was the Chinese who displaced most of the Indians in the woodcutting business.<sup>23</sup>

It appears that the Chinese were able to mix freely only with the black race in Nevada. But there was never more than 350 Negroes in the state from 1860 to 1880, and black males outnumbered their female counterparts two to one. Thus, there was very little opportunity for Chinese-Negro marriages. In fact, there was only one such marriage recorded by the census takers in 1870 and 1880 respectively.<sup>24</sup>

A second—and seemingly more obvious—reason for the near nonexistence of interracial marriages can be attributed to "the mutual peculiarities of dress,

language, habits, customs, . . . diets . . . and physical distinctiveness," between the Chinese and white cultures.<sup>25</sup> Finally, the "Celestial" had only limited goals of acquiring money and returning home as soon as possible, neither of which instilled a desire for, nor necessitated getting married in America.<sup>26</sup>

Table 5 contains the percentage breakdowns of the Chinese age-groups for both 1870 and 1880. The table evinces the demographical results of a nonprocreating group. Columns 8-11 of Table 4 and columns 4-7 of Table 5 reveal that the Chinese population was getting progressively older from 1870 to 1880. This would be true of any population whose male-to-female sex ratio was as disproportionate as sixteen to one and whose individuals under twenty years old constituted only 8 percent of the group's total population. The reason the upward change in the average ages of the Chinese was not greater can be ascribed to the high rate of immigration into the state from 1870 to 1880. In fact, there was a 69 percent increase in the number of Chinese in the state during the decade (see Appendix, Figure 2). Finally, because approximately 90 percent of Nevada's Chinese were between the ages of twenty and forty-nine, the averages presented in columns 5 and 7 of Table 3 and in columns 8 and 9 of Table 4 should be fairly well representative of their typical age.

## Occupations

Table 6 discloses the fifteen major occupations practiced by Nevada's Chinese in 1870 and 1880. The table denotes that the largest percentage of the state's Chinese were itinerant laborers. These laborers shifted from job to job working in hotels, stores, restaurants, saloons, mills, mines, and on the railroad, farms, and ranches. They also employed themselves as woodcutters, water carriers, and just about any other mundane task that was shunned by the white man. Cooks were the second largest group of occupation holders. Chinese cooks were in high demand in both the urban and rural areas and by both white and Chinese populations in Nevada. They were employed on ranches and farms, in hotels and restaurants, and as family cooks. In many white families Chinese servants did the cooking as well as performed other duties. This information was gleaned from the U.S. Censuses of 1870 and 1880 where they often listed a "Celestial's" occupation as "cook", and his relationship to the head of the household as "servant."

From 1870 to 1880 the most significant change within the male Chinese work force occurred in the number of laborers. As columns 3 and 5 in Table 6 exhibit, itinerant laborers showed a decrease of 14 percent. This fact is probably related to the general rise in the state's Chinese population, and that workers were able to distribute themselves into forty-seven new occupations—many of which were related to servicing the Chinese community. As noted earlier, the Chinese faced heavy legal and extralegal race prejudice in Nevada, and after 1869 they were generally kept out of the state's biggest industries, i.e., mining and railroading. In spite of this state of affairs, the Orientals made small, but notable, increases in both industries.<sup>27</sup> This fact may possibly be explained by the observations that



TABLE 3

## WHITE AND CHINESE MALES AND FEMALES BY COUNTY, 1870

1	2	3	4	5	6	7
County	WM	WF	CM	CF	Average age, CM	Average age, CF
Churchill	126 (67%)	60 (33%)	17 (100%)	0 (0%)	24.29	—
Douglas	845 (73%)	299 (27%)	24 (100%)	0 (0%)	27.27	—
Elko	2,338 (78%)	639 (22%)	405 (94%)	22 (6%)	30.00	23.09
Esmeralda	1,191 (80%)	291 (20%)	56 (98%)	1 (2%)	27.23	—
Humboldt	1,348 (79%)	341 (21%)	210 (94%)	12 (6%)	29.81	24.41
Lander	1,964 (76%)	590 (24%)	207 (96%)	8 (4%)	29.05	23.12
Lincoln	1,401 (78%)	388 (22%)	18 (78%)	5 (22%)	22.61	23.20
Lyon	1,282 (74%)	440 (26%)	105 (90%)	11 (10%)	27.74	31.18
Nye	883 (81%)	199 (19%)	6 (100%)	0 (0%)	20.33	—
Ormsby	2,000 (70%)	831 (30%)	731 (94%)	41 (6%)	31.38	25.10
Storey	6,923 (68%)	3,228 (32%)	632 (86%)	104 (14%)	28.62	23.68
*Washoe	2,095 (70%)	864 (30%)	192 (88%)	24 (12%)	30.17	26.75
White Pine	5,937 (87%)	860 (13%)	214 (73%)	78 (27%)	30.73	21.64
State Totals	28,363 (75%)	9,030 (25%)	2,817 (90%)	306 (10%)	29.76	23.04

Calculated From: *Population Schedules of the Ninth Census.*

\*Includes Roop County.

“the Chinese miners . . . [often] occupied camps deserted by white miners,” and that “the grading of roadbeds was the kind of work which Americans have usually left to foreign labor . . .”<sup>28</sup>

In discussing Oriental occupations in the West, Stanford Lyman aptly points

TABLE 4

## WHITE AND CHINESE MALES AND FEMALES BY COUNTY, 1880

1	2	3	4	5	6	Change* 1870
County	WM	WF	CM	CF	CM	
Churchill	316 (71 %)	131 (29 %)	32 (100 %)	0 (0 %)		+99
Douglas	935 (68 %)	447 (32 %)	156 (99.4 %)	1 (0.6 %)		+132
Elko	3,133 (66 %)	1,588 (34 %)	527 (93 %)	37 (7 %)		+122
Esmeralda	2,065 (78 %)	569 (22 %)	220 (91 %)	21 (9 %)		+164
Eureka*	4,634 (77 %)	1,387 (23 %)	574 (92 %)	49 (8 %)		—
Humboldt	1,866 (69 %)	830 (31 %)	511 (98 %)	13 (2 %)		+301
Lander	2,073 (69 %)	927 (31 %)	371 (96 %)	14 (4 %)		+164
Lincoln	1,480 (70 %)	646 (30 %)	92 (94 %)	6 (6 %)		+74
Lyon	1,401 (69 %)	619 (31 %)	383 (99 %)	5 (1 %)		+278
Nye	1,327 (75 %)	445 (25 %)	52 (88 %)	7 (12 %)		+46
Ormsby	2,547 (60 %)	1,686 (40 %)	892 (92 %)	80 (8 %)		+161
Storey	8,629 (56 %)	6,683 (44 %)	554 (94 %)	38 (6 %)		-78
Washoe**	3,108 (63 %)	1,831 (37 %)	514 (96 %)	22 (4 %)		+322
White Pine	1,709 (77 %)	578 (33 %)	94 (88 %)	13 (12 %)		-120
State Total	35,223	18,367	4,972	306		+2,155

Calculated From: *Population Schedules of the Tenth Census.*

\*New county, created 1873.

\*\*Includes Roop County.

	7	8	9	10	11	12
from		Av. age CM	Av. age CF	Change from 1870		County
CF				CM	CF	
0		31.41	—	+7.12	—	Churchill
+1		32.41	22.00	+5.14	—	Douglas
+15		31.92	27.38	+1.92	+4.29	Elko
+20		32.10	28.29	+4.82	—	Esmeralda
—		29.30	26.20	—	—	Eureka*
+1		31.60	25.69	+1.79	+1.28	Humboldt
+6		31.30	26.43	+2.25	+3.31	Lander
+1		31.55	18.67	+8.94	-4.53	Lincoln
-6		31.46	22.60	+3.72	-8.58	Lyon
+7		31.46	31.00	+11.13	—	Nye
+39		32.46	28.19	+1.08	+3.09	Ormsby
-66		30.60	27.16	+1.98	+3.48	Storey
-2		32.15	27.59	+1.98	+0.84	Washoe**
-65		33.17	30.62	+2.44	+8.98	White Pine
0		31.51	31.93	+1.75	+8.89	State Total

TABLE 5

## PERCENTAGE DISTRIBUTION OF THE CHINESE POPULATION IN NEVADA BY AGE GROUP, 1870 and 1880

Age Group	1870				1880		
	1	2	3	4	5	6	7
	% of CM	% of CF	% of CM	% of CF	Plus or Minus change from 1870		
				CM	CF		
Under 13	0.5	1	0.6	3	+0.1 %	+2 %	
13-19	8.0	18	8.0	5	0.0 %	-13 %	
20-29	45.0	62	35.0	59	-10.0 %	-3 %	
30-39	33.0	16	34.0	25	+1.0 %	+9 %	
40-49	11.0	3	17.0	7	+6.0 %	+4 %	
Over 50	3.0	—	6.0	1	+3.0 %	+1 %	

Calculated From: *Population Schedules* of the Ninth and Tenth Censuses.

out some basic characteristics of the Chinese work force. He states: "Except for a small but powerful merchant elite the Chinese began and remained wage laborers. First employed in the arduous and menial tasks of mining and railroad building, the Chinese later gravitated into unskilled, clerical, and service work inside the Chinese community. Such work necessitated living in cities. . . ." <sup>29</sup> This description adequately characterizes the Chinese work-experience in Nevada from 1858 to 1880. However, this depiction should not undermine the extensive occupational structure of such "Chinatowns" as that of Carson City in 1880. Inspection of Figure 3 in the Appendix reveals that Carson City's Chinese population appears to have been nearly self-sufficient. There existed a broad base of occupations—fifty-six to be exact—which ranged from jewelers, watchmakers, and tinsmiths; to doctors, dentists, and teachers. As Table 6 evinces, though, most Chinese worked in the service occupations as laborers, cooks, and launderers and were predominantly employed by the white population; therefore, almost all the other professions and vocations in a "Chinatown" depended upon these service workers for their business. Thus, as noted earlier, there was a positive correlation between the size of the white population and the size of its Chinese satellite—the larger the number of whites, the larger the number of Chinese.

Although the "Celestial" came to America as a sojourner and to earn a quick fortune, it remained true that he almost never attained his dreams. This fact is partly documented by the *Ninth U.S. Census* (1870) which listed the personal property value of each Chinese male and female. These personal property value

data disclose that only a very small percentage of the total Chinese population had any personal property at all. And of this small percentage, most were either doctors, merchants, gamblers, or skilled craftsmen. Virginia City typified this situation. Of her 536 Chinese in 1870, only 20 individuals were listed as having any personal property value. Interestingly, 19 of these 20 had personal property values ranging from \$500 to \$3,000. This evidence would sustain the proposition that the bulk of Chinese wealth was concentrated in a small elite. In 1870 Nevada contained only one conspicuous exception to this norm, the city of Hamilton. Hamilton had only a fair-sized population of Chinese, numbering 161 (see Table 1). But the combined personal property value of these 161 immigrants amounted to \$23,650. Not surprisingly, only 6 Chinese were listed by the census taker as "laborers;" the rest were skilled workers, merchants, and professionals. However, even Hamilton approaches the norm considering that seven of the town's merchants had a combined personal property value of \$15,000 (including one Lou Mow Ling, a tea merchant with real estate and personal property valued at \$5,000).

Although Chinese males had several occupations in which they had at least a chance to acquire some wealth, Chinese females had only one, prostitution. Column 2 of Table 6 shows that over 50 percent of Nevada's female "Celestials" were prostitutes in 1870. Ostensibly, columns 4 and 6 of Table 6 indicate that the plight of Chinese women was somewhat improved between 1870 and 1880. Whereas 52 percent of the state's Oriental women were prostitutes in 1870, only 24 percent were prostitutes in 1880. But this decline may be misleading, for the occupations of some of the 58 percent listed as "Housewife" were certainly dubious by contemporary standards. For example, in the 1880 *U.S. Census* in the Hye County town of Tybo, John Wing, Sing Hing, and John Lee were individually listed as being a "cook," a "laundryman," and a "hotel keeper" respectively. However, each of their wives had two occupations listed, including a "housekeeper" and a "prostitute."

TABLE 6

PERCENTAGE DISTRIBUTION OF CHINESE EMPLOYMENT IN  
NEVADA  
BY OCCUPATION, 1870 and 1880

Occupation	1870		1880		Change from 1870		
	1	2	3	4	5	6	7
	% of CM	% of CF	% of CM	% of CF	CM	CF	
Laborer	46.0	—	32.0	—	-14.0 %	—	—
Cook	17.0	—	18.0	—	+1.0 %	—	—
Laundry	12.0	—	13.0	—	+1.0 %	—	—
Miner	8.0	—	7.0	—	-1.0 %	—	—
Woodcutter	4.0	—	3.0	—	-1.0 %	—	—
Gambler	2.5	—	2.0	—	-0.5 %	—	—
Peddler	2.0	—	0.7	—	-1.3 %	—	—
†Merchant	2.0	—	2.0	—	0.0 %	—	—
††Artisan	0.6	—	3.0	—	+2.4 %	—	—
†††Professional	0.7	—	1.0	—	+0.3 %	—	—
Prostitute	—	52	—	24	—	—	-28 %
Housewife	—	30	—	58	—	—	+28 %
Servant	1.0	—	4.0	—	+3.0 %	—	—
***Gardener	0.3	—	2.0	—	+1.7 %	—	—
Clerk	0.5	—	1.0	—	+0.5 %	—	—
Other	5.2	18	12.0	18	+6.8 %	—	0 %

Calculated From: *Population Schedules of the Ninth and Tenth Censuses.*

†Includes grocers, general store owners, traders, & tea merchants.

††Skilled laborers e.g., carpenters & tailors.

†††Includes doctors, druggists, & dentists.

\*\*\*Produce growers and sellers.

### Suggestions for Further Study

All of the tables set forth in this paper are original and for the first time present comprehensive demographical and statistical data of the Chinese experience in nineteenth century Nevada. Unfortunately, though, this paper is by no means comprehensive; there remains a need to make a much greater in-depth analysis of the demographical figures at hand. Additionally, these data would gain in value if there were accompanying age and occupational statistics for the white population. Needless to say, such data would provide a valuable "yardstick" in



interpreting the Chinese experience in Nevada. For example, with these new data available, a comparison of the class structure of the white and Chinese populations could be developed.<sup>30</sup>

APPENDIX

Figure 1. State Statistics: 1870

WM	WF	BM	BF	CM	CF	Ages
28,363	9,030	235	105	2,817	306	CM Av. =29.76
(75%)	(25%)			(90%)	(10%)	CF Av. =23.04
3	to 1			9	to 1	

Chinese were 8.4% of total white population.

CM were 10% of WM population.

CF were 3.4% of WF population.

Chinese Occupations included:

- ( 1) Laborers 1,292\*
  - (a) Farm 6
  - (b) Railroad 246
  - (c) Itinerant 1,040
- ( 2) Cooks 477
- ( 3) Laundry 343
- ( 4) Miners 228
- ( 5) Prostitutes 158
- ( 6) Woodcutters 104
- ( 7) Housewives 92
- ( 8) Gamblers 71
- ( 9) Peddlers 61
- (10) Merchants 55 (includes Grocers, Trader Merchants, Tea Merchants, General Stores)
- (11) Servants 29
- (12) Mule Packers 26
- (13) Waiters 23
- (14) Doctors 18
- (15) Clerks 14
- (16) Gardeners 7
- (17) Farmers 6
- (18) Shoemakers 5
- (19) Tailors 4
- (20) Woodranchers 4
- (21) Druggists 3
- (22) Dishwashers 3
- (23) Carpenters 2

(24) Jewelers	2
(25) Miller	1
(26) Paper Hanger	1
(27) Speculator	1
(28) Porter	1
(29) Cigar Maker	1
(30) Chamber Maid	1
(31) Contractor	1
(32) Barber	1
(33) Saloon Worker	1
(34) Restaurateur	1
(35) Pimp	1

\*Number of Chinese

Figure 2. State Statistics: 1880

WM	WF	BM	BF	CM	CF	Ages
35,223	18,367	206	108	4,972	306	CM Av. = 31.51
(66 %)	(43 %)			(94 %)	(6 %)	CF Av. = 31.93
2	to 1			16	to 1	
24 % increase from 1870)	(103 % increase from 1870)			(76 % increase from 1870)	(0 % increase from 1870)	
	(43 % combined increase from 1870)			(64 % combined increase from 1870)		

Chinese were 9.8 % of total white population.

CM were 14 % of WM population.

CF were 1.7 % of WF population.

Chinese Occupations included:

( 1) Laborers	1,598*	(11) Prostitutes	73
(a) Farm	48	(12) Clerks	57
(b) Railroad	576	(13) Peddlers	36
(c) Itinerant	994	(14) Barbers	32
( 2) Cooks	911	(15) Butchers	26
( 3) Laundry	643	(16) Dishwashers	25
( 4) Miners	343	(17) Waiters	24
( 5) Servants	189	(18) Farmers	23
( 6) Housewives	179	(19) Doctors	22
( 7) Woodcutters	145	(20) Coal Burners	17
( 8) Merchants	119	(21) Restaurateurs	14
( 9) Gamblers	117	(22) Tailors	13
(10) Gardeners	77	(23) Rag Pickers	13

(24) Saloon Workers	11	(55) Tinsmiths	2
(25) Teamsters	10	(56) Chair Makers	2
(26) Shoemakers	9	(57) Weavers	2
(27) Scavengers	9	(58) Watchmakers	2
(28) Bookkeepers	9	(59) Millers	2
(29) Students	9	(60) Vaquero	1
(30) Druggists	9	(61) Lamp Cleaner	1
(31) Factory Hands	7	(62) Janitor	1
(32) Shepherders	6	(63) Bartender	1
(33) Locomotive Engine Wipers	6	(64) Fireman	1
(34) Carpenters	6	(65) Hotel Keeper	1
(35) Tanners	6	(66) Dishmaker	1
(36) Store Workers	6	(67) Gambling House Owner	1
(37) Teachers	5	(68) Musician	1
(38) Opium Den	5	(69) Tin Can Gatherer	1
(39) Quartz Mill	5	(70) Pimp	1
(40) Porters	4	(71) Donkey Driver	1
(41) Jewelers	4	(72) Street Cleaner	1
(42) Joss House	4	(73) Stable Boy	1
(43) Pack Train	3	(74) Solder Maker	1
(44) Hair Dressers	3	(75) Locksmith	1
(45) Fan Makers	3	(76) Fanner	1
(46) Water Carriers	3	(77) Dentist	1
(47) Bakers	3	(78) Blacksmith	1
(48) Hog Dealers	3	(79) Hustler	1
(49) Workers in Restaurant	3	(80) Lumberman	1
(50) Boarding House Owners	2	(81) Cooper	1
(51) Contractors	2	(82) Sailors	1
(52) Assayers	2	(83) Scissors Grinder	1
(53) Dyers	2	(84) Prisoners	37
(54) Painters	2		

\*Number of Chinese

*Figure 3. Carson City: 1880*

<u>WM</u>	<u>WF</u>	<u>BM</u>	<u>BF</u>	<u>CM</u>	<u>CF</u>	<u>Ages</u>
1,964	1,394	30	20	717	77	CM Av. =31.41
(58 %)	(42 %)			(90 %)	(10 %)	CF Av. =28.38

Chinese occupations included:

( 1) Cooks	155	( 5) Woodcutters	41
( 2) Laborers	145	( 6) Servants	37
( 3) Laundry	101	( 7) Gardeners	23
( 4) Housewives	73	( 8) Farmers	19

( 9) Merchants	11	(33) Carpenters	2
(10) Barbers	10	(34) Chairmakers	2
(11) Students	9	(35) Butchers	2
(12) Butchers	8	(36) Tinsmith	2
(13) Teamsters	8	(37) Rag Pickers	2
(14) Gamblers	7	(38) Joss House	2
(15) Bookkeepers	7	(39) Painters	2
(16) Tailors	7	(40) Fishermen	2
(17) Clerks	7	(41) Millers	2
(18) Doctors	6	(42) Locksmith	1
(19) Shoemakers	4	(43) Opium Den	1
(20) Restaurateurs	4	(44) Fanner	1
(21) Schoolteachers	3	(45) Scissors Grinder	1
(22) Pack Train	3	(46) Sheepherder	1
(23) Druggists	3	(47) Dentist	1
(24) Hairdressers	3	(48) Blacksmith	1
(25) Fan Makers	3	(49) Prostitute	1
(26) Peddlers	2	(50) Porter	1
(27) Jewelers	2	(51) Hustler	1
(28) Dyers	2	(52) Lumberman	1
(29) Bakers	2	(53) Cooper	1
(30) Waiters	2	(54) Dishwasher	1
(31) Watchmakers	2	(55) Sailor	1
(32) Weavers	2	(56) Prisoners	5

### Notes

1. Estimates range from five to fifteen thousand, with ten thousand usually being the accepted figure. The 1906 San Francisco earthquake and fire destroyed the Central Pacific's records. See Richard G. Lillard, *Desert Challenge* (New York: Knopf, 1942), p. 158; Calvin Lee, *Chinatown U.S.A.* (Garden City, New York: Doubleday and Co. Inc., 1965), p. 19; Rose Hum Lee, *The Chinese in the United States of America* (Hong Kong: Hong Kong University Press, Cathay Press, 1960), p. 256; John Debo Galloway, *The First Transcontinental Railroad* (New York: Simmons-Boardman, 1950), p. 144; Effie Mona Mack and Bryd Wall Sawyer, *Our State, Nevada* (Caldwell, Idaho: Caxton Printers, 1956).
2. Lillard, p. 158.
3. Mary Roberts Coolidge, *Chinese Immigration* (New York: H. Holt and Co., 1909), p. 128.
4. A cautionary word should be noted: these censuses, as all censuses, represent the best primary data available; however, the figures are probably low since little effort was expended to insure accuracy, especially in regard to minority populations who "all look alike" to the census takers. This problem is compounded by the minority people, who often found it to their advantage not to be seen by white authorities.
5. American Association of University Women, *The Drama of Virginia City* (Reno, Nevada: Nevada State Journal, 1925), p. 47.
6. Stanford M. Lyman, *The Asian in the West* (Reno, Nevada: University Press, 1970), p. 61.
7. For example, Dana Balibrera notes that Virginia City's 536 Chinese "supplied the town with many needed services, e.g., of the 102 laundries operated by immigrants, ninety-five of them" were Chinese. *Virginia City and the Immigrant* (unpublished M.A. thesis, University of Nevada, Reno, 1965), pp. 60-61.

8. This fact is noted in every major work on the nineteenth century Chinese experience in America, e.g., see Lyman, p. 57.
9. T. H. Thompson and A.A. West, *History of Nevada*, ed. by Myron Angel (Berkeley, Cal.: Howell-North, 1958), p. 341; and Coolidge, p. 440.
10. Lyman, p. 75.
11. Coolidge, p. 440.
12. Gunther Barth, *Bitter Strength* (Cambridge, Mass.: Harvard University Press, 1964), p. 1.
13. Coolidge, p. 18.
14. Wilbur S. Shepperson, *Restless Strangers: Nevada's Immigrants and their Interpreters* (Reno, Nevada: University Press, 1970), p. 118.
15. *Ibid.*, p. 122.
16. *Ibid.*, pp. 117-118; also see: Gary BeDunnah, *A History of the Chinese in Nevada: 1855-1904* (unpublished M.A. thesis, University of Nevada, Reno, 1966), chap. 4.
17. Edna P. Patterson, Louise A. Ulph, and Victor Goodwin, *Nevada's Northeast Frontier* (Sparks, Nevada: Western Printing and Publishing Co., 1969), p. 194.
18. William Wright, [Dan de Quille], *The Big Bonanza* (New York: A. A. Knopf, 1947), p. 40.
19. Shepperson, pp. 117-118.
20. Thompson and West, p. 437.
21. BeDunnah, p. 7.
22. Thompson and West, p. 97.
23. *Pioneer Nevada* (Reno, Nevada: Harold's Club, 1956), p. 63.
24. *Population Schedules of the Ninth Census and Population Schedules of the Tenth Census*.
25. Lyman, p. 29.
26. Barth, p. 1; S. W. Kung, *The Chinese in American Life* (Seattle: University of Washington Press, 1962), p. 66.
27. Figures 1 and 2 in the Appendix show all of the listed Chinese occupations in the U.S. Censuses of 1870 and 1880 respectively.
28. Barth, p. 114; Balibrera, p. 60.
29. Lyman, p. 61.
30. Ms. Balibrera's study is an excellent start in accomplishing this task.



*Gee Jon.*

*(Courtesy: Nevada State Prison)*



*Hughie Sing*



# **Example For The Nation: Nevada's Execution of Gee Jon**

by Loren B. Chan

ON THE EVENING of August 27, 1921, Tom Quong Kee, a seventy-four year old Chinese laundryman and nominal member of the Bing Kung Tong, was awakened by someone knocking on the rear door of his cabin in the little mining town of Mina, Nevada, located about 175 miles south of Reno. Clad in pajamas and a jacket and holding a lighted candle in one hand, the old man groped his way to the door. When he opened it, he was confronted by two other Chinese, one standing in front of another. The man standing in back pulled out a .38 caliber Colt revolver, and promptly fired two shots at Tom over the shoulder of his confederate. The bullets went into and through the old laundryman's heart.<sup>1</sup>

It was a brutal and senseless killing, but a part of the overall pattern of tong warfare then plaguing some segments of the Chinese-American community in California.<sup>2</sup> The violence spread to areas in the neighboring state, since most towns in western Nevada were economically and socially tied to the cities of northern California.

In 1921, the Chinese sections of many northern California towns and cities were afflicted by feuding tongs. The fighting in San Francisco supposedly started because a member of the Hop Sing Tong stole a Chinese slave girl belonging to a member of the opposing Suey Sing Tong. To avenge the injustice suffered by one of its members at the hand of a member of an opposing tong, the Suey Sing council, supported by an ally, the Bing Kung Tong, declared "war" on the Hop Sings. The signal was given for the commencement of ten months of tit-for-tat violence.<sup>3</sup>

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Just a few hours after Tom Quong Kee was slain at Mina, Nevada, Chinese opera performer Leong Quie Sang was shot twice in the head while preparing a late evening snack in the kitchen of his San Francisco apartment.<sup>4</sup> Wherever there were tong members, the violence was bound to spread. By the end of August 1921, even smaller towns like Watsonville and Marysville were affected.<sup>5</sup> In Fresno, Gee Sing received a bullet wound in his right ear after a tong assailant fired three shots at him with a .32 caliber pistol.<sup>6</sup> To the north in Oakland, Woo Wai, a prosperous San Francisco herbalist, was stopped on a street corner by two men in a large automobile. Two shots rang out, the first of which struck and killed him.<sup>7</sup> There were probably other murders which went unnoticed and unrecorded.

In Nevada, however, the killing of Tom Quong Kee was the big news. On Sunday morning, August 28, 1921, a Chinese vegetable peddler went looking for Tom. Peering through one of the windows of Tom's cabin, he saw his friend's body sprawled on the floor. He notified the justice of the peace in Mina, L. E. Cornelius, who in turn called the situation to the attention of deputy sheriff W. J. Hammill.<sup>8</sup> The deputy examined the body and scene of the crime, and traced the footprints of two persons from the cabin to a spot where there were automobile tire tracks and some empty beer bottles.

Only eight to ten days before, Hammill saw two Chinese strangers in Mina at the Palace Cafe, men who were supposedly looking for work. At that time, the deputy was warned that the pair were not unemployed and innocent, but were tong members sent from Reno to Mina to kill the aged Tom. Because of his suspicions, Hammill telephoned Reno police chief John M. Kirkley to be on the lookout for a car bearing two Chinese male suspects. The men were apprehended.<sup>9</sup>

Physically, twenty-nine year old Gee Jon and nineteen-year old Hughie Sing did not seem intimidating. China-born Gee stood 5 feet, 5¼ inches, and weighed 129 pounds. Hughie, who was born in Carson City, measured only 5 feet, 2½ inches tall, and tipped the scale at a modest 105 pounds.<sup>10</sup> Gee emigrated from Canton, China around 1907 or 1908. Except for a brief stay of two to three months in Stockton's Chinatown, he lived his entire life in the United States within the confines of San Francisco's Chinatown. Hence he had difficulty in understanding and speaking English.<sup>11</sup> Hughie Sing, on the other hand, attended grammar school in Carson City, and could speak, read, and write both English and Chinese.<sup>12</sup> He had been a member of the Hop Sing Tong for only two months prior to being enlisted as Gee's partner in crime.<sup>13</sup>

After their arrest, both suspects were interrogated by the Reno police. Chief Kirkley advised Hughie that anything he said could be used against him in court, and that it would be best for him to tell the truth.<sup>14</sup> Thinking that he might be set free immediately if he cooperated with the authorities, Hughie confessed his role in the crime and also implicated Gee.<sup>15</sup> Both Gee and Hughie were sent back to Mina, where they were held without bail until a preliminary hearing was held on September 8, 1921. W. H. Chang of San Francisco, most likely a Hop Sing Tong member, secured the services of Reno attorney James M. Frame as defense counsel.<sup>16</sup>

憑票收經費第 4 號

朱家休來費用銀 卅 元

特此存據 葛君 簽手收

民國 十年 五月 廿 日 合勝總堂發

Receipt issued by Hop Sing Ton headquarters in San Francisco made out to Gee Jon (alias Gee Gar Hue), dated May 21, 1921. It was in Gee's possession at the time of his arrest.

(Courtesy: Nevada Supreme Court)

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
MINERAL COUNTY.

#####  
 STATE OF NEVADA, Plaintiff,  
 vs  
 GEE JON and HUGHIE SING, Defendants.  
 #####

VERDICT

We, the jury, find the defendants, Gee Jon and Hughie Sing, guilty of murder of the first degree, and fix the penalty at death.

Dated Dec. 3 1921.

*B. B. Feltz*  
Foreman.

*Verdict of the jury.*

*(Courtesy: Mineral County District Court)*

STATE OF NEVADA ( )  
 Plaintiff ( ) RETURN ON WARRANT OF EXECUTION  
 vs ( )  
 GEE JON ( )  
 Defendant ( )

STATE OF NEVADA ( ss  
 COUNTY OF ORMSBY (

I, Denver S. Dickerson, the duly appointed, qualified and acting Warden of the Nevada State Prison, HEREBY CERTIFY that all things commanded by the attached WARRANT OF EXECUTION were by me executed in the manner prescribed therein, and that on the eighth day of February, A. D. 1924, between the hours of Nine and ten o'clock A. M. of said day lethal gas was administered to Gee Jon, the above named defendant, in sufficient quantities to produce death, and that at 12:40 o'clock P.M. of said day the said Gee Jon, defendant, was, by the examining physicians duly pronounced dead.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 15th day of February A. D. 1924.

*Denver S. Dickerson*  
WARDEN OF NEVADA STATE PRISON.

*Warden Denver S. Dickerson's certification of Gee Jon's execution by lethal gas.*

*(Courtesy: Mineral County District Court)*

On the advice of counsel, Hughie repudiated his oral confession.<sup>17</sup> Both Gee and Hughie waived the right to make a statement at the September 8 hearing. Their counsel entered pleas of "not guilty" for each of them.<sup>18</sup>

Trial was held in Hawthorne from November 28 to December 3, 1921 before the Seventh Judicial District Court for Mineral County, Nevada. Both men denied being members of the Hop Sing Tong, shooting Tom Quong Kee, or going to Mina with the intention of killing him. They claimed to be on their way to Tonopah, where they wanted to obtain employment in a restaurant.<sup>19</sup> Hughie also said that he confessed to the Reno police chief in the belief that he would be immediately freed.<sup>20</sup>

The court was not convinced. According to prior testimony of witnesses and law enforcement officials, the two accused Chinese were in Mina eight to ten days before the killing. At that time they looked over the town, and observed their intended victim. Previously, Hughie had lived with Tom in Mina for two years; such experience and his knowledge of English made him the best person to guide Gee Jon on his murderous mission.<sup>21</sup>

Both men were found guilty of first degree murder.<sup>22</sup> After the new year, Judge J. Emmett Walsh pronounced death sentences on the two killers. According to a law passed in 1921 by the thirtieth session of the state legislature and signed by Governor Emmet D. Boyle, all criminals sentenced to death were to be executed by means of lethal gas. Gee Jon and Hughie Sing were the first to be affected by the new law.<sup>23</sup>

Prior to 1921, criminals sentenced to death in Nevada were executed in a variety of ways. Before 1905, most of the condemned were put to death by county officials; hence from 1866 to 1913, only ten men were executed at the state prison.<sup>24</sup> Moreover, methods of execution were variable. Up until January 1, 1912, hanging was the most common mode of execution; from 1912 to 1921, a condemned person could choose between a rope or a firing squad.<sup>25</sup>

When the thirtieth session of the state legislature convened in 1921, Deputy Attorney General Frank Kern—influenced by the ideas of Dr. Allen McLean Hamilton, an eastern toxicologist—prevailed upon Assemblymen J. H. Hart of Lovelock and Harry L. Bartlett of Elko to introduce a bill in the lower house that would make lethal gas the sole method of administering the death penalty.<sup>26</sup> Gas was believed to be the most humane way to end life, especially if it were to be administered while the condemned person was under the influence of a soporific drug. Little pain would be felt in passing from life to death.<sup>27</sup>

Hart and Bartlett introduced their Assembly Bill 230 on March 8, 1921. It was favorably reported out of committee, and passed the lower house by a vote of thirty to one in favor on March 15. The Senate received the bill later that same day, and quickly approved the measure by a vote of fourteen to one.<sup>28</sup> On March 28, Governor Emmet D. Boyle signed the bill, which stated that "The judgment of death shall be inflicted by the administration of lethal gas. . . ."<sup>29</sup> Thus Nevada became the first state in the country to permit the use of poisonous gas in legally ending human life.<sup>30</sup>

The new statute was to be implemented for the first time in the case of Gee Jon and Hughie Sing. Only adroit legal maneuvering and persuasive argumentation

could possibly save the pair. They were ably represented by attorney James M. Frame. After Judge Walsh pronounced death sentences on the two Chinese, Frame moved for a new trial. Walsh denied the motion, and Frame was ready to appeal to the state supreme court.<sup>31</sup>

After their trial at Hawthorne, Gee and Hughie were taken under the custody of Sheriff Frederick B. Balzar to the state prison in Carson City, where they were to be incarcerated until their sentences were carried out.<sup>32</sup> Hughie was confident, but also prepared for the worst:

I don't think there's no hope, unless maybe the supreme court does something. Our lawyer said he'd file something in the supreme court within thirty days, but if the court don't act I guess we'll have to die.<sup>33</sup>

During the latter part of February 1922, Frame filed an appeal with the state supreme court, contending that execution by lethal gas constituted cruel and unusual punishment. The appeal automatically served as a stay of execution for the two men, who originally had been ordered executed between April 16–22, 1922.<sup>34</sup> The first of a long series of legal maneuvers started.

In January of 1923, the court rendered a decision on the 1922 appeal. The murder convictions were sustained, lethal gas execution was held to be neither cruel nor unusual punishment, and the state's execution law was deemed specific and precise in the wording of its title. Moreover, a defense motion for a new trial was denied.<sup>35</sup>

Undaunted, attorney Frame filed another appeal to the state supreme court for a rehearing of the Gee and Hughie case. The court reacted unfavorably.<sup>36</sup> Frame and his partner, Fiore Raffetto, then decided to apply for a writ of certiorari in the U.S. Circuit Court of Appeals in San Francisco. They stressed the refusal of Nevada's highest state court to grant Gee and Hughie separate trials, the cruel and unusual nature of lethal gas execution, and the defective wording of the title of Nevada's 1921 capital punishment statute.<sup>37</sup>

Nothing much happened as a result of the action, however, for the Nevada Supreme Court refused to give its assent to be sued on the writ. Thereafter, the attorneys for the Chinese petitioned the state supreme court a second time for a rehearing; and again, the court ruled in the negative. According to the court's procedures, second petitions for rehearings were not allowed. In addition, defense counsel wanted to argue the case on new grounds beyond those contained in the first petition. Therefore denial of the second petition was certainly justified.<sup>38</sup>

By the first part of September 1923, the U.S. Supreme Court seemed to be the court of last resort. Attorneys Frame and Raffetto applied to the state supreme court for a writ of error, so that the case of Gee and Hughie could be carried to the nation's highest tribunal. On behalf of the state court, Chief Justice Edward A. Ducker denied the application for the writ.<sup>39</sup> The judicial road, however, was not completely blocked. If one of the justices on the U.S. Supreme Court was willing to hear a petition for a writ of error, then he and his fellow justices could hear the case *even* with the prejudice of the Nevada Supreme Court's refusal to grant a writ of error.<sup>40</sup> A petition for a writ of error was first presented to Associate Justice Joseph McKenna, and then to Chief Justice William Howard



Taft. Both members of the highest court refused to permit the petition to be filed.<sup>41</sup> Thereafter, Frame and Raffetto could only direct any further efforts to spare the lives of their clients toward state officials.

In January of 1924, the two attorneys tried to persuade the state supreme court to allow a petition for a writ of prohibition to be filed, whereby District Judge Walsh would be restrained from setting a date for the execution of Gee and Hughie. The title of the execution law, according to Frame and Raffetto, did not specifically cover the subject of lethal gas execution. If the law was invalid for that reason, an execution date could not be set until the title of the law was changed. The court considered the title of the law valid and sufficient, and denied the petition.<sup>42</sup> By mid-January, most of the legal avenues of appeal were exhausted. About the last group that might be approached was the state board of pardons, consisting of the governor, the three state supreme court justices, and the attorney general.<sup>43</sup>

Believing that the board would be swayed by the nature of public opinion, Frame and Raffetto started to circulate petitions in various parts of the state: four in Reno, one in Carson City, and one in southern Nevada.<sup>44</sup> The petitions, addressed to the board of pardons, declared:

The undersigned respectfully petition your honorable body to commute the sentence of Gee Jon and Hughie Sing, Chinese, from death to life imprisonment.

We are informed that Hughie Sing is a mere boy, being only nineteen years of age at the time of the commission of the crime, and that Gee Jon was at the time of the commission of the crime an illiterate Chinese unacquainted with American customs and not likely to fully know and appreciate the enormity of the act.

We feel that the extreme penalty should not be exacted and think that commutation of the sentence to life imprisonment would fully vindicate the law and subserve public good and avoid the horror of taking human life by administration of lethal gas, a new and untried method.<sup>45</sup>

In addition, the two lawyers sent more than four hundred letters to prominent Nevadans, imploring them to intercede with the board on behalf of Gee and Hughie.<sup>46</sup>

Frame and Raffetto became engrossed in trying to save the two Chinese. They dropped all of their other case work to concentrate on Gee and Hughie.<sup>47</sup> Time indeed was running short. Judge Walsh set February 8, 1924 as the date of execution.<sup>48</sup> The board of pardons would meet on January 25.<sup>49</sup>

Public opinion, on which the two defense attorneys hoped to rely, proved to be quite varied. Several different matters had to be weighed: the racial and ethnic origins of the two condemned slayers; the nature of their crime; whether or not they deserved to be executed; and the mode of their execution. On the various petitions circulated, about five hundred signatures were obtained. Petitions were sent to the board of pardons from students on the Reno campus of the University of Nevada, the League of Women Voters in Reno, and from the citizens of Reno and Carson City. Letters to the board calling for life imprisonment instead of death for the Chinese also arrived from Reno, Dayton, and Genoa.<sup>50</sup>

On the other hand, those most familiar with the actual crime committed by

Gee and Hughie were the least sympathetic. Mineral County District Attorney Jay H. White called the murder of Tom Quong Kee:

purely a clean-cut premeditated murder without any extenuating circumstances. The crime was one of the most atrocious and cold-blooded in the history of the state. Testimony of the trial will show that applications for commutation of sentence are illogical in view of the facts of the case.<sup>51</sup>

In support of the district attorney were ten of the original twelve district court jurors. Only two of the jurors favored commuting the sentences of Gee and Hughie to life imprisonment.<sup>52</sup>

If the jurors could not agree on the question of commutation, neither could the press. Racial considerations were prominent. The *Fallon Standard* maintained that if Hughie Sing were white, at most he would have been convicted of second degree murder. Gee Jon did the actual shooting, not Hughie. The younger Chinese was merely an accomplice. The *Standard's* editorial concluded by asserting that if Hughie were white, he would not be in danger of being executed.<sup>53</sup>

In contrast to the Fallon newspaper, the *Tonopah Daily Times* used the race question in a different fashion. It called the convicted slayers "Chinese coolies," and termed the long legal appeal process "the stubborn fight waged by the tongs for the lives of their murderous tools." The editor of the *Times* insisted that:

the state should serve notice on the high court of San Francisco's Chinatown that its behests will not be obeyed in at least one state on the Pacific coast. Let these murderers survive through commutation or pardon—the action would establish Nevada as the slaughterhouse of the tongs.<sup>54</sup>

The race issue thus was used to plead for justice in one case, and to incite the "yellow peril" prejudices of white Nevadans on the other.

The racial consideration was kept alive when the board of pardons met in the governor's office in Carson City on January 25, 1924. Arguments for and against commutation of the death sentences of Gee and Hughie lasted for four hours, and the room was filled with curious reporters and spectators. James Frame, representing the Chinese, pleaded for clemency on the grounds of Hughie's youth at the time the murder was committed, and Gee's illiteracy. Moreover, he gave the race issue still another twist. Mercy should be extended to the condemned pair, he argued, because of their lack of mental ability, the inferiority of their race, and the inherent inability of Chinese to distinguish between right and wrong.<sup>55</sup>

After all the various arguments were considered, the members of the board voted on the fates of the two convicted killers. In the case of Hughie Sing, Justices John A. Sanders and Benjamin W. Coleman voted in favor of commuting the sentence, as did Attorney General M. A. Diskin and Governor James G. Scrugham. Chief Justice Edward A. Ducker cast the lone dissenting vote. In Gee's case, however, all the members of the board except Justice Sanders voted against commutation. Hughie's youth and role as an accomplice were duly

considered by the board, as was the fact that Gee did the actual shooting in the crime; and the reason why Justice Sanders voted for commutation of both sentences had to do with his general opposition to capital punishment.<sup>56</sup>

Reactions to the board's decisions were immediate. Carson City's Chinatown rejoiced in the board's commutation of Hughie Sing's sentence. Firecrackers were lit, and banquets were the order of the day. At the state prison, Hughie was removed from his death watch cell, and put to work in the prison laundry.<sup>57</sup> Gee Jon was left to face death alone.

His lawyer, however, was still trying every legal device to stay his execution. On February 4, Frame asked the state supreme court for a writ of habeas corpus, on the ground that Gee Jon was insane. The court denied Frame's petition.<sup>58</sup>

At the prison, Warden Denver S. Dickerson requested a medical examination of Gee to dispel any doubts about his sanity. Dr. John E. Pickard of Reno and Dr. Anthony Huffaker of Carson City, the prison physician, performed the examination and declared Gee sane.<sup>59</sup> The conclusions of the doctors, however, did not discourage Frame.

Failing to get action from the state supreme court, the attorney then appealed to the Ormsby County district court for an injunction to stay Gee's execution. He asserted that Warden Dickerson had not called for a full investigation and hearing into Gee's sanity as provided for by state law. Judge G. A. Ballard promptly denied Frame's petition for a writ of injunction.<sup>60</sup> Frame persevered.

On February 7, one day before the scheduled date of Gee Jon's execution, he went into the U.S. District Court in Carson City with an application for a writ of habeas corpus on the grounds that Gee was being denied due process of law on account of being insane, and that Warden Dickerson did not have the legal authority to pass judgment on Gee's sanity. Judge Edward S. Farrington denied the application, since Gee's case arose in a state court, and federal jurisdiction did not apply. After Farrington's decision, Frame appealed to Governor Scroggum in desperation. The governor, however, did not wish to give any further consideration to the matter of commuting Gee's sentence.<sup>61</sup> Frame had exhausted all legal possibilities. By the evening of February 7, he conceded defeat. Gee Jon was to be executed the following morning.

The condemned Chinese murderer was to be gassed to death. On the recommendation of state food and drug commissioner Sanford C. Dinsmore, hydrocyanic acid (HCN) gas was chosen as the death dealing agent. At temperatures above 22°F, HCN, is partially gaseous; below that point, it is a liquid. Because of its susceptibility to temperature changes, HCN could not be shipped by the California Cyanide Company from Los Angeles to Carson City via freight or express trains. Therefore, Warden Dickerson sent Tom Pickett, a prison employee, to Los Angeles. Accompanied by his wife, Pickett drove to southern California by truck, loaded several tanks of liquid HCN aboard the vehicle, and transported the cargo back to the Nevada State Prison.<sup>62</sup>

To make sure that HCN gas was effective for more than exterminating the San Jose scale (a parasite) from orange trees (the use to which the gas was most widely put in southern California), Nevada officials conducted several experiments before the day of Gee Jon's execution. They found that HCN gas

effectively killed bedbugs.<sup>63</sup> Cats were also vulnerable. On the day before Gee's execution, one or two cats were gassed. According to the Chinese account published in San Francisco's *Chung Sai Yat Po*, "i-chih lang-tang chih pai-se ta-mao" ("a stray, white, large cat") was administered the gas to test its effect; and according to Reno's *Nevada State Journal*, two kittens were gassed in rehearsal for the Gee execution.<sup>64</sup>

The fateful day, February 8, 1924, finally came. The weather was cloudy, humid, and a cold 49°F in Carson City. Gee Jon arose that morning, and after fasting for ten days, decided to eat his last meal: ham, eggs, toast, and coffee. At 9:35 A.M., two guards escorted him the distance of forty yards from his cell to the gas chamber. He was strapped in the execution chair, and started to weep. At 9:40, four pounds of hydrocyanic acid were introduced into the chamber.<sup>65</sup>

Hydrocyanic acid becomes volatile at 75°F. But on the day of the execution, the temperature outside of the chamber was 49°F, and inside the chamber, a maximum temperature of only 52°F could be attained due to a malfunctioning electric heater. Thus HCN was present in the chamber as both gas in the air and a pool of potentially volatile liquid on the floor.<sup>66</sup>

Nevertheless, after five seconds of exposure to the gas, Gee appeared unconscious; his eyes remained open, and his head continued to move for six minutes. The condemned man ceased to move after 9:46. At ten o'clock, the chamber's ventilator gate was opened, and a suction fan was turned on. The chamber door was not opened until twelve o'clock noon.<sup>67</sup>

After the chamber was properly ventilated, Gee's body was carried out by the prison guard captain and a member of the state police force. It was placed in the prison hospital and examined by physicians with stethoscopes. Gee Jon was pronounced dead at 12:25 P.M. by the prison physician, Dr. Anthony Huffaker; Dr. Joseph B. Hardy of Reno; and Dr. Edward E. Hamer, Ormsby County physician.<sup>68</sup> One of the physicians, however, refused to believe that Gee was permanently dead!

Major Delos A. Turner, M.D., of the U.S. Veterans' Bureau in Reno, wanted to inject Gee's corpse with camphor. The injection supposedly would bring Gee back to life. Turner asked that he be allowed to conduct his experiment "in the interests of science." Warden Dickerson wisely refused permission.<sup>69</sup> Turner remained a skeptic. He recommended that all future bodies removed from the gas chamber be shot or hung to make sure of death being inflicted.<sup>70</sup>

But Gee Jon's body did not receive such treatment. Indeed, not even an autopsy was performed on it. The corpse was placed in a plain pine box without the services of an undertaker, and buried in the prison cemetery on a hill overlooking the institution.<sup>71</sup>

Gee Jon met his fate. He was the first man executed by lethal gas in the state of Nevada and in the United States.<sup>72</sup> Yet even after widespread press coverage of Gee's execution, public opinion was still divided over the questions of whether lethal gas was a cruel and unusual punishment, and whether all forms of capital punishment were actually deterrents to the commission of crimes. In California, an editorial in the *San Jose Mercury Herald* commented:

One hundred years from now Nevada will be referred to as a heathen

commonwealth controlled by savages with only the outward symbols of civilization.<sup>73</sup>

In Nevada, state prison Warden Dickerson believed that shooting was a more humane method of execution than lethal gas because death would be inflicted quicker on a condemned person. Others, like Major Delos Turner, disagreed with him.<sup>74</sup>

There was sufficient dissatisfaction with the state's 1921 lethal gas execution law for a movement to be started in the legislature to repeal it. Attempts were launched during the 1925 session, but the legislators refused to repeal the law despite pleas from both Governor Scrugham and Warden Dickerson.<sup>75</sup> In 1926, the state executed its second convicted slayer through the use of lethal gas: Stanko Jukich, a Serbian from Ely. Few cries of protest were heard.<sup>76</sup>

In the years between 1924 and 1961, thirty-one individuals were executed by lethal gas at the Nevada State Prison.<sup>77</sup> Other states and the federal government followed Nevada's example by adopting the use of lethal gas as the means of executing persons convicted of first degree murder. As late as 1970, the following states also had laws authorizing the use of lethal gas in the implementation of the death penalty: Arizona, California, Colorado, Maryland, Mississippi, Missouri, North Carolina, and Wyoming.<sup>78</sup>

By the early years of the 1970s, however, there were many Americans who sought to eliminate or redefine the death penalty.<sup>79</sup> As late as January of 1972, eight criminals were under death sentences in Nevada, but none had been executed since 1961. At that time, the U.S. Supreme Court started to consider arguments against the death penalty in the case of *Furman v. Georgia*.<sup>80</sup>

The high Court reached a decision later in the year. By a five to four vote, the Court ruled that capital punishment as it had been imposed in the United States was in violation of the Eighth and Fourteenth Amendments to the Constitution. Each of the nine Supreme Court justices wrote separate opinions. Capital punishment had not been uniformly applied for specific crimes, the Court maintained. Judges and juries had been allowed too much discretion in the application of the death penalty. Selective application of the penalty was deemed humane, but nevertheless unconstitutional. The effect of the Court's decision was to invalidate Nevada's capital punishment law and similar statutes in thirty-eight other states and the District of Columbia.<sup>81</sup>

However, the Court's decision did not specifically rule out the possibility of again imposing the death penalty through the passage of new laws at the state level which would eliminate the elements of prejudice and chance.<sup>82</sup> Chief Justice Warren E. Burger offered the following opinion:

The future of capital punishment in this country has been left in an uncertain limbo. Rather than providing a final and unambiguous answer on the basic constitutional question, the collective impact of the majority's ruling is to demand an undetermined measure of change from the various State legislatures and the Congress.<sup>83</sup>

Initial reaction to the Supreme Court ruling in Nevada was one of surprise. Attorney General Robert List called the action "an insult to Nevada, to its law and to its people."<sup>84</sup>

When the legislature met in 1973, capital punishment legislation was a serious topic of discussion. After one hundred days of deliberations,<sup>85</sup> the legislature passed a new law:

relating to crimes and punishments; defining the offense of capital murder and providing a mandatory death penalty therefor; denying admission to bail for capital offenses; eliminating the death penalty for other crimes; and providing other matters properly relating thereto.<sup>86</sup>

The new law is now in effect. Its constitutionality will be tested in the future. Whether or not the lethal gas chamber at the Nevada State Prison will ever be used again remains to be seen. In 1924, the Silver State set an example for the nation by executing Gee Jon through the use of lethal gas. The influence of that action endures to the present, and will probably last as long as thinking men and women continue to pose questions about life, death, and justice.

### Notes

1. *Young China* (*Shao-nien chung-kuo ch'en-pao*, San Francisco), 28 August 1921; *Chinese World* (*Shih-chieh jih-pao*, San Francisco), 29 August 1921; *Chung Sai Yat Po* (*Chung-hsi jih-pao*, San Francisco), 29 August 1921; *Nevada State Journal*, 29 August 1921, 8 February 1924; *Walker Lake Bulletin*, 3 September 1921; "Transcript of Preliminary Examination," *State of Nevada v. Gee Jon and Hughie Sing*, Justice Court of Mina Township, Mineral County, Nev., 9 September 1921, pp. 5, 19-20, 22, 28, 30, 39, located in criminal case file no. 56, District Court Clerk, Mineral County, Hawthorne, Nev.
2. For explanations about the origins of the tongs, consult John K. Fairbank, Edwin O. Reischauer, and Albert M. Craig, *East Asia: Tradition and Transformation* (Boston: Houghton Mifflin Company, 1973), pp. 467-468; Immanuel C. Y. Hsu, *The Rise of Modern China* (New York: Oxford University Press, 1970), pp. 170-171; Him Mark Lai and Philip P. Choy, *Outlines: History of the Chinese in America* (San Francisco: Chinese-American Studies Planning Group, 1973), pp. 123-125; Stanford M. Lyman, *The Asian in the West*, Social Science and Humanities Publication, no. 4 (Reno and Las Vegas: Desert Research Institute, University of Nevada System, 1970), pp. 33-46; and Betty Lee Sung, *Mountain of Gold: The Story of the Chinese in America* (New York: The Macmillan Company, 1967), pp. 137-138.
3. Gilbert G. Weigle, "Youth's Love of Slave Girl Starts Death," *San Francisco Examiner*, 28 August 1921. This article is valuable because it describes San Francisco's tongs as being divided into two opposing sides, and touches upon the generally supposed reason for the outbreak of hostilities. Other aspects of the article describing Chinese life in California, however, tend to be fanciful. Also consult the reminiscences of Lew Wah Get, an officer of the Suey Sing Tong, in Victor G. Nee and Brett de Bary Nee, *Longtime Californ': A Documentary Study of an American Chinatown* (New York: Pantheon Books, 1972), pp. 80-83.
4. *Young China*, 28 August 1921; *Chinese World*, 29 August 1921; *Chung Sai Yat Po*, 29 August 1921; *San Francisco Examiner*, 29 August 1921. Tong violence had been going on in the San Francisco Bay area throughout that week. See the *Daily Palo Alto Times*, 23-24 August 1921; *San Jose Mercury Herald*, 23-25 August 1921; *San Francisco Examiner*, 23 August 1921; *Chinese World*, 23-24 August 1921; and *Chung Sai Yat Po*, 23 August 1921.
5. *San Francisco Chronicle*, 28 August 1921; *San Jose Mercury Herald*, 28, 30 August 1921; *Sacramento Bee*, 29 August 1921.
6. *Young China*, 1 September 1921.
7. *Ibid.*, 4 September 1921; *Chinese World*, 5-6 September 1921.
8. "Transcript of Preliminary Examination," p. 40.
9. *Ibid.*, pp. 15, 17; Nevada, Supreme Court, *Nevada Reports* 46 (1922-1923): 425-426; *Nevada State Journal*, 29 August 1921, 8 February 1924. For a totally inaccurate account of their



arrest, see Myrtle Tate Myles, *Nevada's Governors: From Territorial Days to the Present, 1861-1971* (Sparks, Nev.: Western Printing and Publishing Company, 1972), p. 255.

10. Confidential files no. 2320 and 2321, Nevada State Prison, Carson City (hereafter referred to as NSP-2320 and NSP-2321).

11. Nevada, Seventh Judicial District Court, County of Mineral, *State of Nevada v. Gee Jon and Hughie Sing*, trial transcript, 28–30 November, 1–3 December 1921, pp. 212–214, NSP-2321; *Reno Evening Gazette*, 7 February 1924.

12. NSP-2321.

13. *Chinese World*, 29 August 1921; *Nevada State Journal*, 31 August 1921.

14. Nevada, Supreme Court, *Nevada Reports* 46 (1922–1923): 427–428.

15. *Sacramento Bee*, 29 August 1921; *Nevada State Journal*, 8 February 1924; "Transcript of Preliminary Examination," pp. 28, 30.

16. "Transcript of Preliminary Examination," p. 71; *Nevada State Journal*, 2 September 1921; *Walker Lake Bulletin*, 3 September 1921.

17. *Nevada State Journal*, 2 September 1921.

18. "Transcript of Preliminary Examination," pp. 1, 72.

19. Nevada, Seventh Judicial District Court, County of Mineral, *State of Nevada v. Gee Jon and Hughie Sing*, trial transcript, 28–30 November, 1–3 December 1921, pp. 211–212, 225–228, NSP-2321.

20. *Nevada State Journal*, 8 February 1924.

21. "Transcript of Preliminary Examination," pp. 14–15, 17; *Nevada State Journal*, 30–31 August 1921, 8 February 1924; *Carson City Daily Appeal*, 25 January 1924.

22. *Carson City Daily Appeal*, 5 December 1921; Nevada, *Revised Laws* 2 (1912): sec. 6,386, p. 1,832.

23. *Carson City Daily Appeal*, 26 January 1922; Nevada, *Nevada Statutes* (1921): ch. 246, p. 387; Nevada, Legislature, Assembly, *Journal of the Assembly*, 30th sess. (1921): 247, 301, 314; Nevada, Legislature, Senate, *Journal of the Senate*, 30th sess. (1921): 255, 257, 262, 272; *Nevada State Journal*, 29 March, 8 December 1921; Arnold Kruckman, "Will Use Lethal Gas on Convicts," *Pioche Record*, 19 August 1921.

For general histories of capital punishment, see George Ryley Scott, *The History of Capital Punishment* (London: Torchstream Books, 1950) and John Laurence, *A History of Capital Punishment* (Port Washington, N.Y.: Kennikat Press, 1971). A dispassionate professional interpretation of the 1921 Nevada law is Raymond Hartmann, "The Use of Lethal Gas in Nevada Executions," *St. Louis Law Review* 8 (April 1923): 164–168.

There are two different and opposite interpretations of Governor Boyle's motives in signing the lethal gas execution bill: Kruckman, *Pioche Record*, 19 August 1921; and Hugo Adam Bedau, ed., *The Death Penalty in America: An Anthology*, rev. ed. (Garden City, N.Y.: Doubleday and Company, Inc., 1967), p. 18.

Several general works dealing with Nevada history and government mention the Gee Jon case, but only in a cursory fashion: Richard G. Lillard, *Desert Challenge: An Interpretation of Nevada* (New York: Alfred A. Knopf, Inc., 1942), pp. 39–40; Effie Mona Mack, Idel Anderson, and Beulah E. Singleton, *Nevada Government* (Caldwell, Idaho: The Caxton Printers, Ltd., 1953), p. 167; and Effie Mona Mack and Byrd Wall Sawyer, *Here Is Nevada: A History of the State* (Sparks, Nev.: Western Printing and Publishing Company, 1965), p. 173.

Incorrect dates are given in James G. Scrugham, ed., *Nevada: A Narrative of the Conquest of a Frontier Land*, 3 vols. (Chicago and New York: The American Historical Society, Inc., 1935), 1:549, n. 5; and Myles, *Nevada's Governors*, p. 255.

Probably the most fabricated, romantic, and factually inaccurate account is George V. Bishop, *Executions: The Legal Ways of Death* (Los Angeles: Sherbourne Press, Inc., 1965), pp. 160–163.

24. *Walker Lake Bulletin*, 16 June 1923; *Nevada State Journal*, 8 February 1924.

25. James G. Scrugham to J. W. Kime, 9 April 1924, NSP-2320.

26. *Carson City Daily Appeal*, 28 February 1922; Copeland C. Burg, "Fight on to Repeal Gas

- Death Law," *San Francisco Call and Post*, 9 February 1924; *Nevada State Journal*, 9 February 1924; Scrugham to Kime, 9 April 1924, NSP-2320; Nevada, Legislature, Assembly, *Journal of the Assembly*, 30th sess. (1921): 247; Nevada, *Nevada Statutes* (1921): ch. 246, p. 387.
27. *Las Vegas Age*, 19 March 1921; *Pioche Record*, 25 March 1921; *Nevada State Journal*, 29 March 1921; *Carson City Daily Appeal*, 6 January 1923; *Reno Evening Gazette*, 18 January 1924.
28. Nevada, Legislature, Assembly, *Journal of the Assembly*, 30th sess. (1921): 247, 301, 314; Nevada, Legislature, Senate, *Journal of the Senate*, 30th sess. (1921): 255, 257, 262, 272.
29. Nevada, *Nevada Statutes* (1921): ch. 246, p. 387.
30. *Carson City Daily Appeal*, 29 March 1921.
31. *Ibid.*, 26 January 1922; Nevada, *Revised Laws 2* (1912): sec. 7,286, p. 2,041.
32. *Carson City Daily Appeal*, 27 January 1922.
33. *Ibid.*
34. *Ibid.*, 27 February 1922.
35. Nevada, Supreme Court, *Nevada Reports* 46 (1922-1923): 419-420, 422-424, 435-438; Nevada, Supreme Court, Clerk, *Biennial Report, 1923-1924*, p. 11.
36. *Nevada State Journal*, 6 July 1923.
37. *Ibid.*, 28 July 1923; *Carson City Daily Appeal*, 9, 27 July 1923; Nevada, Attorney General, *Biennial Report, 1923-1924*, p. 196.
38. *Carson City Daily Appeal*, 27 July, 14, 20-21, 31 August 1923; *Nevada State Journal*, 21 August 1923; Nevada, Supreme Court, Clerk, *Biennial Report, 1923-1924*, p. 12.
39. *Carson City Daily Appeal*, 5, 29 September 1923; William Kennett to James M. Frame and Fiore Raffetto, 11 September 1923, case file no. 2,547, Nevada Supreme Court Clerk, Carson City (hereafter referred to as NSC-2547).
40. *Carson City Daily Appeal*, 11 September 1923.
41. William Kennett to Jay H. White, 27 December 1923, NSC-2547.
42. *Gardnerville Record-Courier*, 11 January 1924.
43. Christen Jensen, *The Pardoning Power in the American States* (Chicago: University of Chicago Press, 1922), p. 71.
44. *Reno Evening Gazette*, 22 January 1924; *Gardnerville Record-Courier*, 25 January 1924.
45. *Carson City Daily Appeal*, 16 January 1924.
46. *Reno Evening Gazette*, 22 January 1924.
47. *Ibid.*
48. *Walker Lake Bulletin*, 12 January 1924.
49. *Reno Evening Gazette*, 11 January 1924.
50. *Ibid.*, 22 January 1924; *Carson City Daily Appeal*, 24 January 1924; *Nevada State Journal*, 25 January 1924.
51. *Nevada State Journal*, 24 January 1924.
52. *Reno Evening Gazette*, 23 January 1924.
53. *Fallon Standard*, 16 January 1924.
54. *Tonopah Daily Times*, 26 January 1924.
55. *Carson City Daily Appeal*, 25 January 1924.
56. *Ibid.*, 26 January 1924; *Nevada State Journal*, 27 January 1924; *Young China*, 28 January 1924. In addition to Hughie Sing's sentence, the state board of pardons and parole commissioners acted on those of three other Chinese during the 1923-1924 period. Paroles were granted to Lee Sing, convicted of first degree burglary; Yee Toy, convicted of first degree murder; and Chin Gim, convicted of narcotics possession. Nevada, Governor, *Message of Gov. James G. Scrugham to the Legislature of 1925*, 32d sess., pp. 37-38.
57. *Reno Evening Gazette*, 28 January 1924.

After commutation of his sentence, Hughie Sing was incarcerated at the Nevada State Prison until



he was paroled in 1938. As an inmate, his general conduct was described as "very good." Between 1930 and 1938 he made fifteen applications for parole. All of them were denied except for the last one. Governor Richard Kirman and other members of the board of parole commissioners finally approved of Hughie's petition.

In his applications, Hughie indicated his desire to go to China with his aged mother, where they would live the remainder of their days. By 1938, however, China and Japan were at war, and even the exertions of Senator Patrick A. McCarran's secretary in Washington could not convince the Department of State to issue Hughie a passport. He had to be content with staying in the United States, but a special condition of his parole was that he leave Nevada and never return.

Following his release, Hughie traveled to San Francisco's Chinatown, where he stayed at the Gum Mon Hotel (*Chin-men lü-kuan*) on Grant Avenue. Then, he went southwards to join his family in Los Angeles. By 1940 he was working as a waiter in a Chinese cafe in Los Angeles. NSP-2321.

58. *Carson City Daily Appeal*, 4–5 February 1924.
59. *Ibid.*, 5 February 1924; *Young China*, 6 February 1924.
60. *Reno Evening Gazette*, 6–7 February 1924; *Young China*, 7 February 1924.
61. *Nevada State Journal*, 8 February 1924.
62. *Carson City Daily Appeal*, 15, 28 January 1924; *San Francisco Call and Post*, 22 January 1924; *Reno Evening Gazette*, 26 January, 5 February 1924; *Pioche Record*, 1 February 1924; *Las Vegas Age*, 2 February 1924.
63. *Las Vegas Age*, 2 February 1924.
64. *Chung Sai Yat Po*, 8 February 1924; *Nevada State Journal*, 8 February 1924.
65. Delos A. Turner to Chief of Chemical Warfare Service, U.S. War Department, February 1924, NSP-2320; *Young China*, 9 February 1924; *Nevada State Journal*, 9 February 1924; *San Jose Mercury Herald*, 9 February 1924; *New York Times*, 9 February 1924.
66. Nevada, State Prison, Warden, *Biennial Report, 1923-1924*, p. 4.
67. Turner to Chief of Chemical Warfare Service, February 1924, NSP-2320.
68. *Reno Evening Gazette*, 8 February 1924; *San Francisco Examiner*, 9 February 1924; *San Jose Mercury Herald*, 9 February 1924.
69. *San Francisco Chronicle*, 9–10 February 1924.
70. Turner to Chief of Chemical Warfare Service, February 1924, NSP-2320.
71. *Reno Evening Gazette*, 8 February 1924; *San Francisco Chronicle*, 9 February 1924; *Gardnerville Record-Courier*, 15 February 1924.
72. *Young China*, 5 February 1924; *New York Times*, 8 February 1924; *Literary Digest*, 1 March 1924.
73. *San Jose Mercury Herald*, 9 February 1924.
74. Nevada, State Prison, Warden, *Biennial Report, 1923-1924*, p. 4; *Literary Digest*, 1 March 1924.
75. *San Francisco Call and Post*, 9 February 1924; L.C. Owen, "Lethal Gas Law Holds in Nevada," *New York Evening World*, 9 April 1925.
76. *Carson City Daily Appeal*, 21 May 1926; Lillard, *Desert Challenge*, pp. 39–40. The account in Scrugham, *Nevada: A Narrative of the Conquest of a Frontier Land*, 1:549, n. 5, incorrectly states that the Jukich execution was the first in which lethal gas was used.
77. Bob Smith, "Young Slayer Smiles, Winks at Execution," *Nevada State Journal*, 24 August 1961.
78. Luman H. Long, ed., *World Almanac and Book of Facts, 1971* (New York: Newspaper Enterprise Association, Inc., 1970), p. 79.
79. Consult Bedau, *Death Penalty in America*, Eugene B. Block, *And May God Have Mercy . . . : The Case Against Capital Punishment* (San Francisco: Fearon Publishers, 1962); James Avery Joyce, *Capital Punishment: A World View* (New York: Thomas Nelson and Sons, 1961); James A. McCafferty, ed., *Capital Punishment* (Chicago and New York: Aldine-Atherton, Inc., 1972); and Thorsten Sellin, ed., *Capital Punishment* (New York: Harper and Row, Publishers, 1967).

80. José M. Ferrer, III, "The Death Penalty: Cruel and Unusual?," *Time*, 24 January 1972; *U.S. News and World Report*, 31 January 1972; KL VX, "A Deadly Dilemma," videotape, Las Vegas, Nev., August 1973.
81. *Newsweek*, 10 July 1972; *Time*, 10 July 1972; *U.S. News and World Report*, 10 July 1972.
82. *Newsweek*, 18 December 1972.
83. *U.S. News and World Report*, 4 December 1972.
84. *Ibid.*, 10 July 1972. During the early years of the 1960s, there were attempts in Nevada to change the state's capital punishment law, and to give the governor sole power to commute death sentences. The efforts were not successful. See Lester D. Summerfield, "For the Death Penalty," *Nevada State Bar Journal* 25 (July 1960): 105-118; Charles E. Springer, "Against the Death Penalty," *Nevada State Bar Journal* 25 (October 1960): 210-215; and Joe Digles, "Sawyer's Plan: Execution Law Change Sought," *Las Vegas Review-Journal*, 24 August 1961.
85. KL VX, "A Deadly Dilemma."
86. Nevada, *Nevada Statutes* 2 (1973): ch. 798, pp. 1,801-1,807.

# Change The Date From November 2 to November 3, 1863

by William C. Miller

LIKE E. B. WHITE who scurried around, compulsively, straightening pictures aslant and rugs awry, I must change a date from November 2 to November 3, 1863, an inconsequential thing; for November 3, not November 2, 1863, was the date of the first meeting of the delegates who assembled in Carson City, Nevada Territory, to "prepare and frame a Constitution for the State of Washoe." Historically nothing but the date would be changed. Of course an erratum sheet would have to be printed and inserted in: (1) Myron Angel's *History of Nevada*, 1881, calling attention to the error on p. 81; (2) Hubert Howe Bancroft's *History of Nevada, Colorado, and Wyoming*, 1890, the error occurring on p. 178; (3) Thomas Wren's *A History of the State of Nevada*, 1904, p. 65; (4) Sam P. Davis's *History of Nevada*, 1913, p. 193; (5) James G. Scrugham's *Nevada*, 1935, p. 191; (6) Effie Mona Mack's *Nevada*, 1936, p. 250; (7) Effie Mona Mack and Byrd Wall Sawyer's *Here Is Nevada*, 1965, p. 78; (8) John Koontz's *Political History of Nevada*, 1965, p. 78; and (9) Russell R. Elliott's *History of Nevada*, 1973, p. 78. But one standard work, James W. Hulse's *The Nevada Adventure*, 1972, avoids the error; it cites the year only. And why not? Think of all the erratum sheets that need not be printed.

But the historian likes specificity, right or wrong. Those in error—especially the historians after 1904—should have challenged Angel and Bancroft, regardless of what they thought of Wren. Challenging primary sources were available

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to them. Throughout the years there were the files of the *Gold Hill Daily News*, on November 3, 1863, p. 2, c. 2, the *News* captioned an article:

The Convention.

The following is the list of Delegates to the Constitutional Convention which meets to-day . . .

On November 4, the *News*, p. 2, c. 2, reported: "The Constitutional Convention met yesterday at Carson City . . ."

For the historians writing after 1930 there was still another primary source available: the *Virginia Evening Bulletin*, which stated on Monday, November 2, 1863, p. 2, c. 2:

. . . Tomorrow is the day appointed for the assembling of our Convention in Carson City . . .

And there was still another authoritative primary source available to all the historians; it was available in libraries and in Carson City; the historians referred to it, quoted from it, and yet ignored a salient phrase which was challenging but which would have settled the date once and for all, had the historians turned to a perpetual calendar. The source was the enabling act for the Constitutional Convention, which is to be found in *Laws of Nevada Territory*, 1862, p. 128: Chap. CXXIII, *An Act to frame a Constitution for the State of Washoe*. The historians knew that the proposed name for the state was changed to "Nevada;" they read that the Constitutional Convention was to "meet . . . on the first Tuesday of November [1863]. . . ." Had they questioned that salient phrase and turned to a perpetual calendar, they would have seen that the first Tuesday was November 3.

And had the historians turned to still another authoritative document, the official minutes of the Convention, they would have found that the Secretary for the Convention fixed the date which Angel, Bancroft, *et al* changed. But more of that in a moment.

So, whence November 2, 1863? The highly authoritative *Virginia Territorial Enterprise* may have been the source for Angel's error, and even for Bancroft and Wren's. The files were available as late as the San Francisco fire of 1906. In 1863, the *Enterprise* engaged Andrew J. Marsh, a reporter for the *Sacramento Daily Union* to cover the Convention. Daily, Marsh sent his reports to Virginia City. Since the Constitution proposed by the delegates was defeated by popular vote, an official report of the Convention was never printed; only the reports of Marsh and another official reporter, Amos Bowman who sent his reports to the *Virginia Daily Union*, were printed. Later the files of both papers were all but destroyed. However, Orion Clemens, secretary of the territory of Nevada, kept scrapbooks; and it was he who preserved Marsh and Bowman's reports to the *Enterprise* and *Union*; sometimes he preserved a Marsh report, sometimes a Bowman; on some days he saved the reports of both men. Clemens's scrapbooks were brought to light by the Mark Twain section in the library at the University of California, Berkeley, which granted permission to the Legislative Counsel Bureau, State of Nevada, to publish the Marsh and Bowman materials: *Reports of the 1863 Constitutional Convention of the Territory of Nevada*, 1972. Thus we have Marsh's report to the *Enterprise* for the first day of the Convention;

Marsh's date line for that day was: "Carson, N. T., November 2, 1863." Not until the publication by the Legislative Counsel Bureau was the date challenged, and then only briefly. In footnote #3, p. 462, Dr. Eleanore Bushnell, one of the editors, states: "From other evidence, including later entries in the *Territorial Enterprise*, it appears that the first day of the convention was Tuesday, November 3, 1863."

We mentioned the official minutes of the Convention. Marsh had an influence on them, too. In his report for the second day, Marsh wrote:

The Minutes

Mr. Youngs asked if the minutes of yesterday's proceedings had been read.

The Secretary [William Martin Gillespie] said they were not yet written up. He had relied upon the assistance of the reporters in preparing that part of the minutes which preceded his own election, but they had been too busy to attend to the matter. He would very soon have them completed, however.

The minutes are on microfilm, Library of the University of Nevada, Reno. They reveal that Gillespie "relied upon the assistance of the reporters"—or at least upon Andrew J. Marsh; Gillespie recorded:

"First Day

Tuesday

November 3rd 1863 . . ."

Why "nd" after the 3? Look closely at the manuscript and you shall see that Gillespie had originally written "November 2nd . . ." He must have made the correction almost immediately; for Marsh reported on the afternoon session of the second day: "The secretary read the minutes of the first day's proceedings, which were approved."

Thus Gillespie fixed—in two senses of the word: *set* and *put to rights*—the date of the first meeting of the Convention: November 3, 1863. But Gillespie has been ignored; will he continue to be?

## What's Being Written

*Nevada Place Names: A Geographical Dictionary*, by Helen S. Carlson (Reno: University of Nevada Press, 1974; 282 pages; bibliography, \$15).

THE LONG AWAITED *Nevada Place Names* has arrived. Its arrival cannot be heralded serendipiteous, it has been more than a decade since the Press's intention to publish it. However, it is a welcome book to Nevada aficionados. It will remain Nevada's standard place name reference for some time.

A book such as this is bound to have mistakes, and Carlson's is no exception. To start with, in the introduction she perpetuates the erroneous statement, often declared by others, that the bristlecone pine in eastern Nevada is "the oldest known living thing." Actually, at least two other plants are presumed to be older, the box huckleberry in the New England states and a tree found in Asia.

It was this reviewer's intention to divide this discussion into three parts—*viz*: (1) noting where erroneous information is presented, (2) supplying supplemental data to some of the names and (3) providing a list of place names where the origin is known, but not presented by Ms. Carlson. However, because of space limitations, this review will mainly deal with the erroneous information.

The Black Rock Range is between and north of the two forks of the Black Rock Desert and not "west of" it. Chokup Pass in the Diamond Mountains was applied by James H. Simpson to present Overland Pass and not to present "Railroad" Pass. Diamond Valley and associated features are named for Jack Diamond, early pioneer, and not "for its saline efflorescence" or "small quartz crystals." Diana's Punch Bowl is not "in the Toiyabe National Forest" but in Monitor Valley on National Resource Lands.

"Dixie National Forest" is no longer recognized in Nevada, though Carlson states that it is. The main errors in the book are where information from outdated maps and reference sources is used. Additionally, other features not presently recognized in Nevada are: "Winnemucca Lake Wildlife Refuge," "Eldorado National Forest" in Douglas County, "Grant Game Range" and "Godfrey Mountain." Familiarity with Nevada's geography would have prevented many of these errors.

Fox Mountain is not "the highest Peak in this part of Nevada" (northwest of

Gerlach), although nearby Granite Peak is at 9,056 feet. Geyser Spring is not “a hot spring,” but an ebb and flow spring with a temperature of 68° F. Information on the Golden Gate Range is taken from Carl I. Wheat’s monumental study of early Western maps. However, neither Wheat nor Carlson recognized that the name Golden Gate was originally given to a rocky cut separating the nearby Quinn Canyon and Grant ranges. The error started by Walter Averett in *Southern Nevada Place Names*, that Iceberg Canyon was named by John W. Powell, is perpetuated instead of showing that it was named by the Wheeler Survey. According to the best available information, the Lehman Caves were discovered in 1885 and not in 1869 as stated by Ms. Carlson.

Nevada’s Matterhorn Peak is not necessarily named for the famed mountain in the Alps, but “matterhorn” is the name given to a sharp, glaciated peak regardless of its location. Northumberland Cave is said to be not fully explored. Its 855-foot length has been known for several decades. Stonewall Mountain and associated features are said to have been named for “Stonewall” Jackson, however there is good reason to believe that Stonewall was applied because of the precipitous wall-like north face of the mountain.

Carlson fails to note the Fortieth Parallel Surveys’s meaning of the name Tenabo. In Volume 1 of that survey we find: “Near the southwestern terminus of Cortez Range stands a very high, bold peak, called by the Indians Tenabo, which signifies ‘lookout,’ a point commanding a very extensive view of Middle Nevada.” The King Survey appears to be the first to use Tenabo Peak, therefore this reviewer accepts their meaning of Tenabo. Tobar, a train siding in Elko County, is another problem name. Carlson accepts the version that the name came from a sign reading “To Bar,” but neglects to note that tobar (tober) is an Irish word meaning well, which surely this station would need to obtain water. No meaning is given for Toy. Toy is from the Paiute word toe or toi which means tule or rush, of which there are many in the vicinity. Weepah is said to mean knifewater. Early sources state that Weepah means rainwater, where Indians found water in granite crevices and ledges after a rain.

Up to now, this discussion has focused on some of the errors contained in the book. Some technical aspects of the book should be mentioned. Obviously, fifteen dollars for a 282-page book is quite steep. One would expect the inclusion of photographs and a good map. The map presented on page 32 (unnumbered) is practically worthless. The boldface type used for the place names is disturbing when carried into the paragraphs. A smaller place name type would have made the reading easier. Alternate and no longer recognized names are in the same bold type as the primary names, a separation of type would have made the official names easier to distinguish. The number of abbreviations used is overwhelming. Thirty are listed for railroads, about 281 for keys to sources and 47 map keys, a total of at least 358—whew! The author’s name or a short title given for the source would have made the work much easier to use, and would not have added that much more length to the book as ten pages were used to list the abbreviations and keys. To show the confusion in the key to sources, NSS is used to designate U.S. Post Office and so is USPO!

Finally, congratulation is extended to Helen S. Carlson for taking on such a

difficult theme as the compilation of Nevada place names. In closing, Charlton Laird's words in the forward seem appropriate: "The study of Nevada place names is not over, of course; it will never be, but at last we have a good book, from which any future study must start."

ALVIN R. MCLANE  
*Reno*

*Jedediah Strong Smith: Fur Trader From Ohio*, by D. W. Garber (Stockton, California: University of The Pacific, 1973; 58 pages; illustrations, map, footnotes, index; \$4.50).

APPEARING as Monograph Number Two of the Pacific Center For Western Historical Studies, D. W. Garber's *Jedediah Strong Smith* is a collection of four previously published articles by the author. Garber acknowledges the definitive studies done on Smith by Dale L. Morgan and Maurice S. Sullivan. Yet, there are still many things unknown, undocumented, or inaccurate surrounding Smith's life. Garber attempts, therefore, to answer some of these mysteries as well as raise new questions for further research.

Relying primarily on manuscript records found in Green township and an account book kept by a pioneer settler, Garber casts new light upon the relationship between the families of Jedediah Smith and Dr. Titus Gordon Vespasian Simons, the latter family being close friends and relatives. Entries in these sources indicate or more precisely pin-point the years in which the Smith family resided in Ohio—a heretofore uncertainty.

Other controversial topics revolve around the actual person who Smith received his copy of the narrative of the Lewis and Clark expedition from, the authenticity of the name Jedediah Smith found inscribed on the face of Register Cliff, and the case involving litigation by the Richland and Huron Bank of Mansfield against Jedediah Smith, Sr. Garber concludes that there is still much information to be gleaned about Smith through meticulous examination of old township records and account books and hopes that such research will be carried out.

The book contains several good illustrations and is well documented. It would be of value to individuals who are interested in reading about little known pieces of information as well as controversial aspects concerning the life of Jedediah Strong Smith.

RAYMOND WILSON  
*University of New Mexico,  
Albuquerque*

*The Story of Wonder, Churchill County, Nevada*, by Hugh A. Shamberger in cooperation with the U.S. Geological Survey and the Nevada Department of



Conservation and Natural Resources, Historic Mining Camps of Nevada no. 6; (Carson City, Nev.: Nevada Historical Press, 1974; xiii + 80 pages; maps, photographs, appendix, bibliography, index; \$4.75).

IN HIS SERIES on historic mining camps of Nevada, it is appropriate that Hugh Shamberger should follow *The Story of Fairview*, fifth in the series, with *The Story of Wonder*, because geographically the two camps were within fifteen miles of one another in Churchill County and historically there occurred a rush from Fairview to Wonder in late May, 1906. In this volume Mr. Shamberger, former Nevada State Engineer and Director of the Department of Conservation and Natural Resources, stresses that even though Wonder was not among the most famous or flamboyant mining camps of the state, its role in Nevada history is a significant one inasmuch as it was the fourth largest mineral producer in the state during the first two decades of the twentieth century. Wonder was mainly a silver-producing district, yielding \$4,760,000 in silver and \$1,580,000 in gold during the period 1907–1942.

Perhaps because Wonder was relatively law-abiding and stable, it did not capture the interests of earlier writers to the extent that did some of its more notorious counterparts. Since the primary source material on Wonder is mainly confined to numerous contemporary newspaper accounts and to an unpublished geologic report on the Carson Sink area by F. C. Schrader, it would be extremely difficult to piece together the history of the Wonder Mining District without Mr. Shamberger's exhaustive research. Because newspapers played an invaluable role in chronicling the history of early mining camps, the fact that no newspaper was preserved for the Wonder District for its formative period of August, 1906, to February, 1908 made the author's research for that interval especially arduous. For those months the chronicle of events occurring in Wonder had to be gleaned from various contemporary central and western Nevada newspapers which carried news of the Wonder District. The author's research for the period March, 1908 to November, 1912 was facilitated by the availability of *The Wonder Mining News*. As for the other publications in the series, the author combined extensive library research with frequent trips to the site to develop a graphic, well-documented history of the district.

This volume follows the same format as most of the earlier titles in the series with sections detailing the location and topography, the first discovery of ore, the ensuing rush and boom, the townsites of the district, the quest for water, the major mines and mills, and the events leading to the decline and eventual demise of the district. Unlike some of the other volumes in the series, Wonder lacked an array of colorful characters such as the Grutt brothers, Tex Rickard, and George Graham Rice of Rawhide fame and Louis A. Friedman, the tireless promoter who made mining history at Rochester and Seven Troughs. Consequently, the author's presentation may not make such fascinating reading as some others in the series, but nonetheless enough anecdotes interlace the more serious text to make it interesting as well as informative. The reader will learn that Wonder did have some rather unique features such as piped water early in its existence, a swimming pool, a newspaper that faithfully continued publication for over five

years after the cessation of the boom, and an unusual mode of transporting ore called snort wagons.

The book is well illustrated with fifty-seven photographs, several of which are from private collections, and five maps, four of which were compiled by Mr. Shamberger. The map of the Wonder Mining District should be of particular interest to mining researchers. The book is quite well indexed, but the indexing is more exhaustive for personal names than for names of mines, mining claims and place names. The section of the appendix descriptive of the process by which mining districts were formed in the early days is an extremely valuable piece of research. The appendix material descriptive of Churchill County earthquakes is more extraneous but nonetheless interesting.

Because this volume contains much obscure information on the leading mines and mills of the district, it is a valuable reference for geologists and mining engineers as well as historians and ghost town enthusiasts. Hugh Shamberger is to be commended for piecing together the history of the Wonder District from widely scattered sources and publishing a highly readable account of this important silver producer. The resultant publication should ensure the rescue of Wonder from undeserved obscurity in the annals of Nevada mining history.

MARY B. ANSARI  
*University of Nevada,  
Reno*

*Gold Fever*, by Helen E. Wilson. (La Mesa, California: Author, 1974; 129 pages, few notes, plates; soft \$4.95, hard \$8.95).

HELEN E. WILSON, in *Gold Fever*, combines her family history with the boom and decline of Jarbidge and Pavlak, twentieth century sister mining camps in northeastern Nevada. The author's information was collected during sporadic periods of residency and visits to the isolated mountain communities from their days of frenzied underground activity to their present existence with a near-zero population in winter to a possible hundred or so during hunting season.

Mrs. Wilson's book is the first full-fledged history of Jarbidge and Pavlak published, and although a historian might frown on some of the hearsay accounts and a few uncaptioned photographs, it is a good beginning. Local history is where it all begins—without grassroots accounts the larger, more accurate dissertations could not be written.

Her information was collected from interviews with early residents, research, letters saved by her mother, and recollections of her own childhood. Her father, Jack Goodwin, arrived in the canyon in 1910, a year or so after Dave Bourne discovered a rich outcropping in a gulch. Goodwin brought his family and settled in Pavlak, a couple of miles up the canyon from Jarbidge. Pavlak was the site of the first quartz mill in the "Canyon of the Evil Giant."

Although there is much evidence of prehistoric habitation in surrounding hills and valleys, Jarbidge Canyon was avoided by the Indians who thought an evil,

cannibalistic giant resided there. His name was Tsawhawbits, sometimes pronounced Jahabich—then twisted to Jarbidge by the miners who settled there.

There are a number of excellent photographs from the author's collection. A majority of them have never been published. It is a bit bothersome that many are not captioned.

One of the buildings still standing in Jarbidge, the Commercial Club, was both a social and civic organization, sort of a chamber of commerce. The two camps' entertainment and social life centered on the organization.

Jarbidge was the site of the last stage holdup in the nation and author Wilson narrates a factual account of the crime, including the trial in Elko—one of the first court actions where palmprints were used as evidence.

If one can wade through and sort out the trivial and unimportant, there are many excellent statements offering good views of the history of Jarbidge and little-known Pavlak plus interesting facets of day-to-day living in remote mining camps. The book will be interesting and entertaining to the layman and will provide a stepping stone of information for the historian.

HOWARD HICKSON  
*Northeastern Nevada, Museum,  
 Elko*

*Indians of Coo-Yu-Ee Pah: The History of the Pyramid Lake Indians and Early Tribal History, 1825-1834*, by Nellie Shaw Harner (Sparks, Nev.: Dave's Printing & Publishing, 1974; 136 pages; illustrations, appendix, bibliography, index; \$3.95).

ALMOST ALL of the literature of the American Indians has been written by authors not of that race, yet when an Indian does write about his own people or himself, the result is usually a book of superior and enduring quality. For example, *House Made of Dawn*, by N. Scott Momaday, an Oklahoma Indian, was awarded the Pulitzer prize for literary excellence several years ago; *Life Among the Paiutes*, written over a century ago by Sarah Winnemucca Hopkins, has been reprinted in many forms, but an original edition is a prized collectors item; Vine Deloria's books are sarcastic, best-selling commentaries on what he calls "The Indian Problem."

*Indians of Coo-Yu-Ee Pah* has that same ring of authenticity because the author, a Paiute Indian born on the Pyramid Lake Reservation in Wadsworth, Nevada, writes from an intimate knowledge of her subject.

The legends and stories Mrs. Harner tells were part of her early education when she and the other children listened to the male elders sing songs and tell of the tribal lore as they made their rabbit skin blankets, fish nets and moccasins. She learned the geography of the reservation first hand by accompanying her family on fishing and other food gathering expeditions.

After finishing the course of study at the Indian school at Stewart, Nevada, Mrs. Harner graduated from Carson City High School, then went on to Haskell

Institute in Kansas where she completed the normal training course. Even though she was married, raising a family, and busy teaching, she still continued her formal education, earning both a BA and MA degree.

She worked for thirty-seven years as a teacher and counselor in the BIA schools, but now that she has retired, she and her husband have returned to the Pyramid Lake Reservation where they take an active part in community affairs.

With this impressive background in experience and education, including the fact that she retained her fluency in speaking the Paiute language, Mrs. Harner is able to relate the cultural and historic background of her people as no one else could possibly do. Throughout the book she refers to the geographical locations of the area by their traditional Paiute names, as well as names bestowed by Caucasians.

Mrs. Harner says that before the coming of the white man a century and a half ago, the Northern Paiute land extended into the modern states of Oregon, Idaho, California, and Nevada. Although each band was an entity it was not uncommon for them to group together at certain times for games and to gather food in season.

It was one of these friendly gatherings, mistakenly construed as a council of war by the white settlers, that set off the Pyramid Lake Wars of 1860. Mrs. Harner's assessment of these conflicts is a highlight of the book.

The Pyramid Lake area was widely known for the abundance of Kuyui and agai fish, so the neighboring bands gathered there at spawning time to replenish their stores of food. This yearly visit was also a time for family reunions and feasts and a time to introduce the young people to each other under the watchful eye of "matchmaking" parents.

There was a unique bond among all the people, with public disapproval being so great that each person was obedient to his responsibility. There was seldom need for police, and fighting between bands was unknown. Marriage was regarded as sacred, so divorce was extremely rare. Since their religion involved deep respect for the earth and all its resources, they were practicing the art of conservation and preservation centuries before it occurred to the rest of our civilization that it was important.

The chronology of the story progresses from early fur trappers to government explorers, the establishment of emigrant trails, the era of mineral discoveries, Pyramid Lake Wars, federal policies regarding reservations, and economic development from 1859 to 1959. The final chapters discuss "Education and Social Change," and "The Leaders," brief biographies of men and women of the Pyramid Lake band who "met the challenges of their time."

The American Indian is stepping into the limelight of today's political and social world, and in order to dispel the stereotyped image by which all Indians are judged—and for history to be corrected—the Indian people need to tell their story themselves.

In relating the history of the Pyramid Lake Indians, Nellie Harner is not hampered by prejudice against Caucasians, nor is she hesitant to expose Indian shortcomings. Her information is well documented and indexed, indicating voluminous research, and the book is illustrated with a treasure of old photo-

graphs. Even though the work is of a scholarly nature, the reader is left with a feeling of gentle nobility that is not usually associated with the traditional idea of the Paiute Indians of Nevada.

CELESTA LOWE  
*Las Vegas*

*The Hardrock Miners: A History of the Mining Labor Movement in the American West, 1863-1893*, by Richard E. Lingenfelter (Berkeley: University of California Press, 1974; 278 pages; illustrations; \$12.50).

THIS BOOK is about the early formative years of the labor movement in the mining camps of the West. As so often seems to happen now days, the book cover proclaims in big, bold type that it is about THE HARDROCK MINER, and only the much smaller type of the subtitle tells the real story—that the book is about only one small part of the miner's life, and only covers a thirty-year span.

The western "hardrock" miner lived under a quite different set of conditions than the "softrock" coal miner of the East, but both worked in a cruel, hard, dangerous environment which fostered a spirit of solidarity. The first chapter in this book tries to set the stage by describing what the hardrock miner's life was like, obviously a difficult task to accomplish in less than 30 pages. One must read other books, or at least have been in an underground mine, to really understand the conditions under which the hardrock "stiffs" worked.

Once one understands the proud, fatalistic, one for all, all for one attitude of the miner, it is easy to see why the labor movement flourished as the mines changed from small, one or two man operations to enterprises with managers, stockholders, and hundreds of miners. The Comstock mines were the first large concentration of such industrialized mines, and thus play an important role in this story. The second chapter of this book is about the Comstock beginnings of unionism. Succeeding chapters are about the evolution of the labor movement as it spread to other camps—the strikes, the lockouts, the hired gunmen, the dynamiting, the pogroms against the Chinese, as well as the less violent happenings.

One should remember that this entire book covers only the opening chapter in the fascinating history of the mining labor movement in the West. Overall the book gives a readable, well-researched account; however, there is a tendency to describe everything in black and white terms. The companies were not all, or even mostly, "bad". The careful reader will note many obvious exaggerations, but with a little thought should have no trouble filtering out this bias.

JOHN H. SCHILLING  
*University of Nevada,  
Reno*

*Frontier Violence: Another Look*, by W. Eugene Hollon (New York: Oxford University Press, 1974; 279 pages; illustrations, index; \$7.95).

THOSE WHO WRITE on violence and lawlessness in the past sometimes lose sight of the fact that they themselves live and work in a violent era, but Professor Hollon is evidently not one of them. Although his subject is the history of lawlessness and violence, comments are strewn throughout the book which dates it as growing out of the height of the war in Vietnam and the era of violence of the mid and later 1960s. This is not necessarily a criticism, but rather an indication of the point from which he is looking back on history. Overall, this reviewer finds that Professor Hollon maintains a rather odd bias against contemporary urban life and in a rather scholarly way comes to the defense of mob justice.

We usually think of the frontier as somewhere beyond the One-Hundredth Meridian, but Professor Hollon recognizes that America has been a succession of frontiers and his book covers most of them. His study begins with early Viking settlers, but more space is devoted to colonial and pre-revolutionary New England in the early part of his book. He admirably documents his contention that violence did indeed pay in these early days. It was through violence that the earliest settlers took and held their lands, defied English mercantilism and tax laws and brought about the crisis which led to the revolution and the birth of the nation. In this section he suggests that Americans have never felt themselves subject to laws preventing them from doing what they felt they had a right to do, whether it be smuggling tea, settling west of the Appalachians in defiance of the King of England, trading in slaves, using alcohol and narcotics, viewing pornography, driving their cars as fast as they please or whatever.

Later chapters in the book document the rise of vigilantism in the Ante-Bellum South and the manner in which this tradition was carried forth on succeeding frontiers, particularly Texas, California and the cattle frontier of the northern Plains States. Urban violence perpetuated upon Catholics, the Irish, Mormons, Abolitionists and labor radicals is mentioned in passing in connection with the generally lawless pattern of these transitory western communities.

The Indians, the Chinese and the Mexicans stand by themselves as victims of American aggression. Professor Hollon suggests that bigotry toward these groups may have been the logical successor to the religious fanaticism of the Spanish in California and the intolerance of the Puritans in New England, but all three groups have been looked upon by white Americans as impediments to progress and settlement and thus beyond the pale of American theories of equal protection under the law.

Professor Hollon's psychological analysis of the rise of the "Gun Culture" in America is the best that this reviewer has ever read, although the comparison of Billy the Kid to Lieutenant William Calley of My Lai infamy is stretching an analogy a bit. James G. Rosa of England has written what is perhaps the finest analysis of the role of the gunfighter in the Old West, but Professor Hollon does a better job of exploring the connection with our own times.

Much of the historical material covered by Professor Hollon is familiar enough to students of the subject, but its retelling in a more scholarly format makes for a pleasant evening's reading. One could but wish that his scholarly researches had taken him into Nevada's history, but they did not.

The author's general conclusion is that contemporary violence in America is not a legacy of the Frontier Experience, but rather that violence is simply an American tradition and will be with us as long as we are on earth. This is the thread which winds through his narrative, but an even larger consideration in his own mind is the contention that life on the Western Frontier was more civilized, peaceful and safe than life in American society today. In the absence of definitions as to what he means by civilized, peaceful and safe and lacking a specific time-frame reference and statistical data to back up the contention, this is a questionable assertion and is evidence enough of his bias against modern urban life.

The question this raises in this reviewer's mind involves what actually gets written as history. The ordinary, the peaceful and the mundane are of little interest to those who look back on history, but the bizarre, the violent and the bloody are marketable historical subjects. We as historians thus give a bias to popular views of the past and lead certain elements of contemporary society to the conclusion that past solutions—lynchings, tar and feathering bees and mob violence—are solutions to current problems of lawlessness and violence when this is not the case at all. What Professor Hollon has done in this book is to remind us once again that there was as much respect for the law in the Old West as there is in America today and an equally firm commitment to more orderly, civilized means of dealing with problems of crime and violence. The reader of this review is free to interpret this last statement according to his own view of modern society.

PHILLIP I. EARL  
*Nevada Historical Society,  
Reno*

## BOOK NOTICES

*The Lower Colorado River: a bibliography* (Yuma: Arizona Western College Press, \$12.50) by Richard Yates and Mary Marshall contains some fourteen hundred entries dealing with subjects ranging from archaeology to international relations. The chapter entitled "Indians of the Lower Colorado River" contains two hundred seventy-five entries alone and is the most complete bibliography on the Yuma Indians available. Both an author index and a subject index are included.

*Ranch Schoolteacher* (Tucson: University of Arizona Press, \$4.95 paper; \$8.50 cloth) by Eulalia "Sister" Bourne is the colorful story of a remarkable



teacher in back-country Arizona. Not long after Arizona became a state Eulalia Bourne, still a teenager, passed the state qualifying examinations given to prospective elementary schoolteachers. Thus began nearly a half century of teaching in remote rural schools, the experience of which is vividly recalled in this story.

*Chuck Wagon Cookin'* (Tucson: University of Arizona Press, \$4.95), written and illustrated by Stella Hughes, is a collection of tales about cooking in the cowcamps and 112 authentic old-time dutch oven recipes. The collection grew out of the author's contacts with chuck wagon cooks during more than thirty years of ranch life, and her own mastery of the dutch oven.

On August 13, 1946 the Indian Claims Commission was created to serve as a tribunal for the hearing and determination of claims against the United States by the various Indian tribes. In the two hundred years of westward expansion the Indians' lands were ceded to the United States and they in turn were placed on reservations; this procedure resulted in hundreds of claims against the government. *Index to the Decisions of the Indian Claims Commission* (New York: Clearwater Publishing Company, Inc.) edited by Norman A. Ross indexes the claims and decisions of the commission through August 17, 1973.



## **What's Going On**

### **COMPREHENSIVE EMPLOYMENT AND TRAINING ACT GRANT**

One of the few beneficial elements of the current economic slump is the federal support given to temporary employment and training programs. The Society has participated in the Washoe County program and currently has three persons working on archives and library projects, with an additional three individuals scheduled to begin April 1. The result has been the accomplishment of many tasks that have been waiting for staff attention for some time. Newspapers have been taken from the library and replaced with microfilm copies. The available storage space has been filled with manuscript collections taken from dead storage. By the end of the program in June, all manuscript collections should be individually stored in the library, with indexes prepared for the major collections. Our CETA staff works directly with permanent staff members, learning archival and library skills.

### **NATIVE AMERICAN HERITAGE EXHIBIT**

By the time that this issue of the *Quarterly* reaches our membership, the new prehistory exhibit will be open for inspection by the public. The southernmost third of the museum area has been cleared of the older materials and a completely new exhibit system installed. The work is funded by the National Endowment for the Humanities and is part of a three-year program to completely replace the current exhibits.

### **INCREASE IN ANNUAL MEMBERSHIP DUES**

After much discussion, the Board of Trustees is impelled by the rising costs of

printing and materials to raise the annual membership dues to \$7.50. The change will take effect in July and will be reflected on the statements tendered to individual members. This action is regretted, but the costs of preparing the *Quarterly* alone have reached \$7.50 per member and force the increase.

#### **THE RENO GEM AND MINERAL SOCIETY**

The Reno Gem and Mineral Society will present its 1975 "Jackpot of Gems" at Washoe County Fairgrounds, Sat. and Sun., July 12 and 13. Hours: Sat. 10 A.M.—9 P.M.; Sun. 10 A.M.—5 P.M.

## **New Resource Materials**

### **NEVADA STATE LIBRARY, CARSON CITY**

Historical research in federal government documents is becoming easier every day with the addition of several new indexing tools developed by commercial publishers. The Nevada State Library is building a comprehensive collection of these tools for as complete access to federal government publications as possible. Recent additions to our collection include:

- ref.     *American Statistics Index. 1973 –*  
Z7554    *Washington, Congressional Information Service. v.*  
U5        (“ASI 1974 attempts to cover all statistical publications [of the United  
A46        States government] currently in print, as well as most significant  
           publications issued since the early 1960s.”)
- ref        Buchanan, William W., comp.  
Z1223    *Cumulative Subject Index to the Monthly Catalog of United States*  
Z7        *Government Publications, 1900–1971*, compiled by William W.  
B8        Buchanan and Edna M. Kanely. Washington and Inverness, Carrollton  
           Press, 1973. 15 v.  
           (This index merges into a single alphabetical sequence, all of the subject  
           entries in the various annual and decennial indexes of the *Monthly*  
           *Catalog* plus the thousands of new entries produced by original indexing  
           of the previously un-indexed catalogs.)
- ref        *Index to U.S. Government Publications. 1970–*  
Z1223    Chicago, Infordata International, 1974.  
Z7        v. quarterly.  
I5        (For the first time, a “Readers Guide” to 132 United States Govern-  
           ment periodicals.)

*National Union Catalog of U.S. Government Publications Received by Depository Libraries (December, 1973)*. Washington, D.C., Carrollton Press, 1974. 4 v.

(An aid in locating government publications on interlibrary loan.)

ref U.S. Government Printing Office. *Monthly Catalog of U.S. Govern-*  
Z1223 *ment Publications, 1895-1962*. Reprint edition.

Z18 (With Superintendent of Documents classification numbers added by Mary Elizabeth Poole for the years 1895-1924). Washington, D.C., Carrollton Press, 1974-. 106 v.

(The State Library has purchased those volumes which reprint the old Documents Catalogs and add classification numbers to the citations).

Poole, Mary Elizabeth, comp.

*Documents Office Classification to 1974*. 4th ed. Washington, D.C. United States Historical Documents Institute, 1974. 3 v.

(Taken from the shelf list of the Government Printing Office.)

In addition to indexing tools, the state library is also adding microfilm and microfiche collections of many federal government serial titles. Included among the some twenty complete titles owned in microformat are the following:

*Federal Register, 1936-*

*Presidential Executive Orders, 1907-1936*

*Congressional Record, 1873-*

*A Compilation of the Messages and Papers of the Presidents, 1789-*

Complete reference services are available from the government documents collection by the staff of the documents section. Phone 885-5160.

## WASHOE COUNTY LIBRARY

Area Council of Governments. *Washoe County Blue Ribbon Task Force on Growth*. Reno, Nev. 1973-74. 10 v. (We have Reference and Circulating copies).

Paher, Stanley W. *A Preliminary Nevada Bibliography*. Las Vegas, Nev. Publications (1974) unpagged. (We have only non-circulating copies of this)

The Washoe County Library also operates a large Genealogy Department. It is run as a cooperative venture with the Mormon church and is located here at our 301 S. Center Street premises. Department materials are available to anyone doing genealogical research.