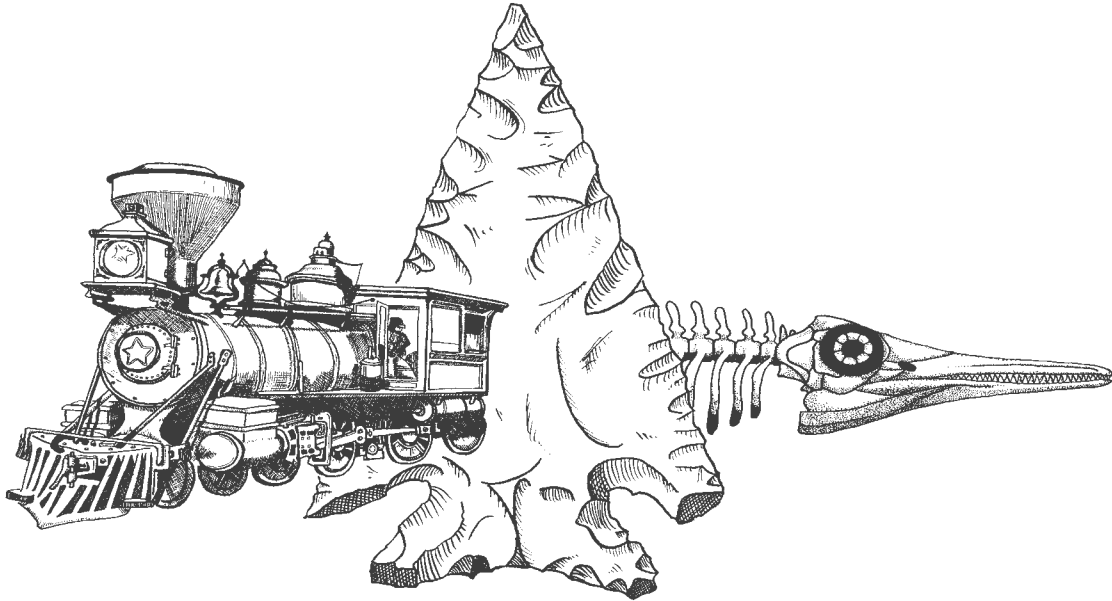


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The First Homesteaders of Tobar Flat, Nevada

By Marshall E. Bowen

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THE FIRST HOMESTEADERS OF TOBAR FLAT, NEVADA

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Chapter 1

INTRODUCTION

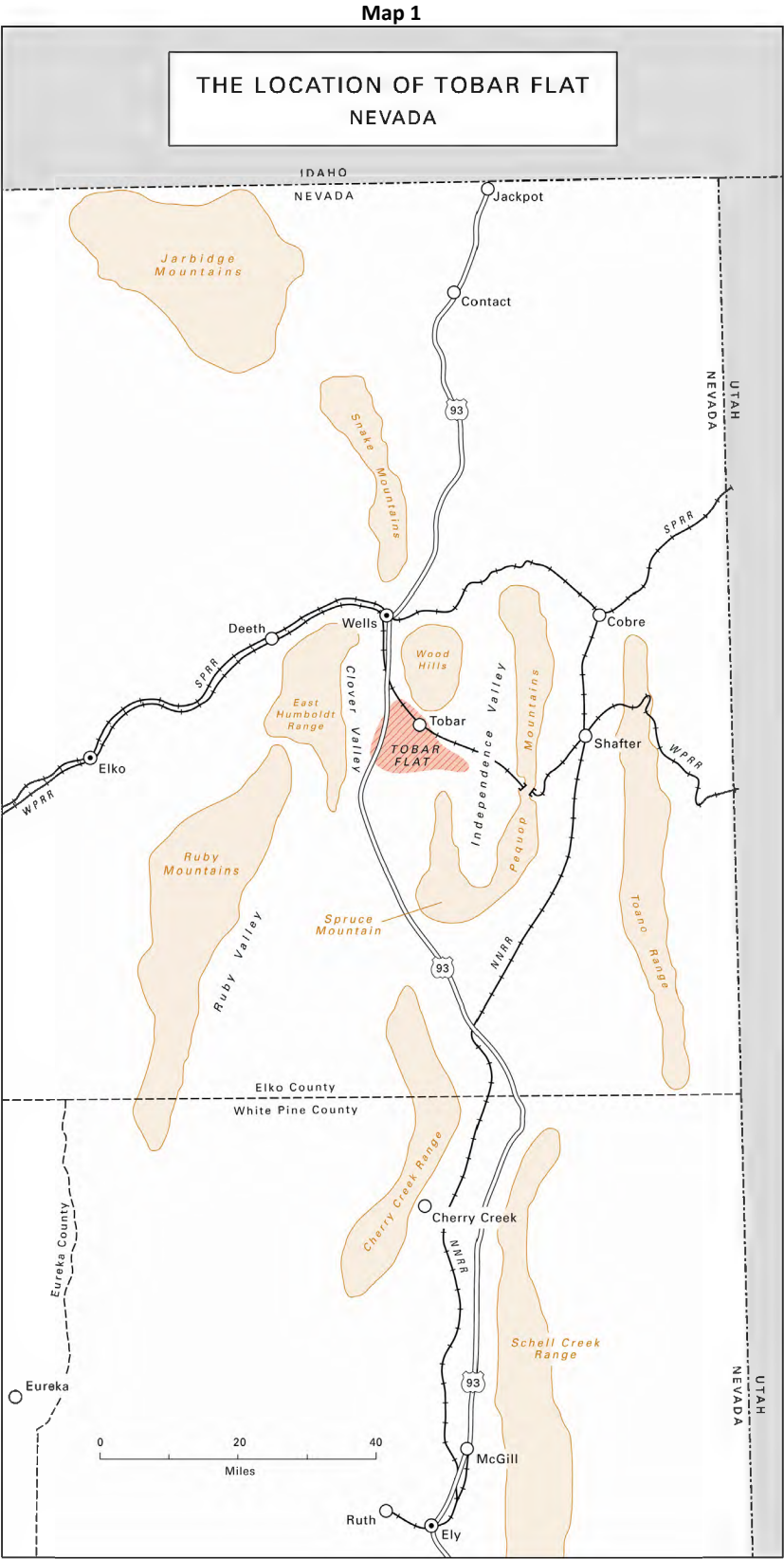
U.S. Route 93 enters Nevada from Idaho near the small entertainment center of Jackpot, and proceeds for nearly five hundred miles in a generally southward direction to Las Vegas, where it turns to the southeast and leaves the state in about thirty miles by way of Hoover Dam. With a few minor exceptions, only the towns of Wells, approximately seventy miles from Jackpot, and Ely, 140 miles farther down the road, interrupt the region's characteristically lonely vistas of expansive valleys and steep mountain ranges until travelers reach the outskirts of Las Vegas.

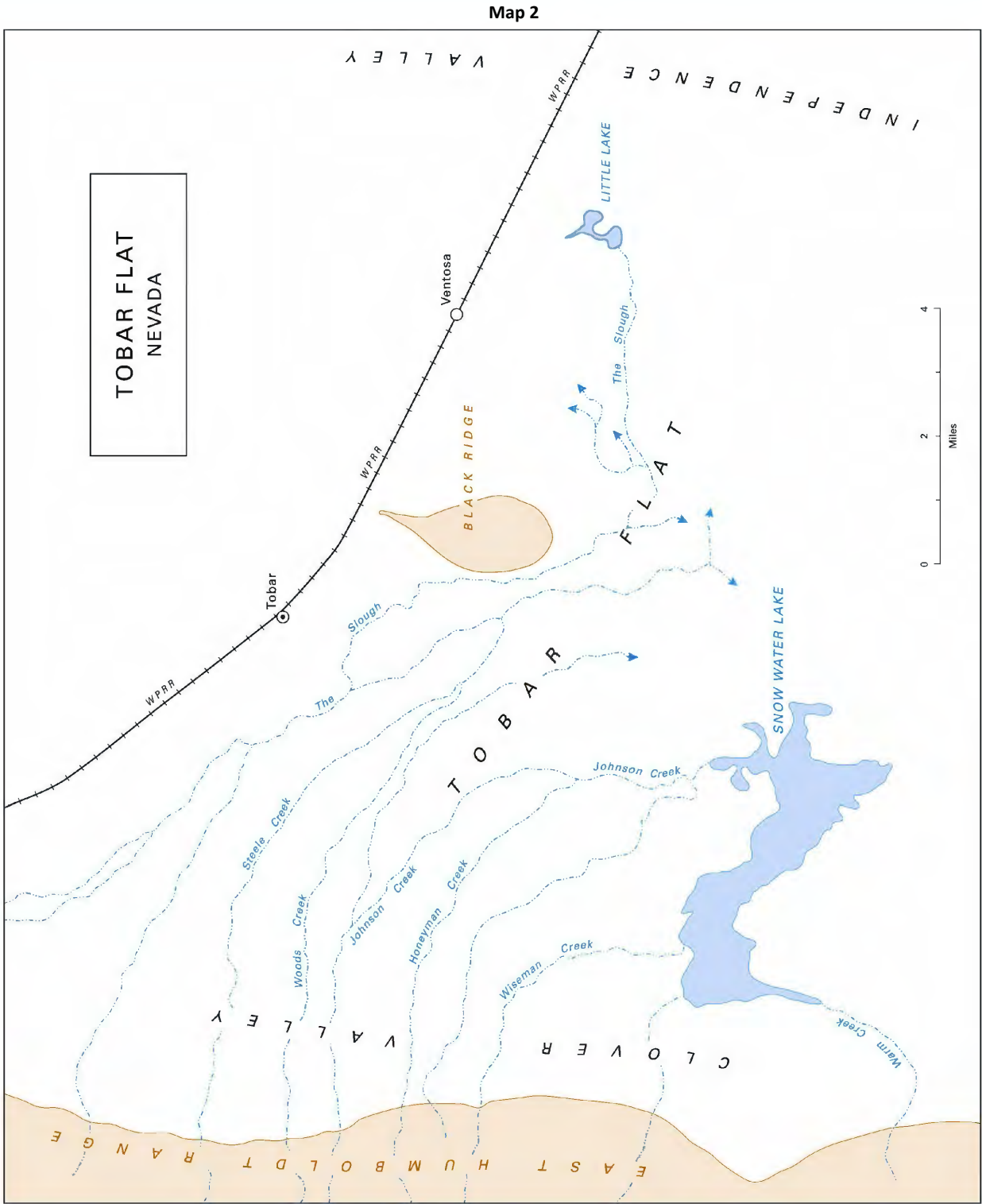
A short distance south of Wells, Route 93 slices through an area of remarkable extremes. To the west is the East Humboldt Range, snowclad in the winter and the source of water for hay fields and pastures in Clover Valley, which hugs the foot of the mountains (Photo 1). To the east, beyond a few mobile homes and pump-irrigated alfalfa fields, lies a drab landscape of desert shrubs and alkali dust, punctuated here and there by the dead ends of streams that begin in the East Humboldt Range. This latter area, known as Tobar Flat, extends for a dozen miles before blending with the dry plains of Independence Valley, whose eastern extremities reach the Pequop Mountains, some twenty-five miles from the East Humboldts (Map 1). Many people visit Clover Valley to admire its ranches, to visit their residents, or to get a closer look at the mountains, but few venture far into the land to the east, which seems to have precious few attractions and becomes more desolate with each passing mile. Close inspection of Tobar Flat reveals, however, that it is dotted with the remains of houses, wells, and fields that once were planted to hay, grain, and garden crops. It is hard to believe today that anyone would choose to live and farm in this clearly marginal land. But in the first part of the twentieth century Tobar Flat was home to dozens of families who tried to establish farms here, with the overwhelming majority claiming land between 1908 and 1916. This collection of essays focuses on the Flat's first settlers: those who were on the land before the end of 1910. It describes their lives before they settled here, examines their activities during the years that they were on the land, and follows them after they left the area. It is not a standard compilation of complete life histories, however, for it concentrates heavily on the relatively short periods of time when these individuals and families were residents of Tobar Flat. It integrates biography with the area's geography and history, in essence weaving these elements into geo-historical treatments of the men, women, and children who dared to venture into a land that promised little, and delivered even less.



Photo 1. The East Humboldt Range in winter, as seen from Tobar Flat. Taken by the author, 1984.

Tobar Flat lies at an elevation of approximately 5600 feet, and occupies the bed of ancient Lake Clover, a contemporary of Lake Bonneville, the parent of Utah's Great Salt Lake. At its highest level, Lake Clover was nearly a hundred feet deep and covered more than 300 square miles, extending from a short distance beyond present-day Route 93 on the west to the foot of the Pequops. The floor of the old lake is almost perfectly flat, in most places sloping no more than five or ten feet per mile. Its continuity is interrupted southeast of the Tobar townsite by Black Ridge, a low, teardrop-shaped mound that was an island in the receding lake, and by a number of dunes, particularly south and east of Black Ridge (Map 2). Soil quality varies tremendously, but in general it is fairly good in the western part of the Flat and diminishes toward the east, where large areas are riddled with alkali and have limited fertility.





Water is in short supply on Tobar Flat. Precipitation averages about ten inches a year, with perhaps a little more falling to the west and slightly smaller amounts occurring beyond Black Ridge, but it is extremely variable, from place to place and from year to year. Wet years and dry years occur almost randomly, confounding anyone who is foolish enough to expect a certain amount of moisture at a certain time. The spring of 1912, for example, was so wet that some farmers' crops were drowned, while the summers of 1915 and 1916 were almost bone-dry, dashing the plans of men who hoped that the promising rains of previous years would continue indefinitely. Because of the area's generally low and unpredictable rainfall, the intermittent streams of Tobar Flat take on an importance that far exceeds their size. The largest of these is The Slough (sometimes called the Clover Valley Slough or Black Ridge Slough), which begins in the East Humboldt Range and carries meltwater across the northern part of the Flat and around Black Ridge before breaking into a number of shallow distributaries, with the most prominent of these finally coming to an end in a desolate playa known as Little Lake (Photos 2 and 3). To the south, smaller streams, also originating in the East Humboldts, make their way to Snow Water Lake, a remnant of Lake Clover that is often full in the spring and nothing more an expanse of cracked mud by midsummer (Photo 4). Between The Slough and the streams that enter Snow Water Lake, other watercourses carry small amounts of moisture to the southeast before disappearing a half-dozen miles south of Tobar, with one channel occasionally bringing overflow from The Slough to this area during the peak of the spring runoff. Ground water can usually be found within depths of ten to twenty feet, but its volume is limited, and anyone seeking to pump enough water to irrigate his fields must go considerably deeper.



Photo 2. The channel of The Slough in autumn, about two miles south of Tobar. View is upstream, toward the East Humboldt Range. Taken by the author, 2006.



Photo 3. Little Lake playa, with dunes along its margins. View is to the east, with the Pequop Mountains in the distance. Taken by the author, 1982.

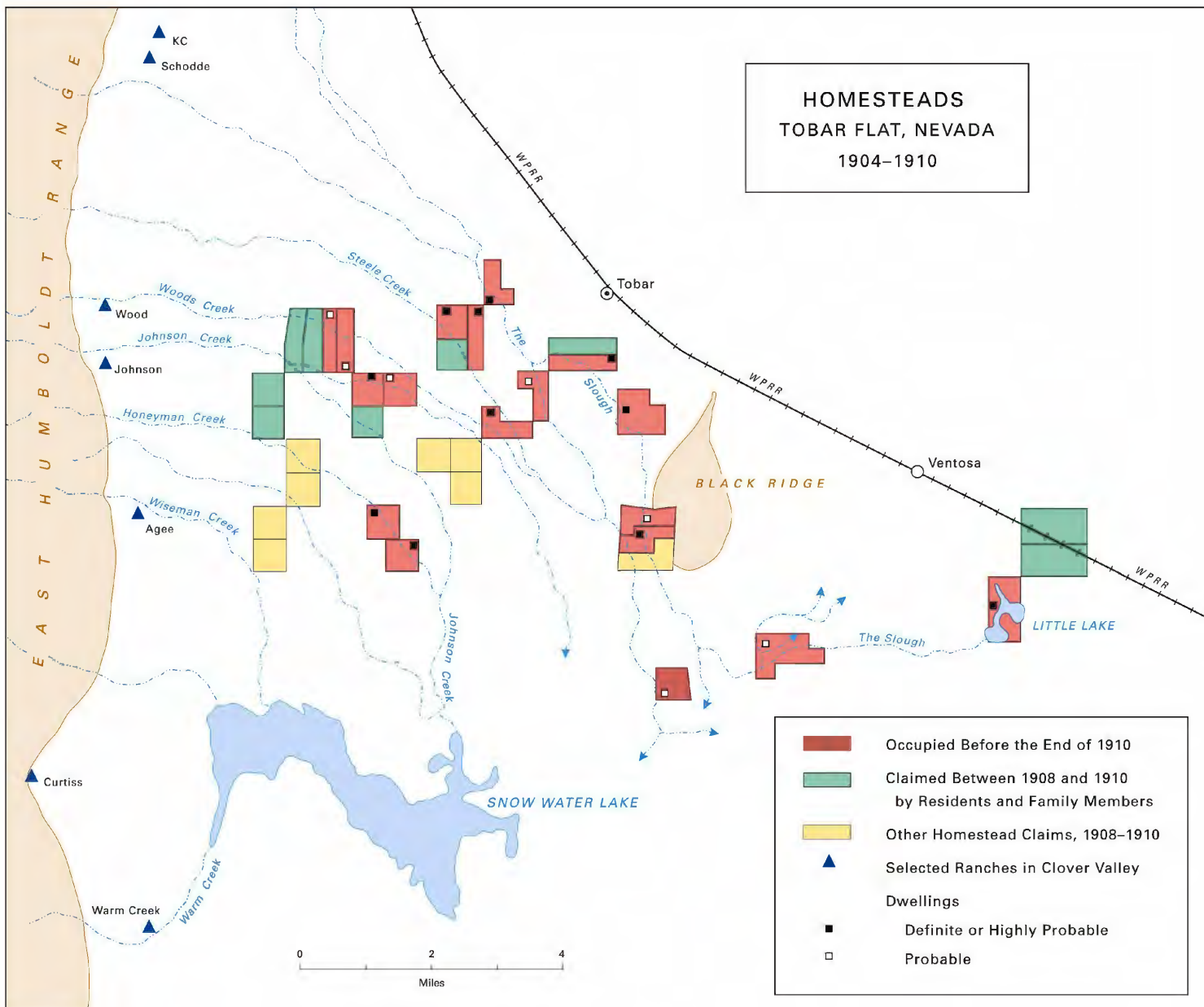


Photo 4. Snow Water Lake in late summer. View is to the southeast, with Spruce Mountain in the distance. Taken by the author, 1981.

Between 1904 and the end of 1910, eighteen families and single individuals occupied homesteads on Tobar Flat (Map 3). Examination of these settlers' backgrounds shows that they can be divided into four groups: teamsters, railroad people, ranch people, and Salt Lake City people. With the exception of the men and women from Salt Lake City, who were the vanguard of a much larger number from the Utah capital who would arrive after 1910, most of these settlers were already familiar with the Flat before they filed their homestead claims. The teamsters had become acquainted with the land while hauling ore and supplies between Spruce Mountain and Wells. Most of the men classified as railroad people learned about the area while working on construction of the Western Pacific Railroad across Tobar Flat in 1908, while the others were family members who came to Nevada to live on homesteads near their relatives. Some of the third group were from established Clover Valley families, while the remainder were employed by the area's ranchers; each knew what the Flat was like. Prior knowledge of the area's land and water resources enabled these people to lay claim to what they perceived as the most promising sites, while those who followed had to settle for what remained. The same applied to the first arrivals from the Salt Lake City area. Although they lacked the personal

familiarity with the land that the teamsters, railroaders, and ranch people enjoyed, they did manage to choose fairly good sites, where soils seemed productive and surface water was thought to be available, although, to be fair, their homesteads were probably not quite as fortuitously situated as most parcels taken by people in the other groups. Still, their claims were better than those obtained by settlers from the city who came later, lending support to the premise that the earliest arrivals, regardless of how they first learned about Tobar Flat and its rather limited potential, selected the best land that was available at the time.

Some of the first settlers remained on Tobar Flat for very short periods of time, others stayed for roughly a half-dozen years, and a very few endured for two decades or more. Although one man later became the mayor of Wells and three others achieved some notoriety because of their brushes with the law, most went about their business in near-anonymity, and were quickly forgotten. But thanks to a remarkable array of written sources, scattered from the east coast to the west, supplemented by interviews with people who had once lived on Tobar Flat and those who knew them, it is now possible to piece together the details of their lives, enabling the legacy of these homesteaders and the land that they occupied to live on. These are their stories.



Map 3

Chapter 2

THE TEAMSTERS

Some of the original homesteaders on Tobar Flat, including the very first settler, were teamsters hauling ore from mines on Spruce Mountain to the railroad connection at Wells, and returning with supplies and other items. Because of the intermittent nature of mining in this area during the twentieth century's first decade, work for these men was sporadic, and they often had to seek other sources of income, including agricultural pursuits. Drivers became familiar with the country south of Wells because heavily loaded wagons covered only six or seven miles a day, giving them ample opportunity to examine the land and identify promising sources of water during their trips. This, in turn, enabled them make informed decisions about which sites had potential for homesteading and which did not.

In the biographies that follow, the word teamster is used to describe individuals who drove horse-drawn wagons loaded with goods, while the business in which they were engaged is called freighting or hauling. Some writers designate men who drove heavy wagons pulled by a large number of horses as freighters, and limit their use of "teamster" to those who had smaller wagons drawn by just one or two horses, but these distinctions were not common in early twentieth-century northeastern Nevada. Indeed, the *Nevada State Herald*, published in Wells, referred to all men hauling ore from Spruce Mountain as teamsters, regardless of the amount of ore that they were transporting or the number of horses needed to move it, and I have chosen to keep this terminology.

Three teamsters were involved in the early settlement of Tobar Flat. Two of them, John C. Munson and George E. Brown, gave up freighting and lived on the land for periods of approximately eight and seven years respectively. The third, Charles Lawler, did not establish residence on his homestead claim, but he was nonetheless an important player in the settlement process, for without his actions it is probable that Brown would not have made his home here, or at the very least would have lived at some other place in the area. Each man, in his own way, contributed to the area's initial stage of development, but Munson, without doubt, had the most significant impact.

JOHN C. MUNSON

John C. Munson was born in the 1873 in Stockton, Tooele County, Utah, and moved with his parents to Brooklyn, just south of Elsinore in Sevier County, Utah, about a year later. His father, who had joined the Mormon church in 1868, farmed and ran a store in Brooklyn, and like many of his neighbors he also had a freighting operation which hauled grain and supplies to Pioche and other eastern Nevada mining camps. When he was old enough, Munson accompanied his father on many of these trips, and eventually took charge of the family's freighting business.¹

Munson married Frances Probert, a 19-year-old native of Utah, in 1896, and before the turn of the century the couple had two sons, Eugene and Lavell. By this time, ore production at Pioche had diminished, and the young father had to seek business opportunities at greater distances from home. This brought him to northeastern Nevada, where mining was starting to pick up at Spruce Mountain and Cherry Creek after a period of dormancy related in part to the financial recession of the 1890s. Munson knew that all shipments from these mines had to be hauled by wagon to the nearest railroad connection at Wells, and that it made sense to concentrate his freighting activities in this area.²

Munson arrived in northeastern Nevada in the spring of 1900, and immediately found employment with Horace A. Agee of Clover Valley, who had been hauling ore from Spruce Mountain to Wells since 1896, and was now engaged in ranching as well as freighting. By June, 1900, Munson was living at the Agee ranch with two other teamsters, including Agee's brother-in-law. His wife and

1 MUNSON FAMILY GENEALOGICAL RECORDS, FAMILY HISTORY LIBRARY, CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS (LDS), SALT LAKE CITY, UTAH; GWENDOLYN JACOBSON, MEMORIES OF "LITTLE DENMARK": HISTORY OF ELSINORE AND BROOKLYN, UTAH (ELSinORE, UT: ELSINORE LITERARY CLUB, 1962), 29-31 AND 79; AUTHOR'S INTERVIEW **with** LEONARD R. MUNSON (GRANDSON OF JOHN C. MUNSON), WILLITS, CALIFORNIA, 6 SEPTEMBER 2004; LETTER TO THE AUTHOR FROM LEONARD R. MUNSON, 17 NOVEMBER 2004.

2 MUNSON FAMILY GENEALOGICAL RECORDS, LDS; MUNSON INTERVIEW. MINING ACTIVITIES AT SPRUCE MOUNTAIN AND CHERRY CREEK THROUGH 1900 ARE SUMMARIZED IN F.C. SCHRADER, SPRUCE MOUNTAIN DISTRICT, ELKO COUNTY, AND CHERRY CREEK (EGAN CANYON) DISTRICT, WHITE PINE COUNTY, MACKAY SCHOOL OF MINES BULLETIN NO. 25 (RENO: UNIVERSITY OF NEVADA, 1931), 9 AND 28-29; SHAWN R. HALL, "SPRUCE MOUNTAIN, NEVADA," NORTHEASTERN NEVADA HISTORICAL SOCIETY QUARTERLY 94:3 (1994): 111-115; SHAWN HALL, OLD HEART OF NEVADA: GHOST TOWNS AND MINING CAMPS OF ELKO COUNTY (RENO: UNIVERSITY OF NEVADA PRESS, 1998), 237-243; AND J.M. HILL, NOTES ON SOME MINING DISTRICTS IN EASTERN NEVADA, U.S. GEOLOGICAL SURVEY BULLETIN NO. 648 (WASHINGTON: GOVERNMENT PRINTING OFFICE, 1916), 71 AND 163-164.

children still made their home in the Elsinore area, but this would change once he became securely established in Nevada and could find a buyer for his house in Utah.³

Before the summer of 1901 ended, Munson was rejoined by his wife and sons, and the family moved into Wells, where at first they lived in a rented house. Munson continued freighting, and in 1902 he brought a load of ore to Wells all the way from the Ely area, where copper mining was just getting started. Munson and Agee both hauled ore from Spruce Mountain, but it is not clear if they were working together or in competition with one another. If the latter is true, this may have been the first of several conflicts between the two men that would ultimately lead to the departure of Munson from Nevada a decade later. Regardless of the nature of his relationship with Agee at this time, Munson was doing well enough as a teamster to enable him to purchase property in Wells and to have a three-room house, completed in early 1903, built for him and his family. By now the Munsons were the parents of a third son, Leonard, who was born in Wells in March, 1902.⁴

The family suffered a setback in the summer of 1903 when Mrs. Munson became ill and remained in poor health for several months. In order to stay close to his wife and children, Munson gave up long-distance freighting and accepted a position as a delivery man for M. Badt and Co., the most prominent store in Wells. Much of his work took place in the immediate vicinity of Wells, but he also delivered goods to ranches in Clover Valley, a few miles to the south. Upon her recovery Mrs. Munson became pregnant again, and her husband remained in and around Wells until two months after the birth of the couple's fourth son, Delbert, in August, 1904.⁵

Once he was certain that his wife was well enough to care for the children, Munson resumed long-distance freighting. By this time a smelter had been built at Jasper, near the northeastern foot of Spruce Mountain, and teams were needed to haul coke and supplies from Wells and to return with

3 STATEMENT OF EUGENE PARKER, 8 MARCH 1911, IN HOMESTEAD PATENT APPLICATION (HPA) 208932, NATIONAL ARCHIVES (NA), WASHINGTON, DC; U.S. CENSUS OF POPULATION, MANUSCRIPT SCHEDULES FOR ELKO COUNTY, NEVADA, AND SEVIER COUNTY, UTAH, 1900, NA; NEVADA BOIES STRODE, "HORACE AND ETTA AGE," NORTHEASTERN NEVADA HISTORICAL SOCIETY QUARTERLY 2:4 (SPRING 1972): 23-25.

4 NEVADA STATE HERALD (WELLS), 21 FEBRUARY 1902, 7 MARCH 1902, 24 OCTOBER 1902, AND 24 APRIL 1903; ELKO COUNTY TAX ASSESSMENTS, 1904-1912, ELKO COUNTY COURT HOUSE (ECCH), ELKO, NEVADA; MUNSON FAMILY GENEALOGICAL RECORDS, LDS. THE BEGINNING OF COPPER MINING NEAR ELY IS DESCRIBED IN RUSSELL R. ELLIOTT, NEVADA'S TWENTIETH-CENTURY MINING BOOM: TONOPAH, GOLDFIELD, ELY (RENO: UNIVERSITY OF NEVADA PRESS, 1966), 173-179.

5 NEVADA STATE HERALD, 21 AUGUST 1903, 9 OCTOBER 1903, 1 APRIL, 1904, AND 9 SEPTEMBER 1904; MUNSON FAMILY GENEALOGICAL RECORDS, LDS.

bullion produced from the district's lead-silver ores. Munson eagerly joined the procession. Newspaper reports indicate that he brought in 100 bars of bullion, weighing almost five tons, to Wells in late October, 1904, and that less than a week later he delivered another 75 bars. Munson also transported ore mined near Battle Mountain from the railroad yard in Wells to the Jasper smelter, and on at least one occasion he brought Spruce Mountain ore to Wells for processing elsewhere, probably in California, where it had been shipped in the past.⁶

Despite all of this activity, Munson was not sure that he could continue to support his family by freighting alone. Production at Spruce Mountain was dropping, and while hauling goods between Wells and Jasper had sustained him and many other teamsters, the smelter was plagued by technical problems, and its future was uncertain.⁷ In addition, his family was outgrowing its little house in Wells, and Munson could see that changes were necessary. Perhaps, he reasoned, he could create a better life for his family by combining farming or ranching with freighting, as Agee and several other Clover Valley people were doing. Munson knew that the best land in Clover Valley had already been appropriated, but his trips between Wells and Jasper had taken him though the country farther to the east, and he believed that there were some places in this more remote area where farming was possible.⁸ On December 13, 1904, he filed a homestead claim on a 160-acre strip of sagebrush-covered land in Section 26, Township 35N, Range 62E, about two miles west of where the town of Tobar would later take shape (Map 4). This was five miles from the nearest house and beyond any property owned by Clover Valley people, but Munson was sure that he could obtain enough water to produce crops from The Slough, just three hundred yards away, and from smaller channels which crossed his property.⁹

⁶ HALL, "SPRUCE MOUNTAIN," 115; NEVADA STATE HERALD, 14 OCTOBER 1904, 28 OCTOBER 1904, 4 NOVEMBER 1904, AND 2 DECEMBER 1904. SHIPMENTS OF SPRUCE MOUNTAIN ORE TO CALIFORNIA SMELTERS WERE REPORTED IN THE NEVADA STATE HERALD ON 11 JULY 1902 AND 31 JULY 1903.

⁷ Hill, Spruce Mountain, p. 72, reports that production of silver in the Spruce Mountain district declined from 189,072 fine ounces in 1902 to 8,773 fine ounces in 1904, and that lead production diminished from 1,272,600 pounds in 1902 to less than ten percent of that amount two years later. Problems at the smelter, which began operating in August, 1902, are reported in the *Nevada State Herald*, 5 September 1902, 11 September 1903, and 29 July 1904.

⁸ Munson interview. The fact that some Clover Valley residents combined farming or ranching with freighting can be pieced together from the *Nevada State Herald*, 7 March 1902, 29 August 1902, 16 January 1903, 3 April 1903, and 4 September 1903.

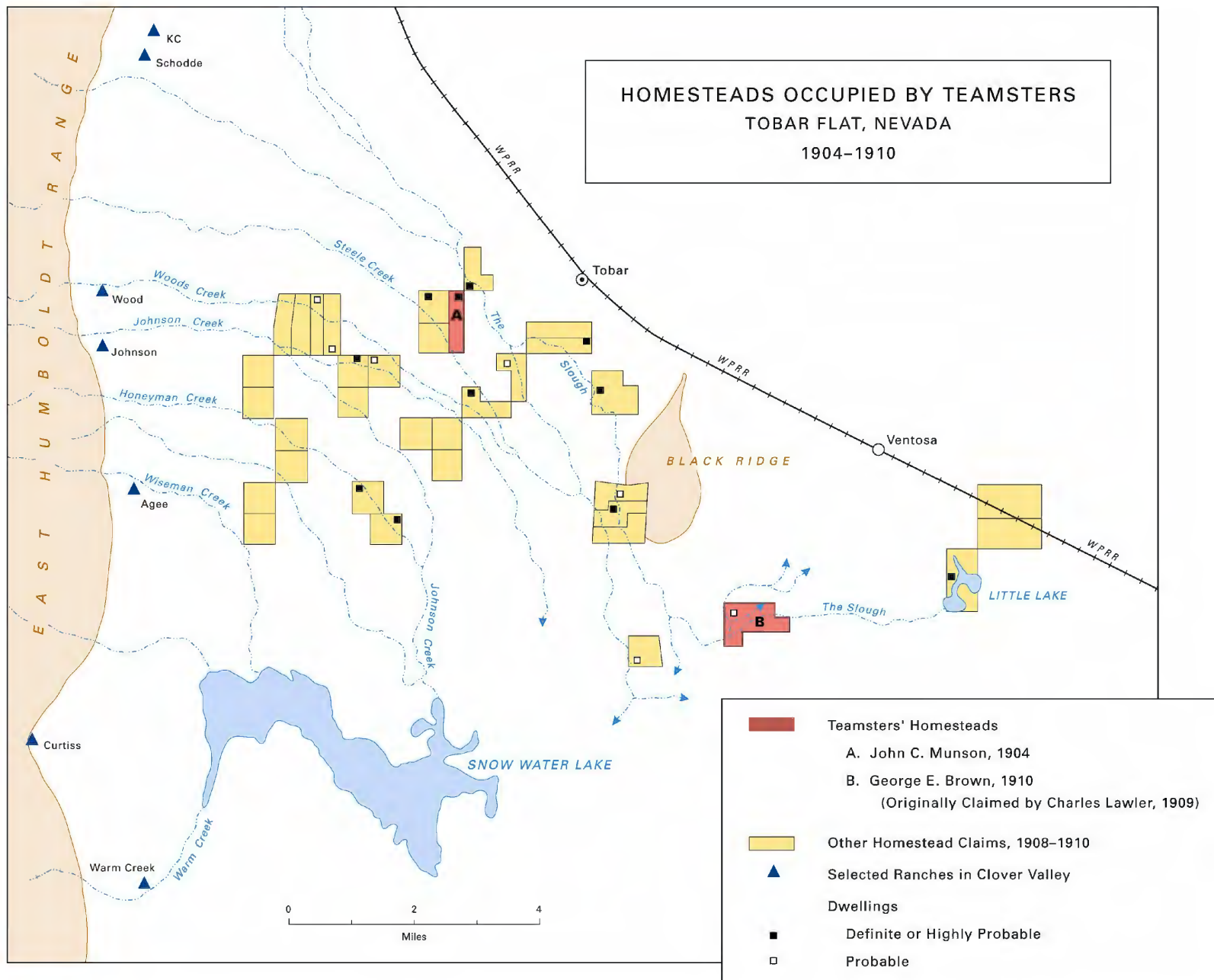
⁹ General Land Office (GLO) tract books, NA; statement of John C. Munson, 8 March 1911, HPA 208931, NA.

Just before Christmas, 1904, Munson formally established residence on his homestead, and in January he completed construction of a house near the northeast corner of the property. Six years later the family's home would be a five-room structure valued at \$1,000, but it is safe to say that this first dwelling, built on a part-time basis in a couple of weeks during the dead of winter, was much smaller, and was used simply as a base of operations while he was getting started and as evidence for government inspectors that he was indeed on the land and beginning to make improvements. Mrs. Munson and the four boys remained in Wells until school closed in the spring, when they moved out to the homestead for a few months, a process that they repeated on a regular basis for at least two more years. Despite the family's frequent absences, the homestead was soon recognized as the Munsons' principal place of residence, which gave them the distinction of being the first inhabitants of what would become known as Tobar Flat.¹⁰

Munson planted no crops in 1905, and limited his activities on the land to clearing sagebrush, enlarging his house, and putting up fencing. Looking ahead to the time when he might develop a bonafide ranch, he obtained a full section of state contract land lying slightly more than a mile to the northwest, the first of several parcels that he would acquire in addition to his homestead claim. To make ends meet, he continued freighting, and during the course of the year he delivered a large load of wool to Wells from White Pine County, made several trips to mining camps in the same county, and moved surveying equipment for the newly created Western Pacific Railroad to the vicinity of the Pequop Mountains, where a tunnel would be constructed two years later. The relative importance of Munson's farming and freighting activities in 1905 is revealed by county tax assessments which show that he had made no improvements on the land acquired from the state but that he owned six work horses and two wagons, all part of his freighting operation. The homestead property, of course, was still legally in the hands of the federal government, and would not be assessed to Munson until 1911.¹¹

¹⁰ Statement of John C. Munson, 8 March 1911, HPA 208931, NA; *Nevada State Herald*, 28 July 1905, 27 July 1906, 4 October 1907, 17 July 1908, 4 December 1908, and 29 October 1909. A photograph of the house, said to have been taken in 1906 (but probably later), in possession of the author, suggests that it was built in two or three phases, lending support to the belief that this first structure was just part of what would become a much larger dwelling.

¹¹ Statements of John C. Munson and Eugene Parker, 8 March 1911, HPA 208931, NA; *Nevada State Herald*, 16 June 1905, 21 July 1905, 28 July 1905, 8 December 1905, and 15 December 1905; Elko County tax assessments, 1905, ECCH.



Map 4

Farming began in earnest in 1906. After a lengthy trip to Utah, where he may have obtained seed needed to get started, Munson returned to Nevada and planted fields of wheat and oats a short distance from his house. Precise details on acreage and yields do not exist, but Munson did report that he raised “average crops” this year, and was sufficiently encouraged to expand his acreage in both crops during the next two seasons. By 1908 he had acquired a threshing machine, and was producing enough grain to warrant marketing it in Wells, where a friend who had worked with him on the delivery wagon in 1903 handled the transaction on behalf of M. Badt and Co. By now Munson had three milk cows and five hogs, which he kept close to home, and fifteen stock cattle which grazed on his contract land and unappropriated parcels of public and railroad land. Although he was concentrating on farming, Munson did not completely abandon his freighting business, a view supported by a newspaper report that he hauled ore from Spruce Mountain to Wells in late 1906 and by the county assessor’s record that in 1908 he owned ten work horses, more than he would need for farming alone, and a number of wagons.¹²

The summer of 1908 was exceptionally dry in northeastern Nevada, and while Munson reported that he had another fair harvest in the fall, the drought’s severity brought the question of developing irrigation works squarely to the front. Natural overflow from shallow watercourses crossing his land had provided enough moisture to sustain crops in fields near the house, but Munson could see that further expansion would require a more organized system of diversion. On December 2, 1908, he applied to the state engineer to construct several low earthen dams on his contract land, where he would capture waste water coming down from Clover Valley ranches, and to build another dam a few hundred yards north of his house, on property that he did not own, across the main channel of The Slough. According to his plan, ditches would convey water to all of his contract land as well as to his homestead property. The application also proposed to irrigate an entire section lying immediately east of the homestead that belonged to the Southern Pacific railroad. The railroad’s records indicate that Munson did not arrange to purchase this land until 1912, but it is probable that, like other individuals in the area, he had been leasing the property for a few cents per acre each year, ostensibly for grazing purposes, and now intended to place some of it under cultivation. Before his application was approved in November, 1909 (and probably even before he filed it), Munson began building his dams and digging ditches, which he said would bring irrigation water to a total of 1,440 acres. Although he was described in late 1909 as “one of the solid farmers of the dry-farming community of Tobar,” it is clear that Munson was only

¹² Statements of John C. Munson, Eugene Parker, and George T. Toombs, 8 March 1911, HPA 208931, NA; *Nevada State Herald*, 5 October 1906; Elko County tax assessments, 1908, ECCH.

marginally involved with this innovative type of agriculture, and that he was going to rely on irrigation to produce his crops.¹³

Expansion went hand-in-hand with increased water availability. In 1910 it was said that Munson now had 100 acres planted to grain on his homestead property alone, and when the county assessor visited his contract land in May he found it already “partly improved.” To help him work the acreage that he planned to put under cultivation, Munson purchased a steam-powered tractor, valued at more than \$1,000, that the Wells newspaper said was capable of “dragging eight plows [and] plowing to a depth of ten inches or more” (Photo 5). Munson’s activities involved more than adding cropland. The number of milk cows and hogs remained about the same as it was two years earlier, but by now he owned forty head of stock cattle, nearly three times the number that he had in 1908. Its size could not compare with the larger outfits in Elko County, but there was no doubt that the Munson place was being transformed from a modest homestead to a small but vibrant cattle ranch.¹⁴

In March, 1911, Munson traveled to Elko to prove up on his homestead. The list of improvements that he included on his application is indicative of the dramatic changes that had occurred since he moved onto this land in late 1904. By now, he had a five-room lumber house, a large barn, a building used as an engine room, and several smaller structures. The entire homestead was enclosed by a three-strand wire fence, attached to cedar posts, that he valued at \$250. He also declared that he was in the process of constructing two miles of irrigation ditches, although it is clear that not all of these were on the homestead property itself. Altogether, declared Munson, his improvements were

¹³ Statement of John C. Munson, 8 March 1911, HPA 208931, NA; Application by John C. Munson for Permit to Appropriate the Public Waters of the State of Nevada, 2 December 1908, and Approval of [the] State Engineer, 1 November 1909, File 1201-1202, Nevada Division of Water Resources (NDWR), Carson City; Transaction Records of the Southern Pacific Land Co. (SP), San Francisco, California; *Nevada State Herald*, 29 October 1909. The parcel on The Slough north of Munson’s house had been claimed in 1905 as a Desert Land entry by William F. Schodde, a Clover Valley rancher, and was cancelled in July, 1908, five months before Munson applied to build a dam here. This property became part of the Carl Tollefson homestead in 1910. Precipitation records for this area in 1908 have been pieced together from monthly reports of the Nevada State Weather Service for Wells and Clover Valley, which indicate that Wells received fewer than five inches of precipitation in this year and that Clover Valley received about 9.5 inches, less than forty percent of its total a year earlier.

¹⁴ Statement of Eugene Parker, 8 March 1911, HPA 208931, NA; *Nevada State Herald*, 18 November 1910; Elko County tax assessments, 1910, ECCH. Parker’s estimate of 100 acres planted to grain on the Munson homestead in 1910 was probably too high, but it does indicate that he saw considerably more cultivated land close to the family’s house than he had observed a few years earlier.

worth \$2,900, an amount that ranks as the second-highest in the history of homesteading on Tobar Flat, where the value of most settlers' improvements amounted to only a few hundred dollars. Significant improvements were not limited to the homestead, however. Two months after proving up, Munson received his annual visit from the assessor, who estimated that his contract land now contained 300 acres under cultivation, and raised the valuation of this property to \$1,000, nearly four times what it had been a year earlier.ⁱ

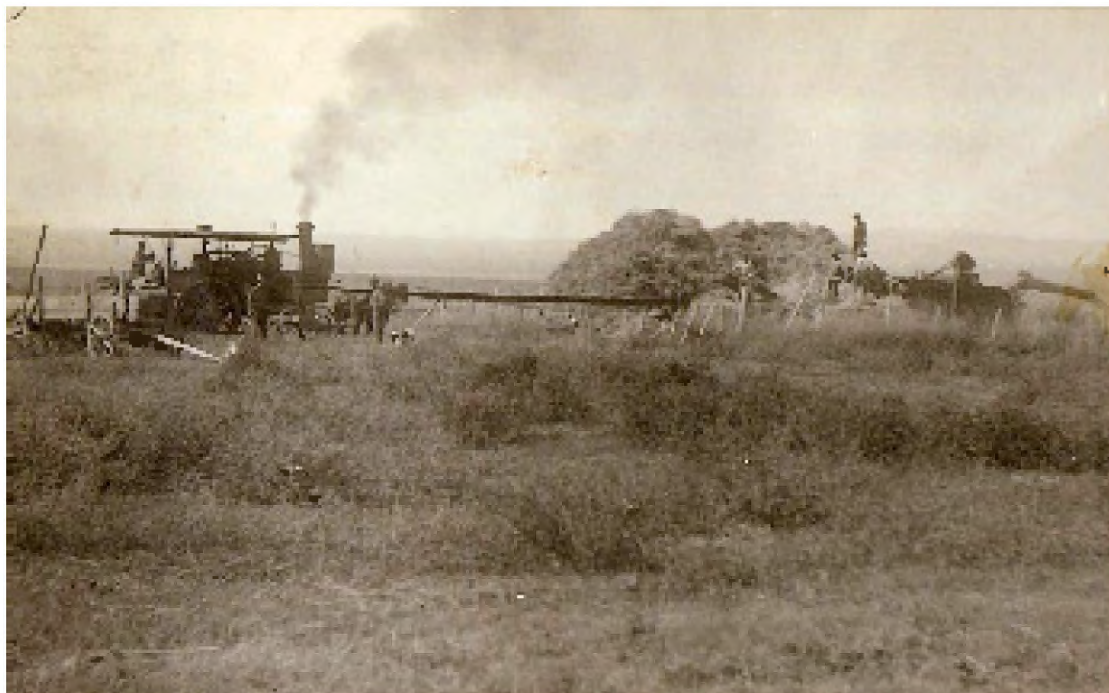


Photo 5. Steam tractor at work on the Munson farm, 1911. Courtesy of Leonard R. Munson.

The pace of development did not slow down at this point. In the spring of 1911 Munson filed an entry under the Desert Land Act of 1877, designed to encourage irrigation, on a strip of land a half-mile west of his homestead and just southeast of his contract land. Then, in 1912, he signed a purchase agreement with the Southern Pacific for 480 acres east of his homestead. This latter acquisition included three-fourths of the railroad land that he had proposed to irrigate in 1908, and encompassed all property in this particular section that was crossed by The Slough, where he had built or was planning to build still more earthen dams. While these events were taking place, Munson arranged for a firm based in Wells to drill an irrigation well near his house (Photo 6). Work began on this project in early

May, 1911. Full of enthusiasm, Munson told a reporter that “if the first well develops, as anticipated, two or three more, on different parts of [the] farm, will be drilled.”¹⁵

In late 1912 Munson controlled 1,440 acres, the same amount that he had applied to irrigate in 1908, but with the northeast quarter of the railroad land now replaced by his recently-acquired Desert Land entry (Map 5). By now he had more than a dozen dams in place, and over three miles of irrigation ditches, including those that crossed other people’s land. Approximately 300 acres were cleared, with the largest amount on his contract land and the smallest on his Desert Land entry. Of this, 166 acres were in grain while the remainder had been plowed but not planted. The amount of cropland on Munson’s homestead property was smaller than what had been reported for 1910, and the combined acreage of grain fields and fields that were plowed but not planted on his contract land was less than what the assessor had recorded as cultivated in 1911, but whatever the actual amount may have been, it is clear that this was a major operation by Tobar Flat standards. Ten additional acres had been set aside for the family’s house, a collection of barns and corrals, and a garden irrigated in part by water diverted from The Slough.ⁱⁱ

Progress in developing the Munson ranch was not accompanied by perfect harmony, however. In 1910 Horace A. Agee, Munson’s former employer, and several other Clover Valley men organized the Ox Yoke Livestock Company, which before long would own about 6,000 cattle and 10,000 sheep. In June of that year, Agee applied to the state to irrigate 480 acres from water diverted from The Slough and Steele Creek, which also flows from Clover Valley onto Tobar Flat. The land in question lay a half-dozen miles southeast of the Munson place, but both streams that Agee proposed to use crossed land held by Munson, who was already diverting their water into his own fields. According to his lawyer, Agee had also been taking a small amount of water from these streams, but had not gotten around to applying for it. “What he desires now,” wrote the lawyer, “is a permit [that will allow him] to use sufficient of the water... to irrigate the four hundred and eighty acres lying under it.” The lawyer explained that for Agee to properly irrigate this land, it would be necessary to limit upstream diversions and “to use caution in granting permits” to take any more water from these streams. He emphasized that even though Agee

¹⁵ Transaction Records, SP; GLO tract books, NA; *Nevada State Herald*, 7 April 1911, 28 April 1911, and 12 May 1911. Munson agreed to pay the railroad \$7.50 per acre for the 320 acres closest to his homestead property, and \$6.00 per acre for a quarter-section located farther down The Slough, approximately a mile from his house. The remainder of this section was purchased by a real estate dealer from Tobar.

had not yet received official permission to divert the water, he had a right to do so because he had been using it “for sometime last past.”¹⁶

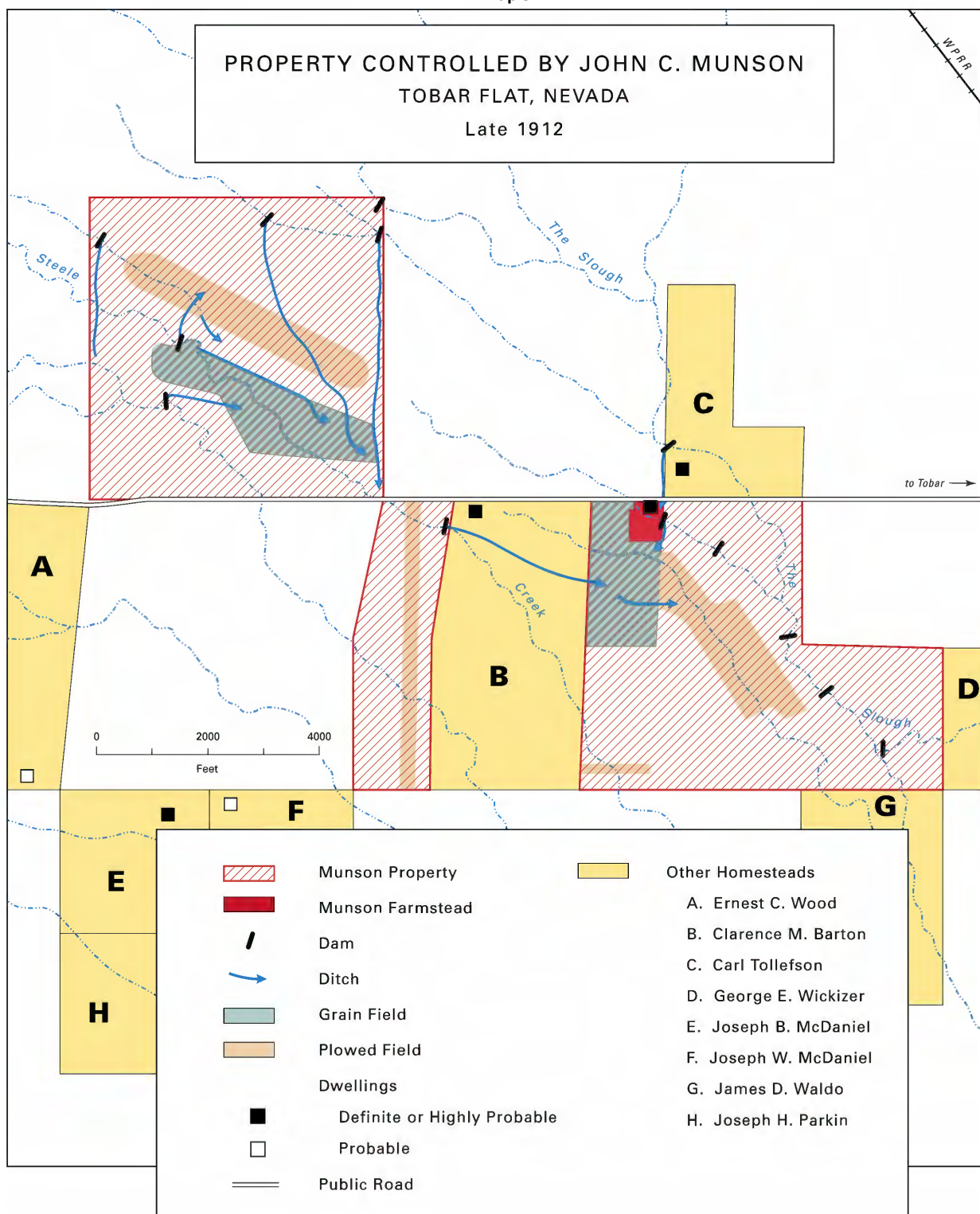


Photo 6. Well drilling beside the Munson home, 1911. Courtesy of Leonard R. Munson.

Munson was understandably disturbed by Agee’s application, for he knew that granting the permit would undercut his legal access to the water he needed. Even Agee’s lawyer conceded that there was plenty of water for both men at the peak of the spring runoff. What was at issue was the question of who would get water when streamflow diminished later in the irrigating season, and the lawyer argued that his client’s earlier preemption should take precedence over Munson’s application

¹⁶ Application by Horace A. Agee for Permit to appropriate the Public Waters of the State of Nevada, 14 June 1910, and letter from Edwin E. Caine to Emmet D. Boyle, State Engineer, 8 August 1910, File 1722, NDWR. Creation of the Ox Yoke Livestock Company, and estimates of its livestock numbers, are found in Strode, 26, and Edna B. Patterson, Louise A. Ulph, and Victor Goodwin, *Nevada’s Northeast Frontier* (Sparks: Western Printing and Publishing Co., 1969), 324.

PROPERTY CONTROLLED BY JOHN C. MUNSON
TOBAR FLAT, NEVADA
Late 1912



whenever this occurred. Munson vehemently disagreed, and dashed off a letter to the state engineer reminding him that his own application had already been approved and inquiring about actions that he could take against Agee. The engineer informed Munson that he could file a formal protest, but assured him that “no action will be taken on Mr. Agee’s application while I am in [this] office until you have perfected your right or forfeited the same.” Additional correspondence discussed procedures to be followed in the event Munson did file a protest, but apparently the engineer’s reply to his first letter eased his concern, for he did not follow up on his threat to seek legal remedy. It must have come as a shock when he learned in late October, 1912, while his own permit was still pending, that the engineer’s office had approved Agee’s application, a devastating setback for Munson after the effort he had put into developing a system to water his crops.¹⁷

Approval of Agee’s application only worsened ill feelings between the men that had been festering for some time. Neither Munson nor Agee was a person who would back down when faced with a challenge. According to his grandson, Munson was a big man, “rough and tough,” and not adverse to physical confrontation when trouble arose. Agee was much the same. He “was for something or against it,” wrote one person. “There was no middle ground.” Agee was well-known for his battles with the O’Neil brothers, who had been accused of murder and cattle rustling in White Pine County and had been arrested for rustling in Elko County. The O’Neils operated a ranch close to the Idaho state line, but they also had interests near Wells, and would later own the KC ranch in Clover Valley. It was almost inevitable that they would have conflicts with Agee over grazing rights, and when these occurred Agee usually got the upper hand because of his aggressiveness and physical strength. At some time Munson had become friendly with the O’Neils, which did nothing to improve his relationship with Agee, and when the water issue erupted the two men became bitter adversaries.¹⁸

¹⁷ Caine to Boyle, 8 August 1910; letters from Munson to Boyle, 23 September and 29 October 1910, from Boyle to Munson, 5 October 1910, from the Assistant State Engineer’s office to Munson, 29 October 1910, and from George M. Malone, State Engineer, to Milton B. Badt, 10 December 1929, summarizing the outcome of this and related water applications, File 1722, NDWR.

¹⁸ Munson interview; Strode, 25-26 and 28; Denise Barainca, “The O’Neil Brothers: From Outlaws to Respected Citizens,” *Northeastern Nevada Historical Society Quarterly* 98:1 (1998): 1-16; *Nevada State Herald*, 25 February 1916. One of Agee’s most memorable triumphs occurred in Wells, where he disarmed a man sent by the O’Neils to kill him by twisting the man’s nose until he dropped his gun.

Munson and his family did not get along with all of their neighbors, either. Late in life, a woman who had lived three miles from the Munsons recalled that the family was “a rough bunch” and that the Munson boys, who went to school with her from 1910 to 1913, were “ornery kids” who were frequently in trouble with their teachers. The former mayor of Wells agreed with her assessment. Repeating what he had heard from early residents of Tobar Flat, he declared that the boys were “the worst renegades you ever saw. They would steal anything they could put their hands on.” Munson would literally whip the boys to try to keep them in line, but this type of punishment seemed to have little long-term effect. It was not just the Munson children who were out of control. When George E. Wickizer’s first crop was destroyed by cattle in the summer of 1909, fingers were pointed at the Munsons. No absolute proof of whose cattle were to blame remains, but three pieces of circumstantial evidence support the view that the invaders belonged to Munson. First, his railroad land adjoined the Wickizer homestead, and no fence had been put up between the two properties. Second, this unfortunate incident occurred at precisely the time when Munson was enlarging the size of his herd, and it is possible that some of these cattle, unable to find enough to eat close to their new home, wandered down The Slough to the Wickizer place to feed on the latter’s crops. Finally, family tradition holds that the Wickizers did not like or trust the Munsons, and this event, occurring only months after they moved to Nevada, could have been what triggered their animosity.¹⁹

There was another, more sinister, reason for their neighbors’ distrust of the Munsons. As time passed, rumors began to spread that the Munsons, like the O’Neils, were rustling other people’s cattle. Many were suspicious of how rapidly Munson had built up his herd, and wondered how he could afford to purchase land and equipment, install dams and ditches, and have wells drilled without a significant source of legitimate income. Homesteaders and some Clover Valley ranchers thought they had the answer. “Everyone in the Tobar area knew that Munson was a cattle thief,” remembered one person, who added that the family erected a scaffolding for butchering stolen cattle, and sold the meat under cover of night. On one occasion Mrs. Theodore F. Wickizer chased Mrs. Munson off her family’s property because she wanted to have nothing to do with “a bunch of thieves.” It was thought that

¹⁹ Author’s interviews with Opal Troxel (daughter of Theodore F. Wickizer), Wauneta, Nebraska, 20 July 1985, and with Eugene Pengelly (former mayor of Wells), Wells, Nevada, 22 June 1982; Munson interview; letter from George E. Wickizer to Louis J. Cohn, Register, U.S. Land Office, Carson City, Nevada, 10 October 1912, HPA 321923, NA

Munson himself was primarily responsible for the disappearance of cattle, but that if he needed help it came from his older sons and one or two adult accomplices.²⁰

These matters came to a head in December, 1912, just weeks after Agee's water application was approved, when Munson was charged with killing a steer belonging to Agee's Ox Yoke Company. Whether this was an act of retaliation for his defeat in the water conflict or simply another case of thievery cannot be determined, but Munson knew that he stood no chance in court against the powerful Agee, especially when public opinion already held him accountable for similar acts. Three days before the case was to be heard in Elko, he sold his homestead property, the state contract land, rights to his railroad land, and "all ... improvements of every kind and nature," including his dams and ditches, as well as all water rights, to Eugene Parker, son-in-law of James A. Ralph of Clover Valley, for \$10,000. When the day of the trial arrived, Munson failed to appear, forfeiting the bond that Parker and another man had put up on his behalf. Parker waited until January 2, 1913, to record the deed to his newly-acquired property, and then, to no one's surprise, he turned all of it over to the O'Neils on the following day.²¹

For a while, Munson's whereabouts was a mystery, but in early January he made a brief visit home to see his wife, the boys, and a baby daughter born in October, and probably to make plans for the future. Then he disappeared, and was never seen in the area again. Some homesteaders believed that he had been convicted and sent to the state penitentiary, but no evidence exists to suggest that either was true. Instead, he slipped out of Nevada and found work installing telegraph poles in the desert east of Los Angeles, where few questions were asked about a man's past. With the O'Neils' acquiescence, Mrs. Munson and the children remained in their home for several weeks, but when spring approached they moved to Los Angeles, where Munson joined them when his job in the desert ended. By 1914 the family had been reunited, and was living near the Los Angeles River about four miles north

²⁰ Troxel and Eugene Pengelly interviews.

²¹ Contract of sale of property by John C. and Frances Munson to Eugene Parker, 17 December 1912, statement by W.G. Greathouse, Elko County Recorder, 2 January 1913, summary of assignment of property from the Munsons to Parker, 17 December 1912, and from Parker to the O'Neils, 3 January 1913, File 1201-1202, NDWR; *Nevada State Herald*, 27 December 1912 and 3 October 1913.

of the city's Central Business District, where Munson was doing some farming and his oldest son, Eugene, was employed as an automobile mechanic.²²

In the meantime, the O'Neils solidified their hold on the former Munson property. In May, 1913, the wife of one of the brothers, with the assistance of her husband's attorney, filed a contest against Munson's Desert Land entry, alleging that Munson had failed to develop it as required by law during the previous year, thereby negating his claim. The General Land Office agreed, and in late 1913 it cancelled his application for the land, which was taken over by another member of the attorney's Elko law firm. Mrs. O'Neil and the lawyers then teamed up to obtain a quarter-section that lay between the southern half of Munson's original homestead land and his Desert Land entry. This parcel was claimed by Mrs. O'Neil in October, 1913, held by her for about six months, and then relinquished to the same attorney who had filed on the adjoining Desert Land tract. When combined with their purchase of Munson's holdings in early 1913, these actions gave the O'Neils control of all real estate, with the exception of a single 160-acre homestead, extending for more than three miles from the southeastern end of Munson's former railroad land to the northwestern corner of the state contract land that he had once owned.²³

The O'Neils did not waste much time putting their mark on the property. Almost as soon as Mrs. Munson and her children departed for California, men employed by the O'Neils moved into their house and began working the land, using equipment that Munson had left behind. In late September,

²² *Nevada State Herald*, 17 January 1913; Munson and Troxel interviews; author's interview with William B. McDaniel (son of Joseph B. McDaniel, a Tobar Flat homesteader), McGill, Nevada, 4 July 1979; *Los Angeles City Directory* (Los Angeles: Los Angeles Directory Co., 1914). In a letter to the author, dated 19 December 1985, Patricia Deadder of the Reference Department of the Nevada State Library and Archives declared that there is no indication that Munson served any time in the Nevada State Prison. Ms. Deadder's conclusion was based on a review of court records and an inventory of individuals incarcerated in the prison between 1910 and 1920.

²³ Statement of Carrie S. O'Neil, 9 May 1913, in Minutes of Proceedings, Carson City Land Office Contest No. 579, Federal Archives and Records Center (FARC), San Bruno, California; *Nevada State Herald*, 1 August 1913; synopsis of unpatented homestead file EL 01371, U.S. Bureau of Land Management (BLM), Reno, Nevada; GLO tract books, NA. The one quarter-section in this elongated block that was not in the O'Neils' hands was the homestead of Clarence M. Barton, son-in-law of another Clover Valley rancher, who had been living on his land just west of the northern part of Munson's homestead since September, 1910. Barton had obtained the quarter-section later taken by Mrs. O'Neil under provisions of the Desert Land Act in 1910, but lost it in November, 1912, leaving him with just the northern half of the property listed under his name on Map 5.

1913, the Wells newspaper reported that they had “broken hundreds of acres of new land, plowed and planted the same to grain this fall, and the big traction engine is still at work breaking brush and dragging eight plows.” A year later, in order to establish communication between their far-flung possessions, the O’Neils installed a telephone line running from their headquarters near the Idaho border through Wells to the Munsons’ former residence, a distance of more than a hundred miles. The O’Neils’ presence on Tobar Flat must have been galling to Horace A. Agee and his Ox Yoke partners, who could see their rivals’ men at work from their homes, and was no consolation to homesteaders living nearby, who viewed the takeover of the Munson lands as nothing more than an exchange of one unsavory neighbor for another. In 1916 the O’Neils purchased the KC ranch in Clover Valley, giving them approximately 7,000 acres south of Wells as well as extensive water rights in the area. More than a third of this acreage was situated near Tobar, and included what the newspaper still called “the Munson place,” where hands continued to stay when engaged in jobs at this end of the brothers’ holdings.²⁴

In Los Angeles, Munson continued to do a little farming while Eugene found a new job as a machinist. But adjusting to city life, combined with stress that had built up during the family’s last years in Nevada, took its toll, and around 1917 the Munsons separated. In 1920 Munson and his two youngest sons made their home on a small piece of land just beyond downtown, where they raised poultry, while his wife lived two miles away with the couple’s only daughter, Gladys, who was now old enough to attend school (Photo 7). By this time, Eugene and Lavell had moved to California’s Central Valley, and were operating farms for absentee owners.²⁵

²⁴ *Nevada State Herald*, 3 October 1913, 11 December 1914, and 25 February 1916; Troxel interview; Elko County tax assessments, 1916, ECCH. In September, 1916, Agee’s application to take water from The Slough and the other nearby stream was cancelled because he had done nothing to divert or use the water, suggesting that his actions had indeed been taken to aggravate Munson and not to develop a bonafide irrigation system. Since the O’Neils owned Munson’s water rights, this now gave them unencumbered access to the disputed water as well as to all water that had belonged to the KCs previous owners. Letter from the State Engineer’s office to Agee, 10 February 1915, and from Malone to Badt, 10 December 1929, File 1722, NDWR.

²⁵ *Los Angeles City Directory*, 1915 and 1920; U.S. Census of Population, manuscript schedules for Los Angeles County, Kings County, and Fresno County, California, 1920, NA; Munson interview. The census listed Eugene as the manager of a farm near Corcoran, in Kings County, while Lavell was the foreman of a farm near Sanger, a short distance east of Fresno. Considering the two young men’s backgrounds, it is possible that the “farms” cited by the census were really livestock ranches, but this is not certain.

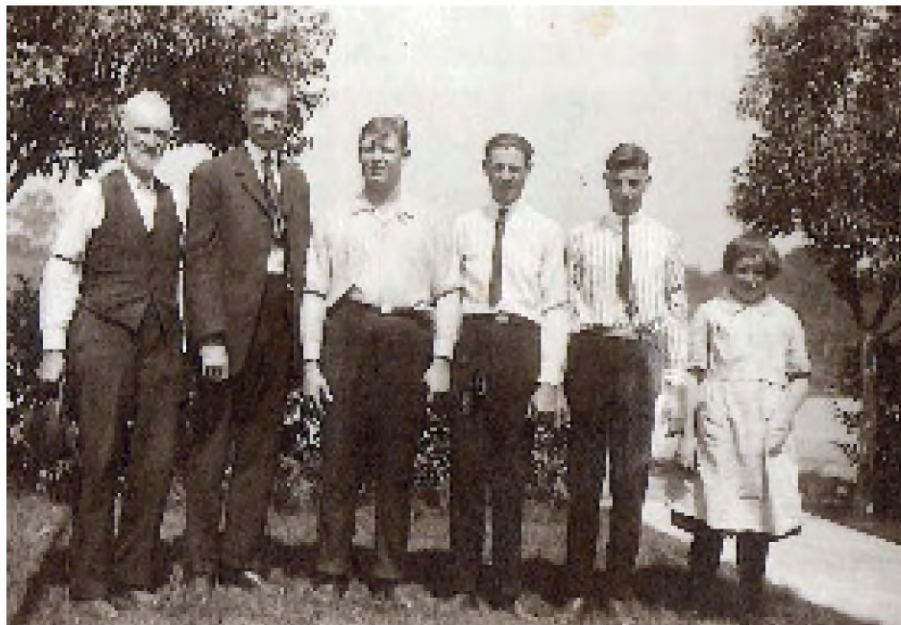


Photo 7. The Munson family in Los Angeles around 1920. L-R: Leavitt Munson (John C. Munson's father), John C. Munson, Eugene Munson, Leonard Munson, Delbert Munson, and Gladys Munson. Courtesy of Leonard R. Munson.

After years of separation, the Munsons were divorced. Mrs. Munson remained in Los Angeles for the remainder of her life, and supported herself by working in a laundry. Her ex-husband continued to live in Los Angeles for a while longer, but in 1926 he moved to Willits, in northern California, where his son, Leonard, was getting started in the auto repair business. By 1930 he was married to a middle-aged native of Louisiana called "Nana" by Leonard's children, and lived in a rural neighborhood not far from Willits. Although he was only in his fifties, Munson never held a steady job during his years in the Willits area, and referred to himself as a retired rancher, a reflection of his identity when he was a resident of Tobar Flat.²⁶

In the spring of 1934 Munson was helping to dismantle a sawmill west of Willits. While tearing apart the roof, he slipped and fell twenty-five feet to the mill's floor, fracturing his skull and pelvis, breaking a leg, and suffering numerous internal injuries. The mill's owner rushed him by automobile to

²⁶ U.S. Census of Population, manuscript schedules for Los Angeles County and Mendocino County, California, 1930, NA; *Great Register for Mendocino County* (Ukiah, CA: Republican Press Print, 1930); *Redwood Journal* (Ukiah), 1 May 1934; Munson interview; Munson letter, 17 November 2004. The census and the *Great Register* tell us that "Nana's" first name was Anna, and the latter even reports that she was a Democrat whereas Munson was a Republican, but neither of these sources nor the Munson family's collective memory is able to reveal her surname before she married John C. Munson.

the hospital in Willits, where he clung to life for a few hours before succumbing to his injuries shortly after midnight on April 25. Munson was buried in the Willits cemetery. Ten months later his ex-wife died in Los Angeles, and the family arranged to have her body brought to Willits and buried next to that of her former husband. It is not known what became of “Nana,” but in all probability she left the area a short time after her husband’s death.²⁷

Years later, Eugene Munson and his wife purchased a ranch in Pleasant Valley, south of Elko. In the 1960s he and his brother, Leonard, visiting from Willits, traveled to Tobar Flat to see what was left of the place where they grew up. By this time the O’Neil ranching empire had dissolved, and the house where the brothers once lived was long abandoned. The two men came across foundations and the family’s domestic well, and located remnants of a field that their father had cultivated, but they saw little else.²⁸ Today, the scene remains much the same. Evidence of the house and well is less visible, but a few of the dams and ditches can be found with little difficulty. Still, these remnants convey only a hint of what it was like to live on Tobar Flat’s first homestead, and they are silent about the dramatic events that once brought so much attention to this nearly forgotten site.

CHARLES LAWLER

Born in Maine in 1862, Lawler was the third of eight sons of a farmer whose parents had migrated from Ireland to the United States, and grew up as part of a large extended family that lived a few miles from Calais, on the New Brunswick border. Shortly after his marriage in 1885 to Sarah McCann, a native of Quebec, Lawler headed west, living in Washington state for several years before moving to Montana in the mid-1890s. By 1900 he was employed as a miner in Butte, where he made his home with Sarah and their six children. Around 1905 he gave up mining and began working as a livery man and then as a teamster, hauling goods throughout the city in horse-drawn wagons. In 1907 he was employed by a Butte lumber firm to make deliveries to mines, building contractors, and other

²⁷ *Santa Rosa Press Democrat* (Santa Rosa, CA), 27 April 1934; *Redwood Journal*, 1 May 1934; Munson family genealogical records, LDS; Munson interview.

²⁸ Munson interview. Eugene Munson purchased the Lee Land and Livestock Company ranch in 1959. Eugene’s correct name was John Eugene Munson, but he was called Eugene to avoid confusion with his father. After John C. Munson’s death it became more common to refer to him as John.

consumers. By this time the Lawlers were living in rented rooms in Meaderville, a rough community of mines, miners' residences, saloons, and gambling dens on the outskirts of Butte.²⁹

The financial panic of 1907 had a devastating effect on Butte. As copper prices dropped, mines shut down completely or operated far below capacity, throwing thousands of miners and people dependent on mining out of work. By December, approximately 8,000 men were unemployed or partially employed, and the departure of workers from the city had become pronounced.³⁰ Lawler joined in the exodus. Leaving his family behind, he journeyed south, possibly stopping in Salt Lake City before proceeding to Wells, where prospects for work seemed better than in either Montana or Utah. The financial crisis had affected mining activity in northeastern Nevada as well, but one firm, the Spruce Mountain Copper Company (SMCC), owned by Butte interests, continued production through all of 1907 and was the only mining operation in the area to make shipments in 1908. For a time, as many as eleven teams were hauling SMCC ore to Wells, and it is probable that Lawler, using his Butte connections, secured employment in this business.³¹

Like John C. Munson, Lawler must have become acquainted with Tobar Flat while driving teams between Wells and Spruce Mountain, and considering the overlapping nature of their work, it seems

²⁹ U.S. Census of Population, manuscript schedules for Washington County, Maine, 1880, and Silver Bow County, Montana, 1900, NA; *Butte City Directory* (Butte: R.L. Polk & Co., 1906 and 1907). Because of its saloons and gambling establishments, Meaderville was described as a "good-time suburb" of Butte by Joseph Kinsey Howard in *Montana: High, Wide, and Handsome* (New Haven: Yale University Press, 1943), 94.

³⁰ The impact of the Panic of 1907 on Butte and its workers is described in David M. Emmons, *The Butte Irish: Class and Ethnicity in an American Mining Town, 1875-1925* (Urbana: University of Illinois Press, 1989), 242-244.

³¹ Hall, "Spruce Mountain," 118; *Nevada State Herald*, 19 April 1907, 30 August 1907, and 7 August 1908. Lawler had relatives from Maine living in Salt Lake City, so he may have gone to that city first and then to Wells. It is possible that Lawler was also engaged in hauling ore to Wells from Cherry Creek, where a Butte firm, by coincidence under the direction of another man named Lawler, had been active since 1904, but by this time most of Cherry Creek's production was being shipped by rail. *Nevada State Herald*, 18 November 1904 and 16 December 1904; *Butte City Directory*, 1907 and 1908. Some teamsters were employed to haul ore down steep roads from the mines to staging areas near the foot of Spruce Mountain, while others, driving much heavier wagons pulled by approximately a dozen horses each, brought it from the staging areas to Wells. The latter leg of this trip, covering about forty miles, ordinarily took six days. *Nevada State Herald*, 28 June 1907 and 30 August 1907. It is not certain if the eleven teams noted above included both light and heavy wagons, or if all of them were heavy wagons bringing ore into Wells.

likely that he had met Munson and knew about his successful start in homesteading. When production on Spruce Mountain diminished in late 1908, Lawler decided, as Munson had done earlier, to abandon freighting and try farming. The site that he chose for this venture was a familiar one, right along the wagon road to the SMCC mine and the Jasper smelter where the road crossed The Slough, about seven miles southeast of the Munson place. Even before this area was made available for entry under the Enlarged Homestead Act of February, 1909, Lawler staked out an irregularly-shaped 320-acre parcel that was configured to encompass almost a mile of The Slough's principal channel as well as several shallow distributary channels that carried water during the spring runoff. The quality of land here was mediocre at best, but Lawler apparently felt that this was offset by the opportunity to moisten crops from the watercourses crossing his property. In June, 1909, giving his address as Wells, he filed an official application for this land.³²

Despite these preliminary efforts, Lawler failed to develop his homestead. By the time his application was approved, conditions in Butte were improving, so he returned home, resumed working as a teamster, and moved his family into a rented house closer to the city's center. Lawler did not completely give up his plans for homesteading in Nevada, however, and in December, 1909, he asked the General Land Office to grant him an extension of time to establish residence. The request was denied, and in March, 1910, he notified the government that he was relinquishing his claim. Control of the land remained in flux until June, when it was acquired by George E. Brown, another teamster from Wells. There is no proof that Lawler sold his relinquishment to Brown, but circumstantial evidence contained in General Land Office files provides hints that money may have been involved when the property changed hands.³³

³² Difficulties in the Spruce Mountain district in late 1908 are described in the *Nevada State Herald*, 20 November 1908. Soils on the parcel claimed by Lawler are rated as "slightly productive," and contain significant amounts of alkali. *Northeastern Nevada Cooperative Land-Use Study* (Washington: U.S. Dept. of Agriculture, 1939), Sheet 17. Lawler's land acquisition activity is summarized in GLO tract books, NA, and the synopsis of unpatented homestead file CC 04101, BLM. His right to take this land before it had been designated for acquisition was protected by an obscure 1900 law which allowed prospective homesteaders to mark the exterior boundaries of land that they intended to claim, and to start making improvements, within three months of the date when the land would become subject to entry. *United States Code Annotated: Title 43, Public Lands* (St. Paul, MN: West Publishing Co., 1964), 206.

³³ Synopsis of unpatented homestead file CC 04101, BLM; GLO tract books and statement by George E. Brown, 3 September 1915, HPA 504975, NA; U.S. Census of Population, manuscript schedules for Silver Bow County, Montana, 1910, NA; *Butte City Directory*, 1910-1912. In most cases of

In the years that followed, the Lawlers' marriage broke up, and Sarah Lawler returned to New England, where she lived with her widowed sister in Boston and supported herself by working as a maid. Lawler remained in Butte for a longer period of time, and in January, 1920, he had a rented room in the home of a miner and his family, and a job at a livery stable. Later in the year he moved to the Los Angeles area, where his oldest son was living, and found work on a dairy farm. He spent his last years at the son's home, and died in October, 1930, at the age of sixty-seven.³⁴ In his final months he might have reflected on an eventful life that had taken him from one end of the country to the other, but he probably would have given little thought to his brief involvement with land acquisition in Nevada. He may have never realized that it was he who had set the process of settlement along the lower Slough in motion, and that in the half-dozen years following his departure, at least seven families and single men established homes within a mile of his claim in this remote part of Tobar Flat.

GEORGE E. BROWN

Born near Omaha, Nebraska, in 1872, Brown grew up on a farm a short distance west of the city, and married Pearl Haskin, the eighteen year old daughter of a farmer living south of Lincoln, in 1895. By 1900 he and Pearl were parents of a two year old daughter and were living in the small town of Roca, close to the home of Pearl's parents, where George worked as a day laborer. A year later they moved to Omaha, where George had found a job in the stockyards district. As his family grew Brown traveled from place to place in search of work. Around 1905 they relocated to Colorado, and then moved to Nevada, where George was briefly employed by the Southern Pacific railroad at Wells in 1906. Over the next three years they had homes in Utah, Idaho, and Oregon before returning to Nevada in 1909. In the spring of 1910 George, Pearl, and their five children were once again living in Wells, this time in a rented

relinquishment sales, one person filed a relinquishment on a certain property and another claimed that property on the same date, usually right after the first individual completed his paper work, thereby preventing a third party from claiming land that the first person was giving up. The process did not play out in this manner when Brown claimed the land formerly held by Lawler, but the sale of Lawler's relinquishment cannot be ruled out. Although technically forbidden, the sale of relinquishments was a common practice, and was almost impossible to prevent if payment was made out of sight of land office officials.

³⁴ U.S. Census of Population, manuscript schedules for Suffolk County, Massachusetts, 1920, Silver Bow County, Montana, 1920, and Los Angeles County, California, 1930, NA; *Los Angeles City Directory*, 1921 and 1924; California Death Index, available online at www.vitalsearch-ca.com.

house a block south of the tracks. Like several of his neighbors, Brown was employed as a teamster, and while it is uncertain if his second period of residence in Wells began before Charles Lawler returned to Butte, there is no doubt that Brown knew about Lawler's homestead entry, if not from Lawler himself then probably from conversations with other teamsters.³⁵

The return of George E. Brown coincided with a difficult time for men hauling ore to Wells. No production whatsoever was reported for Spruce Mountain in 1910, and while a considerable amount of gold, silver, and lead was mined at Cherry Creek, most shipments from this place were now made via the Nevada Northern Railway, completed in 1906, which had direct connections with both the Southern Pacific and the new Western Pacific line. Copper and other metallic ores had been found southwest of Spruce Mountain at Delker and Mud Springs, but nothing there was yet ready for shipment, and it would be another two years before discoveries of lead and zinc were made at the Polar Star mine near Clover Valley. Fifty miles north of Wells, the Contact district, where copper had been produced in the 1890s, was nearly dormant, and would not revive until the First World War. Under these circumstances, men with teams and wagons were reduced to hauling occasional loads of fence posts and other domestic materials, delivering supplies to skeleton crews doing exploratory work at some of the mines, and similar jobs.³⁶ This was sufficient to support unmarried teamsters and those with small families, but for Brown, with a wife and five young children, it was not nearly enough. The time had come to make another change, and to find a more reliable way of housing, feeding, and clothing his family.

In early June, 1910, Brown began building a house and digging a well on the property that Lawler had claimed a year earlier. It is not clear what if any financial arrangements had been made between Brown and Lawler, but in late May a Butte attorney representing Lawler corresponded with the

³⁵ U.S. Census of Population, manuscript schedules for Douglas and Lancaster counties, Nebraska, 1880, Lancaster County, Nebraska, 1900, Elko County, Nevada, 1910, and Clatsop County, Oregon, 1920, NA; *Omaha City Directory* (Omaha: Omaha Directory Co., 1901); *Nevada State Herald*, 7 December 1906.

³⁶ Hill, 66-72 and 164; Francis Church Lincoln, *Mining Districts and Mineral Resources of Nevada* (Reno: Nevada Newsletter Publishing Co., 1923; reprint, Las Vegas: Nevada Publications, 1982), 40, 42, 52-53, and 59; Marguerite Patterson Evans, "Letters from Contact," *Northeastern Nevada Historical Society Quarterly* 88-1 (Winter 1988), 14; Stanley W. Paher, *Nevada Ghost Towns and Mining Camps* (Berkeley: Howell-North Books, 1970), 222; David F. Myrick, *Railroads of Nevada and Eastern California*, Vol. 1 (Berkeley: Howell-North Books, 1962), 115-116; Gary G. Allen, *Nevada Northern: Sagebrush Short Line* (Los Angeles: Trans-Anglo Books, 1964), 8-13; *Nevada State Herald*, 23 July 1909 and 30 December 1910.

General Land Office about his relinquishment. The contents of this correspondence have been destroyed, but its timing suggests that Lawler may have become anxious about an agreement to dispose of his claim in return for a small payment from Brown, and wanted the government to complete the paperwork, begun in March, that would allow him to get his money and for Brown to proceed with his own entry.³⁷

The lawyer's prodding seems to have worked, and on June 28, 1910, at the county clerk's office in Elko, Brown filed a claim under the provisions of the Enlarged Homestead Act for precisely the same parcel, with all of its irregularities, that Lawler had relinquished. In his application, Brown swore that "no portion of the land is susceptible of irrigation from any known source of water." This was not exactly true, of course, for land that Horace A. Agee had been watering from The Slough cornered on this property, and plans were already underway for the Churchfield family to irrigate another parcel three miles downstream from Brown's claim. Furthermore, one of the attractions of this land for Lawler had been the presence of several channels which could provide irrigation water, and there is no reason to believe that Brown did not share his predecessor's opinion. He knew that he had to say this because the Enlarged Homestead Act was designed to promote dry farming, and specifically stated that lands entered under this law were to be "unirrigable" or "not... susceptible of successful irrigation at a reasonable cost from any known source of water supply," almost exactly the words that he used in his application.³⁸ This was not the only time that Brown would stretch the truth to make it appear that he had conformed to the letter of the new law, but it would be unfair to say that among all of the settlers on Tobar Flat, he alone made false statements about his intentions or actions.

The day after Brown filed his claim, he and his family moved into their new home, situated near the wagon road in the northwestern part of his land. In short order he completed the well, which reached water at a depth of just six feet, and did some more work on the house. His most time-consuming activities were clearing sagebrush from a half-acre plot that would become the family's

³⁷ Statement by George E. Brown, 3 September 1915, HPA 504975, NA; synopsis of unpatented homestead file CC 04101, BLM.

³⁸ Statement by George E. Brown, 28 June 1910, HPA 504975, NA. Three weeks before Brown filed his claim, Jack Churchfield had personally notified the state engineer that he planned to take water from The Slough to irrigate land downstream from Brown's property. Letter from John Churchfield to Emmet Boyle, State Engineer, 21 September 1910, File 1850, NDWR. The regulations of the Enlarged Homestead Act are spelled out in *United States Code... Public Lands*, 265-268.

garden, preparing it for planting, and putting in several types of vegetables. Considering the lateness of the season, it is possible that the garden, like the house and well, was started before the Browns moved in, but this cannot be determined with certainty. What is known is that they irrigated the garden with water from the well, and possibly from a nearby stream channel, and when the vegetables were harvested in late summer Brown declared them to be “highly satisfactory.”³⁹

Development of the homestead was slow but steady. During the next five years Brown more than doubled the size of his garden, and cleared, plowed and planted about five new acres of hay and small grain each year. He declared that “the entire cultivation, excepting the vegetable garden, has been done by dry farming exclusively, no irrigation except that by rainfall having been performed,” but like his statement about the prospects for irrigation, he said this to satisfy the Enlarged Homestead Act’s requirements, and not to explain how he actually farmed. In fact, Brown’s hay and grain fields, which totaled about twenty-five acres by 1915, were laid out in patchwork fashion, with ten acres located near the house and the remainder in at least three other places where crops could receive water from The Slough and other channels via ditches and natural overflow. Further evidence that he irrigated his land can be inferred from Joseph B. McDaniel’s assertion that Brown “cut a pretty fair crop of hay” in 1915, despite searing drought that had devastated most of the area’s unirrigated crops. Livestock were never important economic factors on this homestead. In 1916 Brown owned just two work horses and a single milk cow, and although the family usually kept a few chickens, none were mentioned in this particular year.⁴⁰

The Browns’ life on Tobar Flat was more complex than what might be implied from a recitation of the annual rounds of plowing, planting, and harvesting, and daily chores such as gathering eggs and milking the cow. In the family’s first six years on the land, Pearl Brown gave birth to five more children, including twins in 1915, which increased the size of the household to twelve and required the older children to take on significant domestic responsibilities. At first, the youngsters attended school five miles away, a nearly prohibitive distance since the oldest child was only nine years old when they began

³⁹ Statement by George E. Brown, 3 September 1915, HPA 504975, NA.

⁴⁰ Statements by George E. Brown and Joseph B. McDaniel, 3 September 1915, HPA 504975, NA; Elko County tax assessments, 1916, ECCH.. The impact of drought throughout northeastern Nevada in 1915 is described in Marshall E. Bowen, “Bitter Times: The Summers of 1915 and 1916 on Northeast Nevada’s Dry Farms,” *Northeastern Nevada Historical Society Quarterly* 93-1 (1993): 6-11.

classes in 1911, but around 1912 a school was built closer to home. Because his large family existed very near the subsistence level, Brown was obliged to work away from home to make ends meet. He said that he had “never been off the place a night since filing,” but Joseph B. McDaniel knew better, and told a land office official that Brown was ordinarily absent about twice a year for periods of thirty to sixty days on each occasion, leaving his wife and children to look after things while he was away.⁴¹ Existing records say nothing about the locations of Brown’s off-homestead employment or his specific positions, but the length of his absences makes it improbable that he resumed his occupation as a teamster on the Spruce Mountain to Wells route, which would have taken him right past his house, or that he had a job in Tobar, just six miles up the road. It is more likely that he worked as a laborer in the winter, perhaps at a mine or in Salt Lake City, and that he was employed by ranches in the summer months, particularly during haying season, when additional hands were needed.

The inventory of improvements on Brown’s homestead when he proved up in late 1915 is a revealing gauge of the family’s circumstances after more than five years on the land. By this time their house contained six rooms, and included a small second-story space over part of the structure. One section was made of lumber while another was built with discarded railroad ties, the products of two separate phases of construction, the second evidently necessitated by the family’s rapid growth. Nearby stood a small barn, a chicken house, an ice house, and a root cellar, the latter two, and perhaps all four, made of ties. Two wells, each equipped with a pump and a windmill, provided water, and Brown was quick to point out they were “used only for domestic purposes,” perhaps to dispel any notions that one or both was a source of irrigation for anything more than the garden. He had placed fence posts around 240 acres, and had plans to enclose this land with two strands of wire, but had not yet gotten around to doing it. Brown estimated that his house was worth \$670, and that all other improvements, including the smaller structures, wells, cultivated land, and fence posts, had a combined

⁴¹ Statements by George E. Brown and Joseph B. McDaniel, 3 September 1915, HPA 504975, NA; Record of Births kept by Dr. A.C. Olmsted, Wells, Nevada, 1897-1914 (hereafter Olmsted records), Nevada Historical Society (NHS), Reno; Duplicate Birth Certificates 1912-147 and 1913-59, Northeastern Nevada Museum (NNM), Elko; Troxel interview; Ventosa school district special tax assessment, 1915, ECCH; Hall, *Old Heart of Nevada*, 255. Pearl Brown gave birth to fourteen children, but at the time of the birth of the couple’s twins in 1915, only ten were living. At least one of the children born to Pearl on the homestead was delivered by her husband. It is said that despite his limited formal education, Brown himself was the teacher at the new school in 1912, perhaps because all or most of the students were his own children, but this arrangement did not last for long because he could not support his family on just a teacher’s salary.

value of \$195, bringing the total worth of the place to \$865, just thirty percent of the figure given for the Munson homestead four years earlier.⁴²

Just after Christmas, 1915, the General Land Office issued Brown a patent to his homestead. This signified that he, and not the government, now owned the property, and that for a small fee he could obtain a deed for the land from Elko County, thus making it possible for him to sell it or obtain a loan, using the property as collateral. It also meant that he would now be taxed by the county for his land, improvements, and personal property, a considerable burden for a poor man with a large family. To save money, he did not immediately record the deed, and when he received a tax bill for \$21.35 a few months later, he failed to pay it, which gave the county legal possession of the land until the debt was settled. Once again, it was time to make hard decisions about his family's future. In mid-January, 1917, Brown recorded his deed at the court house and paid the delinquent tax bill, which included more than five dollars of accumulated interest. His motivation, as well as his ability to pay, may have seemed questionable at the time, but they became clear a month later when the property was bought by a man from an eastern Colorado farming community that was also the home of the in-laws of Will Schroeder, a settler living a mile north of the Brown place. The Schroeders had returned to Nevada from a four-month visit to Colorado in December, 1916, and it seems likely that they served as the intermediaries in this transaction, which gave Brown the means to record his deed, pay the tax, and have enough money left over to help his family make a fresh start in a new location.⁴³

⁴² Statements by George E. Brown and Joseph B. McDaniel, 3 September 1915, HPA 504975, NA. McDaniel said that the house contained just two rooms, but considering the size of the Brown family this seems unlikely. It is possible that he considered only one part of the structure to be the house, and thought of the other section as a connected shed, or perhaps he counted the part made of lumber as one room and the railroad tie portion as the second.

⁴³ The issuance of Brown's patent is found in HPA 504975, while the Schroeders' trip to Colorado is noted in HPA 668319, NA. Information about Brown's taxes and the sale of his land has been pieced together from Elko County tax assessments for 1916 and 1917, ECCH, and from title abstracts for Elko County, First American Title Company (FATC), Elko. The purchaser of Brown's land was William Seaton Williams, who had operated a lumber yard in Iowa before moving to Colorado to farm in 1913. It is uncertain why Williams obtained this land, but since he seems to have known Schroeder in Iowa and was now living close to Schroeder's in-laws, the purchase may have been part of a plan by Schroeder, who first arrived in Nevada in 1915, to develop a more substantial farming operation, with access to water for irrigation, in this part of Tobar Flat.

The Browns left Nevada shortly after the land was sold, and moved to Portland, Oregon, where George worked as a common laborer and then found employment building ships during the First World War. After the war, the family relocated to the town of Seaside, eighty miles northwest of Portland. In 1920 George, Pearl, and nine of their children were living in a rented house in a blue collar neighborhood of Seaside, close to the homes of several loggers, a sawmill foreman, and a sign painter. Brown, now approaching his fiftieth birthday, was once again employed as a laborer, a position that he had held, with the exception of his years in Nevada and his wartime work in the shipyard, for most of his adult life.⁴⁴

Meanwhile, his former homestead land was held by the man from Colorado for a year, but was then deeded to Elko County for non-payment of taxes. The county owned it until 1922, when it was obtained by a Utah investment firm, which kept it until financial setbacks caused by the Great Depression forced it to dispose of marginal properties such as this one. Ownership then reverted to the county, which held title until after the Second World War. Later, it was obtained by a rancher from Ruby Valley, but there is no evidence that he did anything with the land except to bring in cattle to graze where Brown's fields had once been located.⁴⁵ Today, the shouts of George and Pearl's ten children are distant echoes of a time when this poor family endured for more than a half-dozen years in a dismal spot which even in 1915 was described as "an out of the way place [where] people do not pass [by] frequently."⁴⁶

⁴⁴ *Portland City Directory* (Portland: R.L. Polk & Co., 1917-1918); U.S. Census of Population, manuscript schedules for Clatsop County, Oregon, 1920, NA.

⁴⁵ Elko County tax assessments, 1917-1931, and Land Ownership Records, ECCH; title abstracts, FATC.

⁴⁶ These words were spoken by Joseph B. McDaniel, who lived eight miles northwest of Brown, and were recorded in HPA 504975, NA.

Chapter 3

RAILROAD PEOPLE

A second group, considerably larger than the first, consisted primarily of men and women involved with construction of the Western Pacific Railroad across Nevada from 1907 to 1909. It also included the brother of one man and the father of another, both of whom joined family members shortly after they had occupied claims on Tobar Flat.

The process began in late 1908, when tracks were being laid from the west portal of the Pequop Mountains tunnel to Wells, a distance of approximately forty miles. Here, men employed directly by the Western Pacific worked alongside Utah Construction Company crews, which were responsible for grading the roadbed and putting down rails, and Western Union crews installing poles and telegraph lines. By this time some people had been doing these jobs for more than two years, and were fed up with the constant travel and harsh conditions that included exposure to desert heat, winter storms, and blowing alkali dust. Many knew that the time was approaching when trains would be running and they would be laid off, and were on the lookout for alternative ways of making a living. A number of them had farming experience, and thought that if they could find the right place they would quit the railroad, claim homesteads, and settle down. But during their months of toil in the arid lands of western Utah and extreme eastern Nevada, they had seen nothing to encourage them.⁴⁷

This began to change once they progressed a few miles beyond the Pequops. They could see the towering Ruby and East Humboldt mountains, sure sources of water, in the distance, and as they approached the latter range they spotted the channel of The Slough, which in some places was only a mile or two from the railroad's right-of-way. By now it was September, and The Slough was almost certainly dry, but the workmen could tell that it often carried a substantial amount of water that might

⁴⁷ Construction of the Western Pacific from Salt Lake City to Elko and beyond is described in Spencer Crump, *Western Pacific: The Railroad that was Built Too Late* (Los Angeles: Trans-Anglo Books, 1963), 22-26, and Myrick, Vol. 1, 318-319. This information is supplemented by numerous items in the *Nevada State Herald*, including those of 20 September 1907, 22 May 1908, and 25 December 1908. The hardships experienced by the workmen and the desire of some to acquire homesteads are drawn from Crump, 22, and the author's telephone interview with Leo W. Wickizer (nephew of George E. Wickizer), Stratton, Nebraska, 22 August 1985.

be sufficient to moisten crops. The men paid little heed to subtle hints about the land's quality, and relied on George E. Wickizer, a Western Union lineman who had grown up on farms in Iowa and Missouri, to help them gauge its potential. Basing his opinion more on the area's level topography, which he associated with productive land, than on careful analysis of the soil, Wickizer assured them that most property near The Slough looked good enough to support agricultural endeavors.⁴⁸

At some time in the fall of 1908, when crews were gathered at a construction camp near the present site of Tobar, several individuals took advantage of a brief respite from work to look more closely at land between the camp and The Slough. The party included Wickizer, Carl H. Lofdahl, a Danish-born foreman of Wickizer's crew, Joseph B. McDaniel, a track layer courting Lofdahl's sister, Hedvig, who was employed as a camp cook, and several others. The men set out on foot, and walked over to the Munson place, which was visible from the camp. It is not known if they spoke with Munson or any of his family at this time, but they could see fields where grain had been produced, and reasoned that if Munson could raise crops here there was no reason why they could not do the same. The men then proceeded in a southeasterly direction for three or four miles, generally following the course of The Slough, and spotted several sites where they thought it would be possible to match the success enjoyed by Munson, before returning to camp.⁴⁹

Shortly after this expedition took place the crews moved on, first toward Wells and then to Elko, where the first Western Pacific trains arrived in December. Once they entered the valley of the Humboldt River beyond Wells, the prospective homesteaders could see that most good land was already occupied, and agreed that their best opportunities lay in the country near The Slough that they had visited earlier. On November 21, 1908, five of them, giving their addresses as Deeth because this was the town closest to where they were now working, traveled to Elko to file claims on land astride The

⁴⁸ Leo Wickizer interview.

⁴⁹ Leo Wickizer and William McDaniel interviews. While some details differ, accounts of the party's trip to the Munson place, as told by Wickizer and McDaniel (a son of Joseph B. McDaniel and nephew of Carl H. Lofdahl), are similar, and support both men's contention that this was a major factor in convincing crew members to file homestead claims here. It is uncertain exactly where the party turned back toward the camp, but it was almost certainly before they reached Black Ridge, whose northern slope begins four miles southeast of the Munson place. It is possible that this expedition occurred in mid-September during a lull in work caused by a shortage of rails, as reported in the *Nevada State Herald*, 18 September 1908, but it probably took place somewhat later.

Slough lying at distances of approximately one to six miles from the Munson place (Map 6).⁵⁰ In addition to Wickizer and Lofdahl, the claimants included James C. Martens and Andrew E. Scott, both members of Lofdahl's telegraph crew, and Myrtle J. Lendholm, a widow believed to be a camp cook and a friend of Hedvig Lofdahl. Three weeks later Andrew C. Myerhoff, a Western Pacific locomotive engineer piloting work trains between supply points and construction sites, who also gave his address as Deeth, claimed a quarter-section two miles south of the parcel taken by Mrs. Lendholm. McDaniel did not file a claim at this time, but he remained interested in the area and would obtain land in the spring.⁵¹

The claimants continued working on the railroad through the winter, but in April, 1909, Wickizer, Lofdahl, Myerhoff, and Scott returned to their homesteads from the vicinity of Winnemucca, although Scott remained for only a short time and would not truly establish residence until 1912. A month later McDaniel, who was now married to Lofdahl's sister, obtained a quarter-section off to the west, where the couple and their children would make their home for almost twenty years. There is no evidence that Martens or Mrs. Lendholm ever came back to their claims, but Martens' property was quickly taken over by Wickizer's brother, Theodore, who arrived from Kansas in May, 1909. The final person classified as one of the railroad people was Joseph B. McDaniel's father, who acquired land adjacent to his son's property and established residence in the spring of 1910. By this time six members of the group were on the land, and while Scott was still absent, a field on his claim was already being cultivated by the Lofdahls.⁵² The experiences of these individuals and their families, trying to farm and create homes near The Slough and a pair of smaller watercourses, resembled those of Munson and George E. Brown in many respects, but with one important exception. Because of existing friendships

⁵⁰ This map shows the year when each of the railroad people established residence, and not when they first claimed the land, with the exception of the entry made by Myrtle J. Lendholm in 1908, which remained unoccupied. James C. Martens' entry in 1908 covered the southern and southwestern part of what became Theodore F. Wickizer's homestead property.

⁵¹ GLO tract books and statements by George E. Wickizer, 21 November 1908 and 17 October 1912, HPA 321923, Carl H. Lofdahl, 21 November 1913, HPA 402559, Andrew E. Scott, 21 November 1913, HPA 421395, and Joseph B. McDaniel, 25 July 1914, HPA 441336, NA; synopsis of unpatented homestead files CC 01243, CC 01339, and EL 018, BLM; William McDaniel interview.

⁵² Statements by George E. Wickizer, 17 October 1912, HPA 321923, Theodore F. Wickizer, 18 November 1913, HPA 402570, Carl H. Lofdahl, 21 November 1913, HPA 402559, Andrew E. Scott, 21 November 1913, HPA 421395, Joseph B. McDaniel, 25 July 1914, HPA 441336, and Joseph W. McDaniel, 10 August 1917, HPA 621644, NA; Elko County tax assessments, 1909-1911, ECCH; Myrick, 319; Leo Wickizer, Troxel, and William McDaniel interviews.

and family ties, it was not unusual for these settlers to develop informal partnerships, with one person doing all or most of the work on the land while the other held down a non-agricultural job. Indeed, every individual in the group who obtained a deed to his property followed this procedure in one way or another. But despite the advantages gained through cooperation, the railroad people faced the usual obstacles of insufficient moisture and inadequate capital, and one by one they drifted away, with the first family leaving in 1912 and the last departing in 1929.

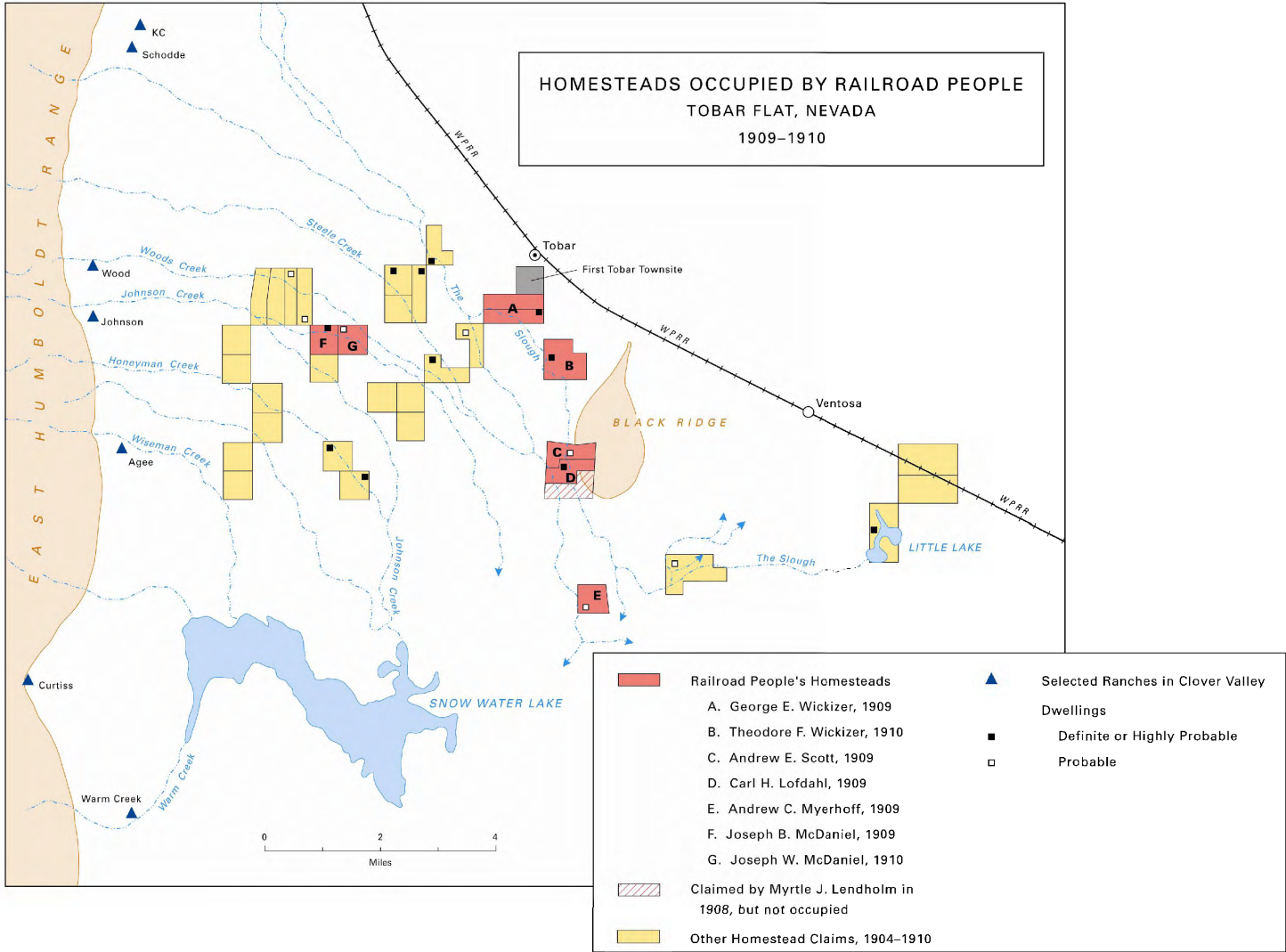
George E. Wickizer was born in 1871 in northwestern Missouri, the second of seven children of George Washington Wickizer, originally from Ohio, and the former Lucretia Shintofer, a native of Iowa. The family moved frequently, and during the first years of his life George lived in Missouri, eastern Iowa, and then southwestern Iowa, where his father was farming in 1880. He attended school irregularly until he was fifteen years of age, but after his twelfth birthday he spent most of his time working as a laborer for his father and neighboring farmers. In the mid-1880s George returned with his family to Missouri, but remained there for only a short time before obtaining work as a Western Union lineman, which took him to many parts of the West.⁵³

Wickizer returned home in 1907 to marry Gertrude Wilkins, a twenty-eight year old woman from Iowa, and shortly after their wedding the couple moved to Utah, where George resumed his employment with Western Union. Their first child, George Everett, was born in Salt Lake City in September, 1908. By this time Wickizer was part of Carl H. Lofdahl's telegraph crew in Nevada, and was instrumental in convincing Lofdahl and the five other individuals noted above to obtain land on what would become known as Tobar Flat. It is probable that a strong incentive for Wickizer to try homesteading at this time was the birth of his son and a desire to provide his family with a way of life that would be more stable than the semi-nomadic existence of a telegraph lineman.⁵⁴

⁵³ Mary Wickizer Burgess, *The Wickizer Annals* (San Bernardino, CA: The Borgo Press, 1983), 7-11; George E. Wickizer, *The Aquarian Age of Man* (Denver: Privately Published, 1931), 3-7, 114, and 190; Troxel interview; U.S. Census of Population, manuscript schedules for Fremont County, Iowa, 1880, NA. To avoid confusion with his father, the younger Wickizer, whose middle name was Edward, was often called Ed or Eddie, especially when he was a youngster. The census of 1880 identifies him as "Eddy." He was not enumerated in the 1900 census, probably because he was on the move with a telegraph crew and was missed by the census takers.

⁵⁴ Burgess, 7; U.S. Census of Population, manuscript schedules for Woodbury County, Iowa, 1880, NA; Leo Wickizer interview. It would seem logical that Wickizer, with several years of employment with Western Union, would have been in charge of the crew and that Lofdahl, a recent immigrant, would

have been working under him, but no one acquainted with the lives of either man has suggested this. Both of Lofdahl's nephews have declared that he was the boss.



Map 6

GEORGE E. WICKIZER

The property that Wickizer claimed in November, 1908, was a mile-long strip along The Slough, just downstream from the railroad land that John C. Munson would designate for irrigation less than two weeks later. His claim included part of the area that the exploring party had examined earlier, and was chosen because it appeared that fields laid out here could be watered easily from The Slough by overflow or perhaps through diversion into shallow ditches.⁵⁵ What Wickizer did not know was that Munson would soon be building dams and ditches of his own just a few hundred yards away, effectively reducing the amount of water that could flow freely onto his land.

With other members of the railroad and telegraph crews, Wickizer spent the winter working along the line of the Western Pacific, but on April 7, 1909, in the company of Lofdahl, Andrew E. Scott, and probably Andrew C. Myerhoff, he returned to Tobar Flat and put up a tent to protect him from the elements until he could erect a more substantial structure. Shortly before this he had written to his younger brother, Theodore, in Kansas, urging him to come to Nevada and informing him that land only a mile away, originally claimed by James C. Martens, would become available because Martens had abandoned plans to make this place his home. Theodore arrived around the first of May, and for more than a month the two men lived together on George's land, with Theodore's wife, who wanted to take a look at the area before her husband made any binding commitments, joining them for a short time. Near the end of May, George doubled the size of his property by claiming another strip of land, immediately north of the first, under the Enlarged Homestead Act, which permitted individuals to obtain up to 320 acres for dry farming purposes. This meant that he would have to give up plans that he may have had to water his land via ditches, but it would not deter him from locating his fields in places where crops could be moistened by natural overflow or through seepage from The Slough, provided enough water got past Munson's dams.⁵⁶

⁵⁵ GLO tract books, NA; Leo Wickizer interview.

⁵⁶ Statement by George E. Wickizer, 17 October 1912, HPA 321923, NA; Leo Wickizer and Troxel interviews; GLO tract books, NA. Because of the geometry of the section in which Wickizer's claims were made, his property encompassed only 316 acres instead of the usual 320 acres. The tent that Wickizer used in 1909 was probably the same one, measuring twelve by fourteen feet, that he still owned in 1921. The brief visit by Mrs. Wickizer, as well as trips taken by other homesteaders and their families in the early years of settlement, was facilitated by the area's proximity to railroad connections at Tobar and Wells.

Using six work horses, the brothers cleared and planted more than twenty acres in May and early June before Theodore moved to his own homestead. The cultivated land included a garden of about an acre, four acres of alfalfa, ten acres of oats, and an undetermined amount of land in either barley or millet. The grain and alfalfa fields were positioned to take advantage of water coming down The Slough from Munson's land, while the garden was laid out behind the house site, close to a well that provided water for irrigation.⁵⁷

While preparing his land, Wickizer also began work on the family's house. With help from his brother and Thomas J. Sweeney, a new acquaintance living two miles away, he mixed concrete in a trough, stirring it with a rake and carrying it in buckets to the house site, where he poured it by hand into wooden forms to create a sturdy lower story of what would be a six-room, two-story structure. When this phase was completed, the men added a frame upper story, which was in place by November. Wickizer's wife and son arrived from Utah at some time during the summer, and together the couple set up housekeeping in the semi-finished house, which was located at the extreme eastern end of the property, close to the line separating land claimed in late 1908 from the parcel taken a few months later.⁵⁸

⁵⁷ Letter from George E. Wickizer to Louis J. Cohn, Register, U.S. Carson City, Nevada, 10 October 1912, and statement by George E. Wickizer, 17 October 1912, HPA 321923, NA; statement by Theodore F. Wickizer, 18 November 1913, HPA 402570, NA; Elko County tax assessments, 1909, ECCH. On 10 October 1912 Wickizer wrote that he had planted just two acres of millet, but a week later he declared that he had put in about thirteen acres of barley, and did not mention any millet. It is impossible to determine whether he planted barley, or millet, or both, but Wickizer's assertion in his letter of 10 October that he replanted twenty-six acres later in the year indicates that the field containing one or both of these grains must have covered about twelve acres, close to the thirteen acres cited in his statement of 17 October. According to the county assessor, who visited the homestead on May 8, 1909, four of the six work horses belonged to George and the other two were the property of his brother. Because of delays in the General Land Office's disposal of Martens' claim, Theodore F. Wickizer was not able to file his own claim until March, 1910, but this land was generally recognized as Theodore's property from the time of his arrival in Nevada almost a year earlier.

⁵⁸ Statements by George E. Wickizer, 17 October 1912, and Thomas J. Sweeney, 2 October 1912, HPA 321923, NA; William McDaniel interview. Sweeney was an experienced building contractor who completed a nearly identical house for his own family in June, 1909. A Tobar area rancher who has examined the two houses on many occasions is convinced that the same plans, forms, and mixture of concrete were used for each structure. Author's interview with Cliff Teel, Tobar Flat, Nevada, 23 September 2005.

Despite this promising start, the Wickizers' first year on Tobar Flat was not without its setbacks. One of the most disheartening events occurred early in the summer of 1909 when cattle that probably belonged to John C. Munson got into his freshly planted fields. Wickizer later explained what had happened: "I did not have my fencing done at that time & as soon as [the] grain came up it inticed [*sic*] range stock there which kept it back." He added that "I do not think the grain would have made good anyway," perhaps because the first of Munson's dams had kept it from receiving sufficient water from The Slough. Determined that his initial farming endeavor would not be a total loss, Wickizer took swift measures to prevent another disaster of this sort and to get something from the land he had prepared. As he put it, "then I done my fenceing [*sic*] & disked my grain up & sowed 13 acres of Turkey red Wheat & 13 acres of Winter Rye in september 1909." He did not specifically state that he sowed grain in the small field where alfalfa was originally planted, but his failure to mention alfalfa in any crop reports from this time onward suggests that it had also been damaged by the cattle and was replaced by wheat or rye. Unfortunately, these winter crops fared little better than those planted in the spring. When he harvested them late in the summer of 1910, Wickizer obtained only 67.5 bushels of grain, an average of just a shade more than 2.5 bushels per acre.⁵⁹

Results similar to this were recorded for every year that Wickizer lived on Tobar Flat. Hope ran unusually high in August, 1911, when the Wells newspaper reported that "Sweeney and the Wickizer brothers last fall prepared and planted a considerable acreage of land to wheat and oats [which] has just been cut and will bear heavily," but for George the results did not justify such optimism. Although homestead records do indicate that Sweeney and Theodore Wickizer brought in good crops that year, they also show that George harvested no more than 155 bushels of grain from three fields covering more than fifty acres, not much better than the yields he had gotten in 1910. Then, in early 1912 his turkey red wheat was nearly destroyed by cold weather, and was replaced by oats and barley in the spring, but these crops did not do well, either, and were pastured by the family's horses and milk cows. Part of this adversity was attributable to circumstances clearly beyond Wickizer's control, but people

⁵⁹ Wickizer to Cohn, 10 October 1912, and statement by George E. Wickizer, 17 October 1912, HPA 321923, NA.

who knew him also believed that while he was enthusiastic about his homestead, he was not a very good farmer, and had no one but himself to blame for some of his troubles.⁶⁰

Not yet fully defeated by these problems, Wickizer continued to clear land and experiment with a variety of crops, but he had little luck with anything except a small patch of potatoes. In October, 1912, his fields encompassed sixty-five acres, with all but the garden situated close to The Slough (Map 7). Of these, only thirty-eight acres had been in crops during the past year. The remainder consisted of land that was cleared but not yet planted, and a few acres that had been planted at some time in the past but were now lying fallow. By this time the Wickizers had two wells, one for domestic purposes and the other for his livestock, fencing around most of the cleared land, a barn, and a root cellar. The most impressive structure, of course, was the family's two-story house, which raised the total value of all improvements to \$2,450, not far behind that of John C. Munson, whose home stood two miles to the northwest.⁶¹

Poor crops doomed Wickizer's homesteading venture to failure, for without good yields he had no grain to sell nor could he provide feed for livestock that he might market. His principal source of income was pay earned as a day laborer constructing buildings on the first, short-lived Tobar townsite, situated just north of his own property. He was popular and well-respected by the other homesteaders, who elected him to a four-year term on the Tobar school board, but this and sporadic work at the townsite was not enough, particularly since he was now responsible for a fourth family member, a daughter named Eulah, born at the family home in May, 1911. Shortly after receiving his patent in March, 1913, Wickizer disposed of his animals and farming equipment, and set out for California to resume his employment with Western Union, leaving his wife and children to be looked after by his brother and his family. Theodore may have cultivated some of George's land in 1913, but this did not last for more than one season, and by 1914 both the house and fields stood abandoned, stark reminders that success did not come easy in this land.⁶²

⁶⁰ Statement by George E. Wickizer, 17 October 1912, HPA 321923, NA; *Nevada State Herald*, 25 August 1911; William McDaniel interview. Elko County tax assessments for 1912 show that the family now had two work horses, a saddle horse, and two milk cows.

⁶¹ Statement by George E. Wickizer, 17 October 1912, HPA 321923, NA.

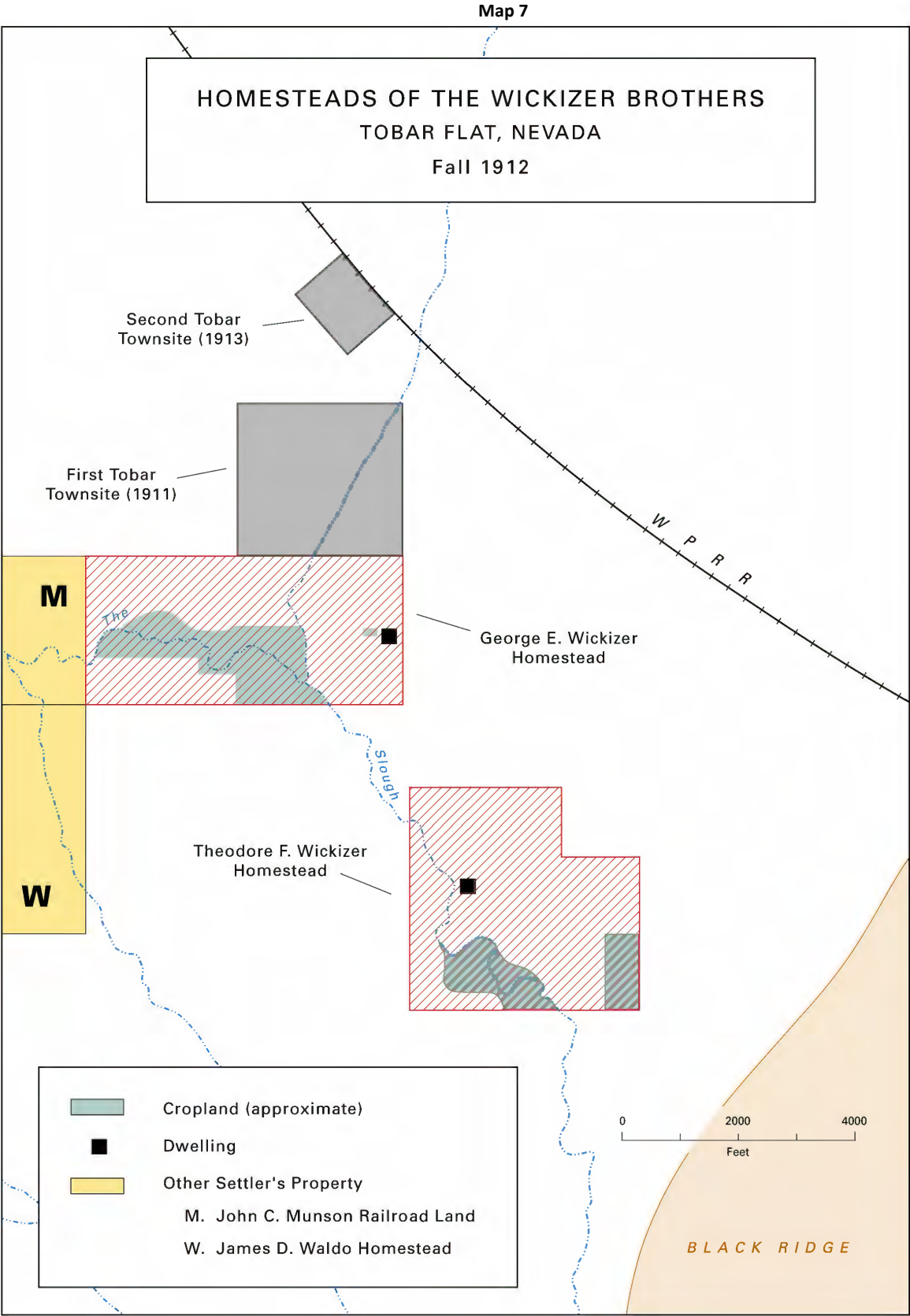
⁶² GLO records contained in HPA 321923, NA; *Nevada State Herald*, 17 March 1911 and 3 May 1912; Olmsted records, NHS; Troxel interview. When the tax assessor visited the George E. Wickizer place on

Wickizer stayed in California for about a year, and was ordinarily based in Oroville, working as a lineman. On one occasion he nearly drowned when he fell into the raging Yuba River, but he managed to get to shore, build a raft, and float to safety. Shortly after this harrowing experience he was transferred to Denver, where the family was reunited. In 1916 he was promoted to telegraph inspector, and with the increase in pay that went with this new position, he was able to purchase a house in a working class neighborhood northwest of the city's Central Business District. But having a home of their own did not insure marital harmony, in large part because George was away from Denver for extended periods of time and that during his absences Gertrude became deeply involved with the Seventh-day Adventist Church, whose teachings George despised and whose motives he distrusted. The Wickizers separated in 1921, and after numerous stormy battles, both in and out of court, over Gertrude's relationship with certain Adventists, custody and care of the children, and division of the couple's property, they divorced. George rented a furnished room in Denver, but was often away from the city, working in Utah, Wyoming, and Montana. Gertrude remained in Denver, and made ends meet by operating a sewing machine at a dress factory and later by working as a seamstress at home. In 1930 George was living in Denver with his daughter, Eulah, and her husband, and was still employed by Western Union, while Gertrude made her home in an apartment with her son, Everett, who was unmarried. Mrs. Wickizer lived in the Denver area for the rest of her life, but in the mid-1930s George retired from Western Union and moved to Massachusetts to live with Eulah and her family, who had relocated to the east coast, and it is there that he died in 1940.⁶³

Wickizer retained ownership of his Nevada land for more than twenty years after he left Tobar Flat. Whether he was in Colorado or on the road, and regardless of whether he was married, separated, or divorced, he paid his property taxes faithfully, with only one lapse, corrected within a month, which

May 10, 1913, he determined that the house and other buildings were in good condition, but he saw none of the horses, cattle, harnesses, wagons, or other equipment that had been assessed in previous years. Elko County tax assessments, 1913, ECCH.

⁶³ Burgess, 7-8; Wickizer, *Aquarian Age*, 5-6 and 89-208; *Denver Directory* (Denver: [various publishers], 1915-1935); Elko County tax assessments, 1913-1930, ECCH; U.S. Census of Population, manuscript schedules for Denver County, 1920 and 1930, NA; Troxel and Leo Wickizer interviews. Wickizer's book, privately published in 1931, was largely a rambling condemnation of the Adventists and other religious groups that he regarded as cults, but it also contained a few pieces of information about his early life and a lengthy, predictably one-sided, account of the circumstances of his divorce.



occurred when a bill did not reach him because of his frequent moves. But in 1935, at about the time of his retirement and departure from Colorado, he stopped paying his taxes and the land was taken over by Elko County. In 1947 the county sold it to the same rancher who purchased the former George E. Brown land and would later obtain the properties once owned by Theodore F. Wickizer and Andrew E. Scott, giving him control of more than a thousand acres astride The Slough.⁶⁴ Today, it is still possible to see disturbed land where Wickizer's fields once stood, and on some occasions The Slough contains enough water to make it understandable why this pioneer farmer thought that his crops could be sustained by overflow and seepage.⁶⁵ A chimney and the first story of the house, located beside a section-line road a mile south of the second Tobar townsite, remain the most prominent remnant landscape features on all of Tobar Flat (Photo 8). Everyone who visits this area can see the house, but few will imagine how much effort went into building it and trying to coax satisfactory crops from the land, or realize that all of this toil, condensed into four short years, brought very few rewards.

⁶⁴ Elko County tax assessments, 1913-1935, and Land Ownership Records, ECCH; title abstracts, FATC.

⁶⁵ In the summer of 1982, when the author was conducting field work in the western part of this property, water in The Slough reached bankful levels and in some instances spilled over into places where Wickizer's fields had been located. This occurred because of heavy runoff from the mountains that year and because by now most of John C. Munson's earthen dams had disappeared, which allowed almost as much water to flow through here as in the early spring of 1909, when Wickizer first moved onto the land.



Photo 8. The George E. Wickizer house, built in 1909. The front door opened into a small entryway that led to the living room, at the extreme right of the house in this photograph. The door on the far left opened into the kitchen, while the small window to the right of the kitchen door allowed light to enter a pantry. Taken by the author, 2004.

THEODORE F. WICKIZER

The younger brother of George E. Wickizer, Theodore was born in 1879 near Cedar Rapids, Iowa. A few months after his birth the family moved to a farm in the southwestern corner of Iowa, and relocated again around 1886 to another farm in northwestern Missouri, close to where the Wickizers had lived a decade earlier. Theodore left here in the 1890s and made his way to western Kansas, where he stayed with his great-uncle, Asa, who operated a hotel and an auction business in the town of Quinter.⁶⁶

⁶⁶ Burgess, 8-11 and 45; U.S. Census of Population, manuscript schedules for Fremont County, Iowa, 1880, and Gove County, Kansas, 1900, NA; author's interview with Helen Wickizer (widow of Asa Wickizer's grandson), Hays, Kansas, 29 June 1985.

Wickizer remained in Quinter until close to the turn of the century, and then worked as a farm laborer in north central Kansas. While doing this he met Jessie May Cordwell, a teenaged girl living with her widowed mother and two older brothers on a farm in Osborne County, a hundred miles east of Quinter. It was here that Theodore and Jessie were married in December, 1903. The newlyweds moved in with the bride's family, and Theodore worked beside his brothers-in-law on the farm. Their first child, Opal, was born on the Cordwell place in November, 1904. A year later Theodore rented a farm of his own a few miles to the east in Mitchell County, where Jessie gave birth to sons in 1906 and 1907. Although the rental arrangement was tolerable, Wickizer was on the lookout for land that he could own, but saw that prospects in the area were slim. He knew that one of his wife's brothers would take over the Cordwell farm, and realized that he could not afford to purchase other property if it came on the market. The solution, he thought, might be to acquire a homestead in undeveloped country farther west.⁶⁷

The opportunity to follow through on this idea was not long in coming, for in the spring of 1909 Wickizer received a letter from his brother, George, telling him that James C. Martens would not be occupying land that he had claimed on Tobar Flat, and encouraging him to make a fresh start in Nevada by taking over Martens' property. It is not certain if the Wickizers were still living on their rented farm or if they had moved back to the Cordwell place, but upon receiving George's letter Theodore dropped everything and took the train to Nevada to see for himself if this was what he wanted. He arrived in early May, and found much of the Martens claim to his liking, although he did have reservations about some places that contained what he called "dobe soil not suited to cultivation except pasture." His wife, pregnant with the couple's fourth child, came out for a brief visit, leaving the children with her mother. She was not as enthusiastic about the site as her husband, but agreed that owning property, even in Nevada, offered a better chance for the family to get ahead than continuing to rent in Kansas. Mrs. Wickizer then returned home to await the baby's birth, leaving her husband to help his brother get started and to begin the paper work required to gain legal control of the land he had chosen.⁶⁸

⁶⁷ Burgess, 8-9; U.S. Census of Population, manuscript schedules for Osborne County, Kansas, 1900, NA; Troxel interview; author's interview with Ardelle Wickizer (daughter-in-law of Theodore F. Wickizer), Stratton, Nebraska, 20 July 1985.

⁶⁸ Statement of Theodore F. Wickizer, 18 November 1913, HPA 402570, NA; Burgess, 9; Leo Wickizer interview; Troxel interview.

On June 1, 1909, Wickizer filed a contest against Martens' entry with the U.S. Land Office in Carson City, charging that Martens had not established residence, had made no improvements to the property, and had no intention of doing either. A few days later he moved from his brother's place to the Martens claim, taking his two work horses to begin clearing desert shrubs from an area where he wanted to locate his first field. He also started building what would become a two-room lumber house, situated a short distance to the north on a slight rise that he figured would be safe from The Slough's flood waters. During the course of the summer he completed his house, dug a well, cleared more land, and spent some time with George, helping him build the cement house and reseed his fields after his first crop was destroyed by cattle. Before Christmas Theodore returned to Kansas to rejoin his family, which by now included another son, born at his mother-in-law's home while he was in Nevada.⁶⁹

After failing in several attempts to locate Martens, the land office cancelled his entry in late February, 1910, and notified Wickizer that he had thirty days to file his own claim to this property before it made the land available to everyone. This news spurred the Wickizers into action. In March they held an auction sale at the Cordwell place, selling many of their possessions to raise money needed to make the trip to Nevada, and getting rid of unnecessary items. The sale and subsequent journey were pivotal events in the family's life, and even though she was not yet six years old at the time, the Wickizers' oldest child remembered it vividly, recalling many years later that she had insisted that her parents not sell a certain coffee grinder, and that they had relented and brought it with them to Nevada. The family arrived at Tobar around the middle of the month, and on March 20 they moved into the modest house that Theodore had built for them.⁷⁰

Two days later Wickizer went to Elko to formally claim the land that had belonged to Martens, and to appropriate another 160 acres adjoining this property on its north side. As his brother had done earlier, he filed his entire entry under the Enlarged Homestead Act, which required that applicants declare that their property was not irrigable. To satisfy the letter of the law, Wickizer swore that "there is no known source of water to irrigate any part of the land [which is] dry and devoid of water," even though he had every intention of trying to moisten his first field from The Slough, which crossed the

⁶⁹ Statements of Theodore F. Wickizer, 1 May 1909, Minutes of Proceedings, Carson City Land Office Contest No. 222, FARC, and 18 November 1913, HPA 402570, NA; Burgess, 9; Troxel interview.

⁷⁰ Minutes of Proceedings, Carson City Land Office Contest No. 222, FARC; statement of Theodore F. Wickizer, 18 November 1913, HPA 402570, NA; Troxel interview.

heart of his property. With this piece of business completed, he returned to Tobar to continue improving his claim. He put in no crops this year, but cleared additional land near The Slough in preparation for planting in 1911. He also added a pantry to the house, built a root cellar, and erected a large lumber barn, complete with a solid wooden floor, a rarity in this fledgling homesteader community. To support his family, Wickizer often helped Clover Valley ranchers move cattle, and on some occasions he used his wagon to haul hay for these and other stockmen.⁷¹

Wickizer's first crops did well, in part because he was an experienced farmer who knew what he was doing. In the spring of 1911 he planted twenty acres of spelt and millet in the field that he had prepared astride The Slough, and was pleased that it yielded a ton of hay per acre. While this crop was maturing, he cleared another twenty acres on higher ground to the east, and in the fall he sowed it to Turkey red winter wheat. The combination of a good site and unusually abundant precipitation proved beneficial, for Wickizer harvested thirty bushels of grain per acre from this field in 1912, the highest recorded yield of dryland wheat in the history of homesteading on Tobar Flat.⁷²

These successes were accompanied by increases in the number of livestock kept by the Wickizers. By the spring of 1912 they had four milk cows, double the number in 1910, and later in the year Theodore added two mules and a donkey to the family's inventory. The mules were put to work pulling Wickizer's wagon to local destinations as well as for longer trips to Wells and Elko and, in one exceptional case, all the way to Salt Lake City, while the donkey provided a means of transportation for Opal, the oldest child, who rode it to the school that she attended with some of the Munson children. The family also had a number of chickens and one or two hogs, although neither was assessed by the county with any degree of consistency.⁷³

⁷¹ Statements of Theodore F. Wickizer, 22 March 1910 and 18 November 1913, HPA 402570, NA; Troxel interview.

⁷² Statement of Theodore F. Wickizer, 18 November 1913, HPA 402570, NA. Heavy snowfall in the winter of 1911-1912, followed by above-average rainfall in the spring and summer of 1912, gave the wheat sufficient moisture, while its location a few feet above The Slough kept it safe from floodwaters that damaged other crops in the area, particularly those on the land of Andrew E. Scott, a mile to the south.

⁷³ Elko County tax assessments, 1910-1912, ECCH; Troxel interview.

Some income may have been generated by the sale of wheat and, occasionally, from milk produced by the family's cows, but with a large family that included another son, born in 1912, it was always necessary for Wickizer to find off-homestead employment. Fortunately, he had many opportunities to do this. In addition to jobs on nearby ranches, he worked with harvest crews in Starr Valley and along the Humboldt River, which took him away from home for several days at a time. The largest part of Theodore's income, like that of his brother, came from working on construction projects at Tobar, where he was employed as a carpenter. Wickizer was instrumental in building a hotel and store on the first townsite, and worked with other homesteaders to erect several structures at the second site, prompting his daughter to declare with pride that her father had "helped to build Tobar." None of this made the Wickizers wealthy, but in their first years on the land they were in good spirits and full of hope, feelings which were reflected in their mood at dances and other entertainment which they hosted in their big barn with the wooden floor.⁷⁴

But these good times did not last. Although he continued clearing land, and had at least fifty acres under cultivation in late 1912, he never again enjoyed the success that he had with his first crops of grain. One crop failed to mature, another yielded poorly, perhaps because of insufficient moisture, and still others were destroyed by rabbits. By late 1913 Wickizer had concluded that he could not rely on precipitation and natural overflow alone, and installed an irrigation well equipped with a centrifugal pump. Anticipating a substantial volume of water from the well, he prepared additional land for planting, but never got the pump to work properly, which forced him to let most of his newly-cleared land stand idle.⁷⁵

Equally troubling was Jessie Wickizer's physical and mental health. On the last day of March, 1914, she gave birth to her sixth child, a daughter named Helen Mae, but within just a few hours the baby died and was laid to rest in a shallow grave near the house. Despondent over this loss and concerned about her failure to deliver a healthy child, Mrs. Wickizer became alarmed when she discovered in late summer that she was pregnant again. A visit to a doctor did nothing to encourage

⁷⁴ Statement of Theodore F. Wickizer, 18 November 1913, HPA 402570, NA; *Nevada State Herald*, 20 November 1911; Troxel interview.

⁷⁵ Statement of Theodore F. Wickizer, 18 November 1913, HPA 402570, NA; Troxel interview. It is thought that Wickizer's trip to Salt Lake City with his mules was taken to obtain the irrigation pump or parts for it.

her. Seeing that she had not fully recovered from her previous pregnancy and worried about the effect that caring for five young children in a cramped house would have on her condition, the physician advised her to leave Tobar Flat and move to a place where she could get help with the children and better medical care in the event that something went wrong. Jessie had always been a bit skeptical about the wisdom of living in Nevada, but now, with her health at risk and the farm doing poorly, it made more sense than ever to try something different. Theodore reluctantly agreed, and as fall approached the family made preparations to leave. They found someone to rent the house, and between the time when the renters moved in and the Wickizers departed, Theodore, Jessie, and the children lived in the barn, above space occupied by the family's cows.⁷⁶

The Wickizers left Nevada in late 1914, and moved to southwestern Nebraska, close to the home of Theodore's parents and oldest brother, who had moved there from Missouri. At first they lived on rented land near the small town of Max, in Dundy County, where Jessie gave birth to a son named Leo in April, 1915. To everyone's relief, Leo was a healthy baby, and Mrs. Wickizer experienced no complications from the pregnancy or delivery. After a year on the rented place, Theodore purchased a farm north of Max, close to the town of Wauneta in adjoining Chase County. The family lived here for more than thirty years. During this time three more children were born and two died, one in an accident involving a mule and the other from influenza. Theodore survived the drought and depression of the 1930s, and enjoyed a measure of prosperity during World War II when grain prices reached new peaks. He retired from farming after the war and moved into Wauneta, where he passed away in 1952 at the age of seventy-three, and was buried beside the two sons who had died earlier.⁷⁷

⁷⁶ Burgess, 10; Troxel interview; Duplicate Birth Certificate 1914-32, NNM; Death Certificate for Helen Wickizer, NNM. Helen's birth certificate states that she was born on the 30th of March, not the 31st, but other sources indicate that she was born on March 31 and died on the first of April. The physician who advised Mrs. Wickizer to leave was undoubtedly Dr. A. C. Olmsted of Wells, who treated many patients from Tobar Flat. Helen Wickizer was delivered by Mrs. August Lofdahl, a neighbor. Dr. Olmsted filled out her death certificate, in which he said that while the cause of death was unknown, Theodore F. Wickizer had informed him that significant hemorrhaging occurred from the baby's umbilical cord.

⁷⁷ Burgess, 8-11; U.S. Census of Population, manuscript schedules for Dundy County, Nebraska, 1920 and 1930, and for Hayes County, Nebraska, 1920, NA; Troxel and Ardelle Wickizer interviews. Wickizer's address when he registered for the draft in 1918 was given as Route 2, Wauneta (located in Chase County and the nearest town to his farm), but he registered at Benkelman, the seat of Dundy County, where he and his family actually lived. The brother in Nebraska was James Wilborn Wickizer, commonly known as "Bill," whose farm was located in Hayes County, just east of Wauneta. Influenza was blamed for the death of the Wickizers' second-oldest son in 1933, but the real cause may have been what was

After the Wickizers departed in 1914, their home in Nevada was occupied by a succession of tenants, and in at least one year Theodore's abandoned fields were planted to grain. The rent enabled him to pay taxes on the property, but after the last tenants left in 1918 he failed to keep up his payments and the land was taken over by Elko County. He regained it briefly by paying the back taxes, but lost it again, and in 1923 the assessor removed his name from the rolls. The county held the land until 1947, when it was sold to Pete Wollman, operator of the Warm Creek Ranch south of Snow Water Lake, who transferred it two months later to the rancher who purchased the George E. Wickizer place and several other properties in the area. The land was leased to Union Oil for exploration purposes in the mid-1950s, but nothing came of this, and since that time it has remained a nearly forgotten parcel of vacant rangeland.⁷⁸

In 1966 Leo Wickizer and an older brother who had spent part of his boyhood on Tobar Flat traveled to Nevada to see what was left of their father's homestead. The passage of time had not been kind to the place. No structures remained standing, and most lumber from the barn and house, which were valued at \$500 each in 1913, had been carted off. The men searched in vain for any sign of their sister's grave. After viewing this and other abandoned properties, their opinion of the Tobar area was lower than it was when they first arrived. "It's the world's end," said Leo. "I couldn't imagine someone settling there." When told that his father had once harvested six hundred bushels of unirrigated wheat from twenty acres of this land, Leo was incredulous, and doubted that anyone today, using better seed and modern farming methods, could match this achievement in such a forsaken place. After learning that crop failures and low yields were more common occurrences, and remembering that his mother had experienced much anguish during the family's last months on the land, Leo declared that they "would have been better off staying in Kansas."⁷⁹ Few who know the Wickizers' story would dispute the accuracy of this assessment.

called "dust pneumonia," a respiratory illness induced by the dust storms that battered the Great Plains at this time. For more on dust pneumonia, see Pamela Riney-Kehrberg, *Rooted in Dust: Surviving Drought and Depression in Southwestern Kansas* (Lawrence: University Press of Kansas, 1994), 32-33.

⁷⁸ Troxel interview; Elko County tax assessments, 1915-1923, and Land Ownership Records, ECCH; title abstracts, FATC. Interest in oil near Tobar is mentioned in Jean McElrath, "The Sign Pointed Thirsty 'To Bar,'" *Nevada State Journal*, 21 May 1961.

⁷⁹ Leo Wickizer interview. The value of the house and barn in 1913 is taken from Theodore F. Wickizer's statement, 18 November 1913, HPA 402570, NA.

ANDREW E. SCOTT

Another native of Iowa, Andrew E. Scott was born around 1876, and spent much of his youth on farms in the western part of the state. He left home at an early age, and may have lived in Colorado for a time before heading farther west. Scott turned up in Salt Lake City in 1905, stayed for a year or two, and in 1908, still unmarried, he became a member of Carl H. Lofdahl's telegraph crew in Nevada, where he joined Lofdahl, George E. Wickizer, and several others in obtaining land on Tobar Flat.⁸⁰

Scott filed his claim right after Lofdahl, with Wickizer as his entry witness. The parcel that he chose lay immediately north of Lofdahl's, and was about a mile south of land taken by James C. Martens (later part of the Theodore F. Wickizer homestead). It consisted of 160 acres configured to encompass part of The Slough's channel as well as a short stretch of Steele Creek, which also crossed Lofdahl's land and continued to a point beyond property claimed by Andrew C. Myerhoff, the locomotive engineer. A small part of the claim extended up the western slope of Black Ridge, about twenty-five feet above The Slough.⁸¹

Scott spent the winter with the telegraph crew, but on April 7, 1909, he returned to the Tobar area with Lofdahl and Wickizer, and built a shack near the foot of Black Ridge. He was still on the land when Theodore F. Wickizer arrived from Kansas in early May, but departed a short time later and would not return until the spring of 1912. During his absence, the Lofdahl family cleared at least twenty acres of his land, and planted potatoes, wheat, and oats. To many observers, Scott's claim seemed to be an extension of the Lofdahl homestead. It was assessed as such in the spring of 1911, and later in the year, when the Wells newspaper said that the Lofdahls' wheat stood waist-high, with heads "filled with hard, plump kernels," it was really reporting about conditions on land held by Scott.⁸²

⁸⁰ U.S. Census of Population, manuscript schedules for Cass County, Iowa, 1880 and 1900, and Garfield County, Colorado, 1900, NA; statements of Andrew E. Scott, 13 June 1913, HPA 421395, and 18 November 1913, HPAs 402559 and 421395, NA; *Salt Lake City Directory* (Salt Lake City: R.L. Polk, 1905 and 1906).

⁸¹ Homestead Entry Application CC 01245, 21 November 1908, HPA 421395, and GLO tract books, NA.

⁸² Statements of Andrew E. Scott, 18 November 1913, HPAs 402570 and 421395, NA; Elko County tax assessments, 1911, ECCH; *Nevada State Herald*, 25 August 1911. The Scott and Lofdahl claims were combined as a single unit for tax purposes and assessed to Lofdahl, although the assessor did concede that the northern half of this parcel consisted of land "belonging to A.E. Scott." Homestead records show that the only wheat planted on either the Scott or Lofdahl claims in 1911 was on Scott's property,

Upon his return, Scott plunged right into farming, and planted wheat, alfalfa, and potatoes in fields that the Lofdahls had worked while he was away. Most cultivated land was situated right beside The Slough, which he hoped would supplement spring and summer showers to provide adequate moisture for the crops, as it had in 1910 and 1911. He did not count on too much water coming down The Slough, but this is exactly what happened. Heavy runoff from the mountains and above-average local precipitation combined to raise the volume of water in The Slough far above expectations, and produced catastrophic results in fields close to the channel. Scott described his dilemma in the following words: "The water was too high in the slough, the land was flooded, and the grain would not mature, so I cut it for hay.... I had three acres in alfalfa, but on account of the land being flooded, I was unable to get any crop from these three acres." Five acres of potatoes, planted closer to his residence, escaped flooding but benefited from the rain, and yielded eighty bushels per acre.⁸³

The next year was about the same. Scott reported that "I sowed five acres to oats and ten acres to wheat. Again there was too much water in the slough for the grain to mature, so I cut it for hay and obtained a fair crop." The potatoes did even better than in 1912, yielding 750 bushels from five acres, an unprecedented bounty whose quantity was confirmed by Theodore F. Wickizer. Despite the floods, Scott remained optimistic, declaring that the crops he had raised (presumably the potatoes) "were profitable, and should continue to be more so each year."⁸⁴

but according to the newspaper this crop was cultivated by Lofdahl's father. Scott's whereabouts in 1910 and 1911 is not known, but presumably he was working somewhere in Nevada or California on a telegraph or track laying crew.

⁸³ Affidavit filed by Andrew E. Scott with Charles H. Roland, U.S. General Land Office, Wells, Nevada, 13 June 1914, HPA 421395, NA. Precipitation at Wells from April through August, 1912, was more than fifty percent above the long-term average, while at Arthur, southwest of Tobar, and Metropolis, north of Wells, precipitation in April alone exceeded five inches. Scott's good luck with his potatoes paralleled Theodore F. Wickizer's success this year with his wheat, which was planted in a somewhat analogous location beyond reach of the flood waters.

⁸⁴ Scott affidavit and affidavit filed by Theodore F. Wickizer with Charles H. Roland, U.S. General Land Office, Wells, Nevada, 13 June 1914, HPA 421395, NA. As a rule, precipitation totals were not as high in 1913 as they were a year earlier, but late spring and early summer rains were more than sufficient to sustain Scott's potatoes. The Clover Valley station, for example, recorded 3.72 inches of precipitation in June, 1913, and the Wells station reported 2.75 inches for the same month, in each case about five times more than long-term averages. Although Scott and Wickizer may have exaggerated Scott's potato production, there is no doubt that potatoes did well on Tobar Flat in 1913, a conclusion supported by the *Nevada State Herald*, 2 October 1913.

This does not mean that Scott had become a prosperous farmer. Because he raised more potatoes that he could possibly eat, he was in a position to sell or trade them in exchange for other necessities, including foodstuffs, and since he was a single man with minimal personal needs, he was able to get by in this way. There is no evidence that he kept livestock of any sort, although it is probable that he could use the Lofdahls' two work horses when he needed them. As late as November, 1913, he still had no barn, shed, stable, or root cellar, and his shack, which probably consisted of just one room, was thought to be worth about \$200, less than half the value of Theodore F. Wickizer's two-room lumber house. Scott occasionally worked for ranchers and other homesteaders in the area, but it does not appear that he was employed on construction projects in Tobar, which could have been an important source of income.⁸⁵

On November 18, 1913, in the company of Theodore F. Wickizer and James Moyer, who would be his witnesses, Scott traveled to Wells to submit the final proof on his homestead. He described the cultivation that took place on his land in 1910 and 1911, neglecting to say that this was done by the Lofdahls, and curiously omitted any mention of farming activities in 1912 and 1913. When asked about his absences since establishing residence in 1909, Scott declared that "there never was any absence from my present homestead except a day [or] never more than a few days when I helped a neighbor during harvest time," a manifestly false statement, for in fact he had been away for nearly three full years. This put his witnesses in a difficult position, for as much as they may have wished to support his claims, they did not want to perjure themselves and face the consequences. Their strategy was to be as evasive as possible, and to qualify their answers to certain key questions in such a way that while their responses were not outright lies, they did not convey the entire truth. Wickizer, for example, said that Scott had resided continuously on his land, "so far as I can remember," implying that if his testimony was found to be untrue, it could be blamed on his faulty memory and not be construed as deliberate deceit. Moyer took the same approach, saying that Scott had never been absent from his claim "so far as I know," and that he had made this place his home since April, 1909, "to the best of my knowledge." Since Moyer had been working at a mine on Spruce Mountain during at least part of Scott's lengthy absence, his lack of complete knowledge about Scott's whereabouts was plausible, but his statement

⁸⁵ Statement of Andrew E. Scott, 18 November 1913, and Scott affidavit, 13 June 1914, HPA 421395, NA; Elko County tax assessments, 1912-1913, ECCH.

did not directly address the question of whether or not Scott had remained on his land for the required amount of time.⁸⁶

Because of these omissions and inconsistencies, it is not surprising that the proof was rejected. In correspondence dated May 7, 1914, the U.S. Land Office in Carson City explained that the government could not issue a patent unless Scott satisfied three concerns. First, the land office demanded “further evidence” that he had actually established residence on April 7, 1909. Second, the office noted that Scott had not mentioned any cultivation in 1912 or 1913, and informed him that it needed an “affidavit showing why he failed to cultivate in 1912 and 1913 [and] what use he made of the land for those years.” Finally, it required that he provide evidence that he had “continued to reside upon the land until April 7, 1914, when the five year period expired.” The office warned Scott that unless he and two of the four prospective proof witnesses whose names had been submitted earlier could provide satisfactory explanations about these concerns within thirty days of his receipt of this preliminary notice, the office would have no choice but to issue a permanent rejection. The notice was delivered to Scott by registered letter on May 13, 1914.⁸⁷

Exactly one month later, Scott returned to Wells for a final attempt to settle the case in his favor. As before, Theodore F. Wickizer came along as one witness, but James Moyer could not or would not testify this time, so he was replaced by Joseph B. McDaniel, brother-in-law of Carl H. Lofdahl, Scott’s nearest neighbor. Each man gave almost identical testimony, which was recorded in affidavits certified by a land office official, but they did not fully address every point raised in the preliminary rejection. The question of when he established residence was never brought up. On the second point, Scott said

⁸⁶ Statements of Andrew E. Scott, Theodore F. Wickizer, and James Moyer, 18 November 1913, HPA 421395, NA; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA. In 1910 Moyer was a thirty-three year old widower employed by Charles M. Spence at a mine in the Sprucemont district. He testified in late 1913 that he was now a neighbor of Scott, that he lived in the immediate neighborhood of Carl H. Lofdahl, and that he had worked close to Scott’s place. He added that he had known Lofdahl since 1909, but was silent about when he first met Scott. It is possible that by this time he was living on land claimed by Myrtle Lendholm, located just south of the Lofdahl place, or that he worked for the Lofdahls, but this cannot be verified. His failure to reveal how long he had known Scott suggests that he did not meet him until Scott returned to Tobar Flat in 1912. Statements of James Moyer, 18 November 1913, HPAs 402559 and 421395, NA.

⁸⁷ Notice of Rejection of Homestead Entry 01245, 7 May 1914, and U.S. Land Office Service Notice, 13 June 1914, HPA 421395, NA. In addition to Wickizer and Moyer, Scott had designated Joseph B. McDaniel and Sidney O. Curtiss as prospective proof witnesses.

that he thought he had already submitted sufficient information about his cultivation in 1912 and 1913, but conceded that if it was not included in his original proof papers, “it was inadvertently omitted by me.” He and the witnesses then went on to tell, in great detail, about his problems with flooding in 1912 and 1913, and recounted the success he had in raising potatoes, which apparently resolved this issue. As for the matter of his length of residence on the land, Scott explained that he thought he was proving up under the government’s new three-year residence requirement, and not the five-year rule. As proof that he had satisfied the three-year regulation, Scott said that “I resided on the land continuously in 1912, 1913 and 1914 up to about the first of May, 1914, with the exception of short absences... for the purpose of obtaining supplies... and working for neighboring farmers and ranchers,” and a brief trip to Colorado in early May, 1914. No one mentioned that this time frame, from the spring of 1912 to the spring of 1914, still left him short of meeting the three-year requirement. Despite these gaps, the land office was satisfied that Scott had come close enough to fulfilling his obligations and was eligible for a patent to the land, which it issued in July, 1914.⁸⁸

Scott remained on his land through the summer of 1914, although it is not certain if he did much farming that year. On the last day of August he mortgaged his property to the Bank of Wells, which enabled him to pay off his debts and have enough cash left over to make a fresh start in a new locality. He would not redeem the loan. By the spring of 1915 he had departed, and in 1918 he was residing in Los Angeles, where he remained for several years, living in boarding houses in a run-down part of the city and working as a common laborer and, for a while, as a teamster. By 1930 Scott had returned to Iowa, and was staying in a residential hotel in a small city not far from his place of birth, where he was employed as a laborer doing odd jobs.⁸⁹ It is uncertain whether he was better or worse off now than

⁸⁸ Scott, Wickizer, and McDaniel affidavits, 13 June 1914, HPA 421395, NA; copy of Patent 421395, 13 July 1914, provided by the U.S. Bureau of Land Management, Elko, Nevada. An amendment to homestead regulations, passed in June, 1912, allowed settlers to satisfy residence requirements by living on their land for seven months in each of three successive years, and Scott was permitted to prove up under this rule, even though he had not filled out the appropriate forms. But by mid-June, 1914, when he submitted his revised proof papers, which the government accepted, Scott had still not been on the land for the required seven-month period in that year.

⁸⁹ Title abstracts, FATC; Elko County tax assessments, 1915-1919, ECCH; *Los Angeles City Directory*, 1918; U.S. Census of Population, manuscript schedules for Los Angeles County, California, 1920, and Cass County, Iowa, 1930, NA. The county’s failure to assess Scott’s dwelling or any other structure on his property in 1915 and 1916 makes it probable that he was no longer living there when the assessments were made. It seems odd that a building on this land was assessed for \$50 from 1917

when he lived on Tobar Flat, but at least his Nevada homesteading experience had provided a change from the monotonous succession of dead end jobs that characterized his life, and had allowed him to have a home of his own, no matter how humble, instead of a rented room in a dingy hotel or boarding house.

Scott's homestead property was held by the Bank of Wells from 1917 through 1921, and was then turned over to Elko County for non-payment of taxes. The county owned it for more than a quarter-century, and sold it in 1948 to the Ruby Valley rancher who acquired several abandoned homesteads at this time. After numerous transfers from one owner to another, it was sold in 1962, along with 320 acres of former railroad land lying immediately to the north, to the J and K Land and Cattle Company. A year later it was acquired by an oil company, which held it for two years before disposing of it, and from that point onward the land passed through a succession of owners, changing hands four times in 1965 alone, and was divided into two equal-sized units in 1979 and 1980.⁹⁰ Through all of this, the parcel homesteaded by Scott remained just another bleak piece of rangeland, virtually indistinguishable from neighboring properties. For years, an old house trailer stood on the former railroad property, some three hundred yards beyond the northern boundary of Scott's homestead, and it was this structure that ordinarily caught the eye of anyone venturing into the area, for only a few boards, nearly hidden by desert shrubs, remained at the site of Scott's shack. Local informants have been unable to reveal anything about Scott or his homestead. In the final analysis, this site was simply the place where a marginal man lived for a short time on marginal land, and with the passage of time both the man and his home have been forgotten.

CARL H. LOFDAHL

Carl H. Lofdahl was born in 1880 in Denmark, the oldest of six children of August Lofdahl and the former Johanna Hanson, both natives of Sweden. Carl migrated to the United States in 1905, and two years later he was joined by his younger sister, Hedvig. Together, the pair made their way westward, and upon reaching Nevada they obtained jobs connected with building the Western Pacific Railroad,

through 1919, but perhaps this reflected the presence of someone renting the place from the Bank of Wells in these years.

⁹⁰ Elko County tax assessments, 1917-1925, and Land Ownership Records, ECCH; title abstracts, FATC.

with Carl setting out telegraph poles along the right of way while his sister was employed as a construction camp cook. After a few months Carl was promoted to foreman of one of the telegraph crews, which also included George E. Wickizer, Andrew E. Scott, and James C. Martens. Together with these men and others from the camp, he claimed a homestead on Tobar Flat in late November, 1908. Lofdahl's claim lay immediately south of that taken by Scott, and like the latter's property it consisted of 160 acres that stretched across the channels of The Slough and Steele Creek and extended onto the western slope of Black Ridge.⁹¹

After working with the telegraph crew through the winter of 1908-1909, Lofdahl returned to Tobar Flat with Wickizer and Scott on April 7, 1909. Three days later he completed construction of a very modest dwelling. The structure, which seems to have been no larger or better built than Scott's shack, was located on a low rise west of The Slough, about a quarter-mile from Scott's place of residence. Once this task was finished, Lofdahl dug a well, began fencing the perimeter of his property, and cleared land near his house. He may have been assisted by Scott in some of these tasks, but after Scott left the area in May, he carried on alone, or perhaps with some help from one or two others, and within a few months he had enlarged the amount of cleared land to include a few acres across the property line on land claimed by Scott.⁹²

While this was taking place, the remaining members of Lofdahl's family moved from Denmark to the United States, and proceeded with little delay to Nevada. The first to come were Carl's sister, Emma, who was in her early twenties, and his seventeen year old brother, Oscar, who arrived together in the summer of 1909. The parents, both in their fifties, accompanied by their two youngest sons, Einer, age fourteen, and twelve year old Hans, came just before the end of the year. By mid-April, 1910, the entire family was living in the Tobar-Clover Valley area. Carl's household included his parents and

⁹¹ U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910 and 1920, NA; statement by August Lofdahl, 30 June 1918, HPA 668307, NA; California Death Index; Death Certificates for August, Johanna, and Hans Lofdahl, NMM; GLO tract books, NA; William McDaniel interview. Some sources suggest that Lofdahl may have been born in 1881 or 1883, but it is more likely that the correct date is 4 February 1880, as specified in the California Death Index.

⁹² Statement by Carl H. Lofdahl, 18 November 1913, HPA 402559, NA. The belief that Lofdahl cleared some land on Scott's claim at this time is based on evidence that in the spring of 1910 the Lofdahl family planted crops on ten acres of Scott's land, which must have been cleared at some time before the planting took place. It is possible that Lofdahl received help in clearing land from his younger brother, Oscar, or from James Sigsgard, who was living with the Lofdahls in April, 1910, and may have been there a few months earlier.

three brothers, all crammed into the little house he had built a year earlier, as well as James Sigsgard, a forty-five year old Dane who had come to the United States in 1882. The two sisters, Hedvig, who by now was married to Joseph B. McDaniel, and Emma, were living on the ranch of Horace A. Agee in Clover Valley, where they were employed as cooks for the Agees and their employees.⁹³

In the spring of 1910 the Lofdahls planted twenty acres, about evenly divided between Carl's property and Scott's claim, with most cultivated land located close to The Slough. Of this, seventeen acres were in oats, while the remainder was planted to potatoes. Despite a dry summer, the crops did well, primarily because of abundant runoff from the mountains and more than adequate precipitation in May, which got them off to a good start. The oats on the Lofdahl land were cut for hay, but those on Scott's side of the property line yielded thirty bushels of grain to the acre, while sixty bushels of potatoes were dug from each of the three acres in that crop. As these crops matured, the family began to clear more land, some of it beyond reach of water from The Slough, and by winter's end they had at least forty acres, again equally divided between the two claims, ready for spring planting.⁹⁴

The Lofdahls enjoyed another good year of farming in 1911. Homestead files indicate that forty acres were under cultivation on the combined Lofdahl-Scott properties in that year, but these records may understate the actual amount of land in crops, for in August the Wells newspaper reported that the family had planted 100 acres to wheat and oats alone, adding that while "the seed was of the ordinary variety used in this section, and not especially adapted to dry-farming, [they] will have a good crop." Although the paper probably exaggerated the acreage in grain, it came close to the truth in its

⁹³ U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA; *Nevada State Herald*, 11 November 1927; *Reno Evening Gazette*, 6 June 1945; *Elko Independent*, 9 July 1959. Hedvig's husband, Joseph B. McDaniel, was one of Agee's hands at the time the census was taken. Sigsgard, who may have been a relative of the Lofdahls, was employed as a farm laborer, but it is not certain if he was working for Lofdahl, Agee, or someone else. The connections between Agee, who was a bitter rival of John C. Munson, and the Lofdahls, and the Lofdahls' friendship with the Wickizers, helps to further explain why these homesteader families disliked and mistrusted the Munsons.

⁹⁴ Statements of Carl H. Lofdahl, 18 November 1913, HPA 402559, and Andrew E. Scott, 18 November 1913, HPA 421395, NA. Precipitation records for Wells and Clover Valley show that June and August were particularly dry, with no precipitation whatsoever recorded in June at the former place and only .03 inches in August at the latter, but that in May, Wells received more than two inches of rain and 1.24 inches fell in Clover Valley. Above-average precipitation in the mountains produced unusually heavy runoff, and John C. Munson, visiting Wells from his home near The Slough in March, 1910, reported that "there was one stream a quarter of a mile in width" in his neighborhood. *Nevada State Herald*, 4 March 1910.

prediction of what it called “splendid production.” The wheat yielded a ton of hay per acre, while twenty bushels of grain were harvested from each acre of oats, more than enough to sustain the Lofdahls’ two milk cows and their pair of work horses. For some reason, potatoes did better on the Lofdahls’ land than on Scott’s, but between the two properties the family harvested more than 500 bushels from eleven acres, with some of this earmarked for sale. Most of the credit for this success went to Carl’s father, August, whom everyone considered a better farmer, and more committed to an agricultural way of life, than his son. Indeed, when the newspaper described the Lofdahls’ fine crops, it said that they had been raised by August, and made no mention of Carl. The contrast between the two men was well-illustrated by their activities in the latter part of 1911, when Carl worked with his brother, Oscar, on a dam building project at Metropolis, northwest of Wells, while August, his wife, and the younger sons remained at home to look after the farm.⁹⁵

Farming activity on the Lofdahl homestead never again approached the level reached in 1911. No crops were raised in 1912, perhaps because the flood waters that damaged Scott’s crops had a similar effect here. Oats and potatoes were planted in 1913, but there is no record of how much, if any, of this was harvested, and it is possible that these crops, like those of Scott, were again damaged by flooding. But failure to produce significant amounts of hay, grain, or potatoes was not much of a problem for the Lofdahls, for by now Carl had secured work at a mine on Spruce Mountain and had a steady income, a fact that is reflected by his ability to pay his 1912 personal property tax in a single lump sum, a rarity for the area’s homesteaders at this time.⁹⁶

⁹⁵ Statements of Carl H. Lofdahl, 18 November 1913, HPA 402559, and Andrew E. Scott, 18 November 1913, HPA 421395, NA; *Nevada State Herald*, 25 August 1911 and 8 December 1911; Elko County tax assessments, 1911 and 1912, ECCH; William McDaniel interview. It is difficult to determine exactly how much land was in crops on the Lofdahl and Scott homesteads in 1911. Government records show that there were sixty acres under cultivation on these two parcels in 1913, and this may be closer to the correct acreage than the amounts cited by Lofdahl (who was only marginally involved with his family’s farming activities), Scott (who was not in the area in 1911), and the newspaper reporter (who was repeating what he had heard from visitors to Wells). Work began on the Metropolis dam in the summer of 1911, and was completed in April, 1912. Nearly 100 men were at work at the site in late July, 1911, and by October the number had increased to about 300. Progress on the dam was slowed by cold weather in late 1911 and early 1912, idling many work crews, and it is this circumstance that probably accounted for the return of Carl and Oscar Lofdahl to Tobar Flat in early December, 1911, after working at the dam site for several months. *Nevada State Herald*, 28 July 1911; William L. Moran, “A Dam in the Desert: Pat Moran’s Last Water Venture,” *Utah Historical Quarterly* 50:1 (Winter 1982): 22-39.

⁹⁶ Statement of Carl H. Lofdahl, 18 November 1913, HPA 402559, NA; Elko County tax assessments, 1912, ECCH; *Nevada State Herald*, 17 January 1913.

Another reason for the decline in farming activity on Carl's homestead is that his father acquired a homestead of his own in June, 1913, and from that point onward he devoted most of his attention to this property. August Lofdahl's homestead, located in the extreme southern part of Clover Valley, lay about eight miles southwest of Carl's place, and while it is known that the father did cultivate some land on his son's property after he moved away, this became increasingly impractical as time passed. By 1918 August had forty acres in crops, a lumber barn that could "accommodate 20 head of stock," and a substantial house, all of which had become focal points of the family's life and its agricultural endeavors.⁹⁷

In a brief ceremony in Elko on September 15, 1913, Carl H. Lofdahl was naturalized as a United States citizen, which qualified him to make final proof on his homestead, provided he could show that he had satisfied the government's residence and cultivation requirements. Two months later, with Andrew E. Scott as one of his witnesses, he proved up, and unlike Scott, his proof was accepted without reservation. The inventory of his improvements at this time was not impressive, but they were more substantial than those of Scott, for in addition to his small house he had a storage cellar and a stable, together worth \$175. By this time the family's cattle and horses had been taken to August's place in Clover Valley, leaving the original homestead as little more than a non-farm residence. Carl and his brother, Oscar, lived here until 1918. During this time Carl worked for a blacksmith in Tobar, where he was often assisted by Oscar, while on some occasions one or the other would find short-term employment at Spruce Mountain. Oscar also helped his father on the new homestead in Clover Valley, ordinarily spending a few days there whenever an extra hand was needed, but there is no indication that Carl went to his parents' home for anything more than social visits.⁹⁸

This arrangement ended in 1918, when Oscar Lofdahl joined the army during the First World War. Without the companionship of his brother or of Andrew E. Scott, who had departed three years earlier, Carl concluded that it made little sense to continue living on his property along The Slough, and moved to Wells to work in a blacksmith shop. Later in the year he moved again, this time to northern

⁹⁷ Statements of August, Oscar, and Einar Lofdahl, 30 June 1918, HPA 668307, NA; William McDaniel interview.

⁹⁸ Copy of Certificate of Naturalization, 15 September 1913, and statement of Carl H. Lofdahl, 18 November 1913, HPA 402559, NA; statement of Oscar Lofdahl, 30 June 1918, HPA 668307, NA; *Nevada State Herald*, 20 March 1914 and 15 January 1915; Elko County tax assessments, 1914-1916, ECCH; William McDaniel and Eugene Pengelly interviews.

Lander County, where he obtained a job in a mine near Battle Mountain. Then, in April, 1919, Carl made a momentous change, selling his Tobar Flat land to his father and relocating to San Francisco. He remained in the California city for only a year, and then went to Alaska, reaching Nome early in the summer of 1920.⁹⁹

Carl's arrival in Nome marked the beginning of an exciting but extremely arduous phase of his life. Together with several other adventurers from San Francisco, he boarded a schooner in Nome and set out for Siberia, intending to prospect for gold and other minerals. Unfortunately, the ship was caught in ice and crushed in the northern Bering Sea, and it was only with great difficulty that Carl and his companions managed to stumble ashore in Siberia. One member of the expedition was brought back to Nome by the Coast Guard in the summer of 1921, but Carl and the others stayed behind, and reportedly found small amounts of gold, silver, and tin. Carl remained in Siberia for more than two years, gradually working his way southward, and it was not until September, 1923, that he departed, sailing from a port on the Kamchatka Peninsula in a small steamer bound for Seattle. He arrived in Seattle on the sixteenth of October in the company of the ship's captain and six other men. With his ordeal finally at an end, Carl moved into a residential hotel near the Seattle waterfront.¹⁰⁰

After staying in Seattle for several months, Carl returned to northeastern Nevada. From 1926 to 1929 he operated a lead-silver mine near the western edge of Ruby Valley, and in 1927, with the help of his father, he installed a small concentrating mill at the site. Despite a great deal of effort, the operation was not a success, and in the summer of 1929 Lofdahl went back for Alaska. By October he was once again in Nome, employed as a laborer at a placer gold mine.¹⁰¹

⁹⁹ Statement of Oscar Lofdahl, 30 June 1918, HPA 668307, NA; Carl Hildur Lofdahl draft registration card, Lander County, Nevada, 12 September 1918; *Nevada State Herald*, 15 February 1918; *Reno Evening Gazette*, 18 July 1921; Elko County tax assessments, 1917-1919, ECCH; title abstracts, FATC; Eugene Pengelly interview.

¹⁰⁰ *Reno Evening Gazette*, 18 July 1921; Seattle Passenger and Crew Lists, 1882-1957, entry for the steamship Ruby, October, 1923.

¹⁰¹ *Nevada State Herald*, 29 September 1926, 11 November 1927, 11 May 1928, and 12 April 1929; U.S. Census of Population, manuscript schedules for Alaska Territory, 1929, NA. The mine that Lofdahl operated at this time was located about six miles north of the Ruby Valley post office, where ore had been discovered in 1903 and intermittent production occurred in the years preceding the First World War. The mine revived after the war, but never became a significant producer.

Lofdahl remained in Alaska for nearly a decade, and upon his return he followed the same pattern as before, going first to Seattle and then home to Nevada. After a short period of residence in Wells, he went to Reno, where in late 1940 he married Katherine Kendall, a Seattle woman almost half his age, whom he had probably met in the weeks following his second Alaskan adventure. But the union was not a success, and the couple soon separated, with Carl moving to Fresno, California, a few miles from the town where his sister, Emma, was now residing. Here, he obtained a job as a mechanic, and for nearly a decade he rented a room in the home of Arthur Mack, a welder, and his wife. When the Macks moved away around 1950, Lofdahl found accommodations in a rooming house and continued working as a mechanic. In early 1953 he was employed by the Fresno Community Hospital, just a block from where the Macks had lived. Considering the hospital's location, it is possible that this is where he worked for much of the time that he had roomed with the Macks, but this is not certain. Lofdahl left Fresno later in the year, and it is thought that he moved in with Emma and her family, but this did not last, and before the end of 1953 he was living in San Francisco. Carl passed away in San Francisco on July 13, 1956, at the age of seventy-six, and was buried in Clover Valley near the remains of his parents and his brother, Hans, who had died in 1915.¹⁰²

Lofdahl's property on Tobar Flat remained in the family's hands until after the death of his mother in 1945, when, like so many of the area's abandoned homesteads, it was taken over by a ranching operation. In 1977 it was reacquired by one of his nephews. Two years later the author interviewed this man and his brother, sons of Joseph B. McDaniel and the former Hedvig Lofdahl. When told that the author had discovered the remains of a large earthen dam on what he thought at the time was Lofdahl's former homestead property, one nephew insisted that the author was mistaken, for, as he put it, "Uncle Carl wouldn't have done something like that. He just wasn't that interested in developing a farm." His brother agreed, saying that while Lofdahl was a clever, hard working man, "he was never really a farmer."¹⁰³ In retrospect, the Carl H. Lofdahl homestead existed first as a gathering point for this

¹⁰² *Fresno City Directory* (Los Angeles: R.L. Polk & Co., 1942-1953); *Reno Evening Gazette*, 28 December 1940 and 29 December 1953; *Elko Independent*, 31 May 1945; California Death Index; Clover Valley Cemetery (South) grave records; William McDaniel interview.

¹⁰³ Author's interview with Joseph O. McDaniel, Elko, Nevada, 27 June 1979; William McDaniel interview; Land Ownership Records, ECCH; title abstracts, FATC; *Elko Independent*, 31 May 1945. August Lofdahl died in 1927, but his widow remained on the farm in Clover Valley until 1931. The dam that the author initially believed was on Carl H. Lofdahl's homestead property was actually built on the T. Leslie Davis property, a short distance to the south, by Davis and his father-in-law, Herman H. Schrader, in the 1920s. At the time of his death, August Lofdahl was described as "one of the first settlers in the Tobar

family of immigrants, then as a temporary residence for Carl and his brother, and finally as a distant outlier of his parents' farm in Clover Valley. With the exception of 1910 and 1911, the place never functioned as a viable farm, and there is nothing there today to suggest otherwise.

ANDREW C. MYERHOFF

The son of German immigrants, Myerhoff was born in 1868 near Saginaw, Michigan. He married Nettie Dodson, also from the Saginaw area, in 1889, and in January, 1890, the couple welcomed the arrival of a daughter whom they named Marguerite. Unfortunately, both mother and daughter died within ten days of one another in April, 1890. Myerhoff remarried in 1892, this time to Rosina Metzger, whose parents, like those of her husband, had migrated from Germany. Earlier, he had begun working for the Wabash railroad, and at about the time of his second marriage he became a locomotive engineer.¹⁰⁴

The job with the Wabash took the Myerhoffs to many parts of the American Midwest, which is reflected in the places of birth of their first three children, in Michigan, Indiana, and Illinois. By 1900 the family made its home in Chicago in a small apartment house whose other residents included a laborer at a coal company, a brewery employee, and a railroad section hand. Not long after this, Myerhoff obtained a position as an engineer for the Union Pacific's Salt Lake Route, which would connect Los Angeles with Salt Lake City, and his family moved to Utah. In early 1907 the Myerhoffs were living near the Union Pacific depot in Salt Lake City, where Andrew continued to work for the Salt Lake Route.¹⁰⁵

agricultural district" before moving to Clover Valley, a further indication that it was he, and not Carl, who was most fully involved with trying to develop the family's homestead on The Slough.

¹⁰⁴ Myerhoff family genealogical records, LDS; U.S. Census of Population, manuscript schedules for Salt Lake County, Utah, 1920, NA; *Salt Lake Tribune*, 31 January 1943 and 18 April 1951. Mrs. Myerhoff's first name has also been listed at various times as Rozena, Rosena, and Rose.

¹⁰⁵ Myerhoff family genealogical records, LDS; U.S. Census of Population, manuscript schedules for Cook County, Illinois, 1900, NA; *Salt Lake City Directory*, 1907. Railroad traffic between Los Angeles and Salt Lake City began in 1905, but trains supporting construction work had been in use for several years before this, and it is probable that Myerhoff ran a locomotive for one of these work trains until the line was opened for through traffic. The Salt Lake Route, whose official name was the San Pedro, Los Angeles, and Salt Lake Railroad Co., was built as a joint venture by its founder, Senator William A. Clark of Montana, and the Union Pacific, and did not become fully owned by the Union Pacific until 1921. For more information on the construction and early operation of the Salt Lake Route, and the political maneuvering that this involved, see Myrick, Vol. 2, 623-662.

Later in 1907 Myerhoff changed jobs, and began operating locomotives for the Western Pacific, which was building westward from Salt Lake City. The tracks crossed the Utah-Nevada state line in May, 1907, reached the site of Shafter, 164 miles from Salt Lake City, in October, and progressed to a location near the tunnel through the Pequop Mountains before the end of the year. During this time Rosina and the children remained in Salt Lake City, in part because construction camps in the desert were no places for families, and partly because she and her husband wanted their children to remain in school for at least another year. The decision to stay behind was reinforced when Mrs. Myerhoff became pregnant in late 1907 and gave birth to the couple's fourth child, and second son, in Salt Lake City in August, 1908. Four months later, while he was based near Deeth, Myerhoff filed a claim on 160 acres of homestead land on Tobar Flat. His reasons for doing this are not completely clear, but family tradition holds that by now he and his wife wanted to have a house and property of their own for their growing family instead of a rented flat in the city, and that he was influenced by the enthusiasm for land in this area exhibited by George E. Wickizer and others from the work camp near Tobar.¹⁰⁶

The land that Myerhoff chose was the southeast quarter of Section 20 in Township 34, Range 63. Located nearly three miles south of where Carl H. Lofdahl would build his house and about the same distance from the eastern end of Snow Water Lake, this became one of the loneliest inhabited spots on Tobar Flat, for no one would ever occupy a homestead south or southwest of here, and only two families would live to the east during the years that the Myerhoffs were on the land. It was covered by a variety of desert shrubs, including greasewood and rabbitbrush, pushing up through low-quality soil that was subject to wind erosion. In contrast to land taken by the Wickizers, Scott, and Lofdahl, it was not situated on The Slough, and therefore lacked access to the best source of surface water in the area. Why someone would acquire such a remote, desolate parcel remains a mystery. Its one positive attribute was its location beside Steele Creek, arguably the second or third-best watercourse on the Flat, and perhaps Myerhoff chose land here because he did not want to be dependent on The Slough after it had already crossed the claims of several new settlers as well as some of John C. Munson's land. But his

¹⁰⁶ Myerhoff family genealogical records, LDS; *Salt Lake Tribune*, 31 January 1943; *Salt Lake City Directory*, 1908-1909; Myrick, Vol. 1, 318-319; synopsis of unpatented homestead file CC 01339, BLM; author's interviews by telephone with Nettie McQueen (daughter of Andrew C. Myerhoff), Salt Lake City, Utah, 19 July 1982, and Jean Kerr (granddaughter of Andrew C. Myerhoff), Woods Cross, Utah, 19 July 1982. Myerhoff's obituary in the *Salt Lake Tribune*, 31 January 1943, said that he was "one of the original engineers on the Western Pacific," but this is a slight exaggeration since he was still working for the Salt Lake Route when Western Pacific work trains first entered Nevada.

claim lay so far downstream, only a mile before Steele Creek disappears in an alkali-riddled greasewood flat, that it is doubtful if he could have reasonably expected to receive much surface flow, particularly once homesteaders took land farther up the creek.¹⁰⁷

Myerhoff established residence in April, 1909, at or near the time that George E. Wickizer, Scott, and Lofdahl moved onto their claims. In a matter of a few days he built part of what would become a two-room lumber house and dug a shallow well, and then returned to his job with the railroad. Once school let out for the summer in Salt Lake City he brought his wife and children to their new home, and as time permitted he worked to complete the family's house. Mrs. Myerhoff and the couple's oldest son, who was now a teenager, prepared a small garden and watered it by hand from their domestic well. Myerhoff helped whenever he could, but he was usually away from home, operating a locomotive, so most of the burden for maintaining the homestead fell on his wife and the older children.¹⁰⁸

The Myerhoffs lived here for more than three years. During this time they enlarged the garden, and on one occasion they may have irrigated it from Steele Creek, but for the most part that had to rely on their well. By no stretch of the imagination could the Myerhoff place have been called a bona fide farm. With the exception of the garden, no land was prepared for crops, and no animals, not even some chickens, could be found here. With no livestock to care for, there was no need for a barn, shed, or corral. The family's only source of support was Andrew's wages from the railroad, which made it possible to purchase food that could not be obtained from the garden. One of the children's most vivid memories of their life in Nevada was the sight of their father trudging down the road from Tobar with a much-needed sack of groceries in his arms. "The family was very poor," declared a granddaughter in what was decidedly an understatement, "and times were hard."¹⁰⁹

¹⁰⁷GLO tract books, NA; *Northeastern Nevada Cooperative Land-Use Study*, Sheet 17. It is unlikely that Myerhoff inspected this quarter-section before he claimed it, and probable that his selection was based on what he saw on a land office map which showed Steele Creek passing through the western fringes of this property, and a road connecting it to land acquired by Scott, Lofdahl, and Myrtle Lendholm. The two families living east of the Myerhoff were the Browns and the Churchfields, with the former making their home about two miles away and the latter residing in two cabins near Little Lake, some six miles from the Myerhoff place.

¹⁰⁸ McQueen, Kerr, and Eugene Pengelly interviews.

¹⁰⁹ U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA; synopsis of unpatented homestead file CC 01339, BLM; McQueen, Kerr, and Pengelly interviews. Myerhoff would ordinarily purchase groceries in Wells, catch a ride to Tobar from one of his fellow locomotive engineers

Under these conditions, it is not surprising that the Myerhoffs gave up. Not only did they have trouble making ends meet, but their location, in the last house on what was then called the Tobar Road, added to their problems. With no means of transportation, Mrs. Myerhoff could not get to her nearest neighbors, the Lofdahls and the Browns, or to Tobar, without considerable effort, and it was nearly impossible for the children to attend school. Since Myerhoff was away at work most of the time, the family was essentially stranded in this isolated place. Finally, late in the summer of 1912, the Myerhoffs moved to Wells, arriving in time for the children to enroll in school for the start of classes, and on September 16 of that year the father relinquished his homestead claim, bringing an end to an experience that had proven to be more difficult than anticipated.¹¹⁰

The Myerhoffs remained in Wells until 1914, when they went back to Salt Lake City, living briefly on the edge of the city's central business district before renting a house near the railroad yards west of downtown. At first, Andrew continued working for the Western Pacific, but around 1918 he took a job as a locomotive engineer at the Garfield smelter, some fifteen miles west of the city, and was employed here for well over a decade. Upon retiring as an engineer he obtained a position with the Utah Power and Light Company, working first as a mechanic and then as a watchman. Myerhoff remained with Utah Power and Light until 1938. At this time he and Rosina were still living near the railroad yards, just three blocks from where they had made their home in 1918. This was their eleventh place of residence, almost all in the same neighborhood, since returning from Nevada a quarter-century earlier.¹¹¹

On January 30, 1943, Andrew C. Myerhoff died at home at the age of seventy-four after suffering a cerebral hemorrhage. About four months later his widow was baptized as a member of the

who would make a brief scheduled stop at this place, and try to find someone who was willing to transport him by wagon at least part of the way to his home. On many occasions he could not get a ride in Tobar, and had to walk the full six miles.

¹¹⁰ Synopsis of unpatented homestead file CC 01339, BLM; McQueen, Kerr, and Eugene Pengelly interviews. It is possible that the Myerhoffs spent part of 1911 in Salt Lake City so the children could attend school (see the *Salt Lake City Directory* for 1911), but this is not certain.

¹¹¹ U.S. Census of Population, manuscript schedules for Salt Lake County, Utah, 1920 and 1930, NA; *Salt Lake City Directory*, 1915-1940; McQueen interview. Insofar as can be determined, the Myerhoffs lived in rented quarters during all of their years in Salt Lake City. In 1930, when Andrew was still employed as a locomotive engineer, they rented a house on West 2nd North Street for \$15 a month. It is probable that the only dwelling owned by Myerhoff during his entire life was the two-room structure on Tobar Flat.

Mormon Church, and for the next several years she was an active member of Salt Lake City's Twenty-Second Ward. She continued to live in the home that she and Andrew had shared before his death, and passed away on April 17, 1951, four months short of her seventy-eighth birthday. Rosina Myerhoff was buried beside her husband in the City Cemetery. At the time of her death she had twenty-one grandchildren and eleven great grandchildren.¹¹²

The Myerhoffs' homesteading experience consumed only a small fraction of their lives. No one can pretend that it was a resounding success. But for a short time the family had a rent-free place of their own, complete with a well and garden, financed by Myerhoff's job with the railroad. In this respect they were not unlike hundreds of other city people who acquired homesteads in the Great Basin, and whether by accident or design, endured on the land without trying very hard to develop a farm. They did not come close to achieving what Congress envisioned when it crafted the various homestead laws, but they were strong enough to survive under extremely demanding conditions, and for this reason we cannot judge their motives or achievements too harshly.¹¹³

JOSEPH B. MCDANIEL

Joseph B. McDaniel was born in 1880 in St. Louis, Missouri, the younger of two sons of Joseph W. McDaniel, who had grown up on a farm in Missouri but moved to St. Louis in the late 1870s. As a young man, McDaniel could see that little opportunity awaited him in Missouri, so he set out for the West, often working as a laborer for railroad companies. By 1906 he had reached Salt Lake City, and soon obtained a job laying tracks for the Western Pacific, whose first rails in Utah were spiked into place in May of that year.¹¹⁴

¹¹² *Salt Lake Tribune*, 31 January 1943 and 18 April 1951; Myerhoff family genealogical records, LDS. The Myerhoffs' younger daughter had joined the Church of Jesus Christ of Latter-day Saints (Mormons) in 1929, and it was through her influence that her mother became a member late in life. Andrew apparently opposed Rosina's desire to join the Church, so she waited until after his death to be baptized. Ironically, on January 23, 1945, Andrew was posthumously baptized as a member by Rosina, and less than two weeks later the couple was sealed and endowed according to the ordinances of the Church.

¹¹³ An analysis of settlers in two northeastern Nevada valleys whose experiences paralleled those of the Myerhoffs can be found in Marshall Bowen, "The Desert Homestead as a Non-Farm Residence," *Nevada Historical Society Quarterly* 31:3 (Fall 1988): 198-211.

¹¹⁴ *Wells Progress*, 9 December 1949; statement of Joseph W. McDaniel, 10 August 1917, HPA 621644, NA; Joseph and William McDaniel interviews; Myrick, Vol. 1, 318. Because McDaniel had spent

McDaniel worked on the railroad for three years, and was a member of the party that examined land near The Slough in the fall of 1908. Unlike the others, he waited to file his claim until spring, and when he did select a parcel he chose a quarter-section about four miles west of his companions' entries, not far from Johnson Creek, which originates in the East Humboldt Range and, in wet years, flows all the way to Snow Water Lake. McDaniel may have been alerted to possibilities in this area by Carl H. Lofdahl, brother of his wife, Hedvig, whom he married in early 1909. Lofdahl had moved onto his own claim in April, and knew that a great deal of water was flowing across land closer to the mountains. Years later, McDaniel's youngest son explained his father's rationale in choosing to homestead here: "There was a lot of surface flow in those first few years, more water than the established Clover Valley ranchers needed, and it seemed to my father... that getting water from these shallow creeks would be easy."¹¹⁵

McDaniel was in no hurry to get started on developing his claim. He did not officially establish residence until September, 1909, when he built a small lumber house, later described as a cabin by tax assessors, and neither he nor his wife remained there for very long. Before the end of the year the couple took over operation of a hotel in Halleck, about twenty miles east of Elko, and did not return to their homestead until March, 1910. Once again, they stayed for just a short time. A month later the census taker found them living at the Horace A. Agee ranch in Clover Valley, where McDaniel was employed as a ranch hand and his wife was a cook.¹¹⁶

Near the end of March, 1910, McDaniel's father, Joseph W. McDaniel, arrived in Nevada from Missouri, claimed a quarter-section immediately east of his son's land, and found work and a place to live with Thomas J. Sweeney until a dwelling could be completed on his own property. When time permitted, the father, with some help from his son, planted twelve acres of oats on the family's original

his boyhood in neighborhoods adjoining some of St. Louis' numerous railroad yards and was acquainted with men who had railroad jobs, it is understandable that when he left home he would follow the rails and find employment in this line of work.

¹¹⁵ GLO tract books, NA; *Reno Evening Gazette*, 3 December 1949; Joseph and William McDaniel interviews (quote from Joseph McDaniel interview). Even the small, often nameless channels in this area carried water in these early years. A rancher from Clover Valley reported in 1915 that one such stream, located about a half-mile from McDaniel's land, ordinarily flowed from April through June. Statement of Ernest C. Wood, 17 July 1915, HPA 513141, NA.

¹¹⁶ Statement of Joseph B. McDaniel, 25 July 1914, HPA 441336, NA; *Nevada State Herald*, 11 March 1910; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA. The county's tax assessments referred to the McDaniel home as a cabin from 1916 until 1925.

homestead. This initiated a division of labor that would persist for many years, with the father being responsible for most of the farming while the son worked elsewhere, not unlike the arrangement in effect at the Lofdahl place. Despite their efforts, the McDaniels' first attempt to raise grain proved futile. No one had yet put up fencing of any sort on either claim, and as soon as the crop emerged it was completely destroyed by hungry rabbits who descended upon it from nearby tracts of sagebrush-covered rangeland.¹¹⁷

The men had better luck in 1911, when they planted barley, alfalfa, and potatoes. The potatoes did especially well, drawing praise from the Wells newspaper, which reported in August that J.B. McDaniel has spring planted four acres of land to potatoes. This land is situated in the sagebrush, far from water, and has not been irrigated. Mr. McDaniel states that the yield will be very heavy, notwithstanding the fact that the potatoes have no care whatever. He has been employed in [Wells] in the blacksmith shop of F. Jeanny for a couple of months, and the potatoes have been growing right along, there being no possibility of failure. They are large, firm, and mealy, giving every promise of ripening and making one of the best crops of "spuds" ever produced under any conditions in this county.¹¹⁸

The expectations of McDaniel and the newspaper proved to be correct, for when he and his father dug up the potatoes later in the year they yielded eighty bushels to the acre. This was not as good as the harvest that Andrew E. Scott would report for 1913, but it was considerably better than what the Lofdahls obtained this year from their land and the field that they worked on Scott's property, and it could not have been a disappointment. There is no record of how the other crops did, but one of McDaniel's sons said later that his father rarely had much success with grain, so it is probable that the barley, at least, fared poorly. Still, the family, which by now included a daughter named Helen, born in July, 1910, was doing well enough, for they had plenty of potatoes to eat, income from McDaniel's work at the blacksmith shop, and one additional means of support. The latter was the sale of cedar fence posts that the energetic McDaniel had cut, probably in the nearby Wood Hills, during times that he was not at the blacksmith shop. In late August, 1911, he had three thousand posts for sale, and considering

¹¹⁷ Statements of Joseph B. McDaniel, 25 July 1914, HPA 441336, and Joseph W. McDaniel, 10 August 1917, HPA 621644, NA; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA.

¹¹⁸ *Nevada State Herald*, 25 August 1911.

the number of settlers who were now flocking to Tobar Flat and other new farming areas near Wells, demand for this product may have exceeded what McDaniel could supply.¹¹⁹

The next few years of farming brought similar results. Potatoes continued to do well, while alfalfa and a variety of grains were cut for hay, with their yields, when given in homestead reports, generally amounting to no more than a half-ton per acre. The amount of production other than potatoes was put in perspective by a man with land nearby, who said that in 1914 “wheat and alfalfa were raised [on the McDaniel homestead]. A small crop was obtained and was neither a failure, nor was it a success.” McDaniel filed his final proof in July, 1914, and was issued a patent to his land before the end of the year. Unlike many homesteaders whose crops had not always turned out as well as anticipated, he did not mortgage his property or leave the area shortly after gaining legal ownership. Instead, he and his father continued to work the land, hoping for the best, while he eked out a living with his work as a blacksmith and seasonal employment on ranches.¹²⁰

The family’s precarious existence worsened in 1915 and 1916, when drought and jackrabbit invasions devastated dryland crops throughout northeastern Nevada. No records exist for crops planted on Joseph B. McDaniel’s farm, but on the adjoining land that belonged to his father all grains were destroyed in both of these years, and even the garden failed to produce in 1916, so it is reasonable to believe that similar results occurred in the son’s fields. Although he had no irrigation works of his own and was identified as a dry farmer by the Wells newspaper, McDaniel had benefited earlier from overflow and seepage from properties just to the west. But in these years, with very little rain and almost no runoff, not a drop of surface water and very little seepage reached the family’s fields. Desperate to avoid further catastrophe, and aware that ground water lay only a dozen feet beneath the surface, McDaniel explored the possibility of irrigating his land from a well powered by a gasoline pump, as several homesteaders, including his neighbor immediately to the south, were doing. But after

¹¹⁹ Statement of Joseph B. McDaniel, 25 July 1914, HPA 441336, NA; *Nevada State Herald*, 25 August 1911; Duplicate Birth Certificate 1910-145, NNM; William McDaniel interview. McDaniel continued to cut fence posts in the following years, and by the spring of 1913 he had another three thousand posts, each seven feet long, ready for sale. *Nevada State Herald*, 27 March 1913. McDaniel’s continued employment as a blacksmith is indicated by his statements in the birth certificates of children born in 1910 and 1912.

¹²⁰ Statements of Joseph B. McDaniel, 25 July 1914, HPA 441336, and Ernest C. Wood, 19 June 1915, HPA 513141, NA; William McDaniel interview.

determining the cost of installing a pumping plant and purchasing fuel, McDaniel concluded that he was too poor to invest in this innovation, and would have to get by without the use of an irrigation well. There was talk that the family would move away at this point, and for a while they were unable to pay their taxes, but in a stroke of good luck mining operations on Spruce Mountain began to pick up, and McDaniel obtained steady work there as a blacksmith, which enabled them to weather these difficult times.¹²¹

By 1918 the family was back on its feet. County records indicate that in this year they owned a sewing machine, a wagon, ten chickens, two work horses, and three milk cows, as well as their cabin, a barn, and five dollars' worth of household furniture, and that they were once again able to pay their taxes. By this time Joseph B. and Hedvig McDaniel were the parents of five children. In addition to Helen, they had sons born in 1912, 1913, and 1917, and another daughter who was born in 1915. Two additional children would arrive in the 1920s. At first, the children attended a one-room school about two miles south of their home, but around 1920 declining population would force the closure of this school, and for a short time they had to go to school in Tobar, four miles away. Later, a school building was brought to the McDaniels' immediate neighborhood from a part of Tobar Flat where it was no longer needed, making it easy for even the smallest youngsters to walk to their classes.¹²²

¹²¹ Statement of Joseph W. McDaniel, 10 August 1917, HPA 621644, NA; *Nevada State Herald*, 11 March 1910 and 25 August 1911; Bowen, "Bitter Times," 6-19; Elko County tax assessments, 1915-1917, ECCH; Joseph McDaniel interview. Experiments with pump irrigation on Tobar Flat at this time are described in Marshall E. Bowen, *Utah People in the Nevada Desert: Homestead and Community on a Twentieth-Century Farmers' Frontier* (Logan: Utah State University Press, 1994), 80-82. The upsurge of mining on Spruce Mountain from 1916 onward is discussed in Hall, "Spruce Mountain," 119-125, and Hall, *Old Heart of Nevada*, 245-246.

¹²² Elko County tax assessments, 1918, ECCH; Duplicate Birth Certificates for the McDaniel children, NNM; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1920 and 1930, NA; William McDaniel interview. By 1918, and probably earlier, Joseph W. McDaniel was living with his son and family. A small house had been built on his homestead in 1910, and according to his testimony, which family members later said was not literally true, he lived in it continuously until he proved up in August, 1917. The structure was maintained until that time to make it appear to General Land Office inspectors that someone was living there, but it was not occupied with any degree of regularity. Tax assessors did not record a dwelling on his property in 1918 or 1919, the first two years that his possessions were spelled out in detail. When the 1920 census was taken, Joseph W. McDaniel, now sixty-two years of age, was listed as a member of his son's household.

The 1920s began in about the same way that the previous decade ended. The garden yielded adequately, but dryland grain crops did not do well, and the family was kept afloat by McDaniel working away, usually at Spruce Mountain but on at least one occasion somewhere in the Midwest, probably Missouri. It was clear that an observation made about grain farming in the area in 1915 by Ernest C. Wood, who owned property cornering on McDaniel's land, was still applicable. Wood had said that "while it might be possible to dry-farm most of the land in the vicinity, much better crops are obtained by irrigation." The problem, McDaniel knew, was to find a way of getting more water into his fields.¹²³

The only accessible surface water, other than random and undependable overflow, came from Johnson Creek and belonged to Wood, who had obtained rights to it in 1911 but had not, according to McDaniel, been using it for several years. In the spring of 1921, the water, in McDaniel's words, "broke out of [Wood's] ditch and [flowed] back in the old channel that runs through my place." From here, it was easy to divert it into his own fields, and for the first time since his arrival in the area, McDaniel harvested a fairly good grain crop. Considering what would happen a year later, it is possible that McDaniel himself turned the water into the channel crossing his property, which was ordinarily dry, but if he did, his actions brought no response from Wood. As he explained later, "Mr. Wood never bother[ed] this water ore [sic] interfered with me at all" in 1921.¹²⁴

Encouraged by this turn of events and believing that Wood had failed to use the water in question for more than five years, which abrogated his permit, McDaniel filed a formal application for the water in February, 1922. He assumed that his application would be approved and that he would face no opposition from Wood, so around the middle of March, when the water began flowing, he again turned it into his fields. This time, Wood did not hesitate to retaliate. In a letter to James G. Scrugham, the State Engineer, dated 15 March 1922, he complained that approval of McDaniel's application would interfere with his right to the same water, and "cause me trouble." When he had received no reply after

¹²³ Joseph and William McDaniel interviews; *Wells Progress*, 9 December 1949; statement by Ernest C. Wood, 19 June 1915, HPA 513141, NA. McDaniel was at home in early April, 1920, when the census taker visited, and identified himself as a farmer, but he was often living elsewhere and working as a blacksmith at about this time.

¹²⁴ Application by E.C. Wood for Permit to appropriate the Public Waters of the State of Nevada [1910?], and Approval of [the] State Engineer, 19 April 1911, HPA 513141, NA; letter from J.B. McDaniel to Mr. Scrugham [James G. Scrugham, State Engineer], 24 April 1922, File 6628, NDWR; William McDaniel interview. The location of Wood's dam and ditches, and the "old channel" which crossed McDaniel's land, is shown on Map 9.

more than a month, Wood took matters into his own hands, and diverted the water back into his own ditch. Less than forty-eight hours later McDaniel went to the point of diversion, about a mile west of his property on land homesteaded by Wood's brother, and returned the water to the channel crossing his land. That done, he wrote to complain to Scrugham about what Wood had done, alleging that Wood had acted on behalf of another rancher, and urged him to visit Tobar to investigate the matter in person. McDaniel added that if Scrugham came out from Carson City to resolve the matter, "I will keep you at my place and take you around with my car in order to get a squar [sic] deal," hardly the way, Wood might have argued, to insure an unbiased ruling.¹²⁵

Wood wasted no time in responding to McDaniel's charges, and gave the dispute an entirely different slant. "J.B. McDaniel and J.W. McDaniel keep cutting my dams at the point of dervation [sic]," he wrote. "I have repaired [them] several times [but] it continues.... I ask[ed] him [to] not do so [but] he said he own[s] the water as he had applied for it.... Please notify him to stop doing so.... I would like to get water on the ground as it is getting late in [the] season." Wood also filed an official protest against McDaniel's application, saying that "McDaniel cuts my ditch and dams [the] ditch [thereby] turning my water down [the] channel" crossing his land. Scrugham did visit northeastern Nevada in May, 1922, to speak to the Wells Commercial Club about the need to conserve irrigation water, but it is not certain if he proceeded on to Tobar to inspect the two men's irrigation works and the damage that each was alleged to have inflicted. Before the issue could be settled it was found that McDaniel's application had been filed too soon, before the required five years had elapsed since Wood last used the water. The application was suspended and then withdrawn with no resolution. In the meantime, the irrigating season came to an end with only small, intermittent amounts of water reaching McDaniel's fields, and once more his grain did not do well.¹²⁶

¹²⁵ Application by J.B. McDaniel for Permission to Appropriate the Public Waters of the State of Nevada, 7 February 1922, Wood to Scrugham, 15 March 1922, and McDaniel to Scrugham, 24 April 1922, File 6628, NDWR. McDaniel's automobile was probably a 1918 Ford that he had purchased with some of his earnings from work at Spruce Mountain.

¹²⁶ Wood to Scrugham, 26 April 1922, Protest of E.C. Wood [April, 1922], and McDaniel to Scrugham, 13 February 1922, File 6628, NDWR; *Nevada State Herald*, 12 May 1922; William McDaniel interview. Wood made reference to more than one dam in the part of his letter that is quoted, but later in the same letter he wrote about a single dam that had been cut by McDaniel. Insofar as can be determined, only one dam was involved in the dispute.

In January, 1923, McDaniel tried again, and filed a revised application for the water. To avoid further conflict with Wood, he chose a new diversion point, located on a tract of former railroad land a short distance beyond Wood's property. This time, Wood could not object because any water that McDaniel might use would have already gone across his own land. The amount that McDaniel applied for was exactly the same as what he requested a year earlier, and when the irrigating season arrived he received all that he could ask for, supporting his contention that Wood was no longer in the habit of using it. The hard-won water proved to be more than adequate for McDaniel's freshly-planted grain, and for a time it appeared that the crop would be the best he had ever raised. Then, to the family's dismay, jackrabbits swarmed into the field and systematically chewed their way through everything, leaving nothing but destruction in their wake. "There were thousands of them," remembered McDaniel's son, Will, who was not quite ten years old at the time, "and there wasn't anything we could do. It was a pity." It was also the last straw for McDaniel as far as farming was concerned. With the exception of his garden, he never planted another crop, and did not bother to follow up on his application for use of the water that had caused so many hard feelings.¹²⁷

After this, McDaniel turned his attention to raising sheep. The decision to go into sheep production was largely a reaction to the destruction of his best grain crop by the rabbits, but it was also a concession to his father's age, which had made it impossible for the older man to shoulder his share of the farm work. Sheep raising seemed more practical, since the family now had children old enough to look after the animals. At some time in late 1923 or early 1924, McDaniel acquired a ram and about two dozen ewes and lambs, which were kept in a corral at night and turned out on land surrounding their home during the day. By 1926 the number of ewes and lambs had doubled, and a year later it reached a hundred. As the flock's size increased, it became necessary for them to roam farther afield, and the children developed the unusual technique of keeping track of them by watching from the roofs of the

¹²⁷ Application by J.B. McDaniel for Permit to Appropriate the Public Waters of the State of Nevada, 15 January 1923, amended on 24 January 1923, File 6852, NDWR; William McDaniel interview. The former railroad land where McDaniel diverted the water had been deeded to Herschel H. Holland, a grocer in Fresno, California, in September, 1922, but there is no indication that Holland objected to McDaniel's actions. It is possible that the rancher who supposedly had encouraged Wood's opposition to McDaniel's application was using Holland's land at this time, but had not obtained rights to water crossing the property. In 1968, nearly twenty years after her husband's death, Hedvig McDaniel allowed the state to cancel his water application, which had not been acted upon since it was filed in 1923. McDaniel had put up more than a mile of fencing on his land long before 1923, but it consisted of just two or three strands of wire, sufficient to keep out large animals but completely ineffective against an invasion of rabbits.

area's many abandoned houses. Sheep production did improve McDaniel's financial condition somewhat, but it was never enough to permit him to give up his work as a blacksmith.¹²⁸

Family members also tried some uncommon ways to supplement their income at this time. In one instance McDaniel learned that about three hundred sheep had perished in a Western Pacific livestock train, and had been thrown out of the cars near Ventosa, ten miles away. Sensing an opportunity to make some easy money, he went to Ventosa and began shearing wool from the carcasses, but found that the stench was too much to bear, and gave up after a few hours. On another occasion the older boys captured some coyotes and put them in the barn, planning to keep them until winter, when their coats would fill out and bring a good bounty. They kept the coyotes alive on a jackrabbit diet, but the animals' coats never developed, probably because of the unnatural conditions they encountered in the barn, and the scheme had to be abandoned.¹²⁹

In the late 1920s it became increasingly clear that maintaining a home on Tobar Flat constituted an irreversible drain on the family's resources, for no amount of sheep production or the capture of coyotes could disguise the fact that their survival depended on McDaniel's ability to earn a living by working away. By this time his father had died, severing one of their strongest ties to the land, and opportunities for the children to receive a proper education were becoming slim as the area's school age population diminished. He could have moved the family to Spruce Mountain, but knew that educational opportunities there were as limited as around Tobar, so he and his wife decided to relocate to Wells, where their oldest daughter, Helen, was already enrolled in the high school. Helen was staying in a rented room in Wells while she attended classes, just as the other six children would have to do when they reached high school age if the family remained on Tobar Flat or relocated to Spruce

¹²⁸ Joseph and William McDaniel interviews; Elko County tax assessments, 1924-1927, ECCH. Many items in the *Nevada State Herald*, including those of 8 May 1925, 21 August 1925, and 9 July 1926, describe upsurges of ore production and employment, both in the mines and at the surface, on Spruce Mountain. One indication of McDaniel's dual role as a Tobar Flat sheep raiser and a Spruce Mountain blacksmith at about this time is his inclusion in the summer of 1928 on the voter registration lists for both Tobar and Spruce Mountain precincts. *Nevada State Herald*, 24 August 1928.

¹²⁹ Joseph and William McDaniel interviews. Joseph O. McDaniel, who was just a toddler at the time of the coyote scheme, remembered more than a half-century later that he had a morbid fear of entering the barn because the coyotes often prowled on ledges above his head, and he was convinced that one or more of them would jump down and injure or kill him. The anticipated attack never took place, but he was greatly relieved when his brothers got rid of the coyotes.

Mountain. It was better, the parents decided, for the entire family to live in Wells. In addition, McDaniel had become interested in working on automobiles, an outgrowth of his years as a blacksmith, and he could see that better opportunities for developing a business of this sort existed in Wells, situated on newly-established U.S. Route 40, than at either Tobar or Spruce Mountain. In 1928 he sold the sheep and a small number of cattle, and in preparation for the move, purchased four vacant lots fronting on the highway near the western end of Wells.¹³⁰

The McDaniel family still made its home on the land in early 1929, but it was certain that they would be leaving soon. By this time they had disposed of the last of their chickens and all but one of the cattle that had not been sold in 1928, and they did not bother to plant a garden. As the time for the move approached, Helen came out from Wells to spend a week at the home where she had grown up, and when she returned, her parents and siblings came back with her to make their final preparations. Carl H. Lofdahl, who would soon move back to Alaska, came up from Ruby Valley to help, and joined his brother, Oscar, in providing additional manpower. In late April the family made the move to Wells, transporting their house on two wagons, with supporting timbers placed beneath the house extending from one wagon to the other. "We brought everything we owned," remembered one of the sons. This included an enormous amount of wire-mesh rabbit fencing, liberated earlier from the property of a long-departed neighbor, that McDaniel was planning to use to reinforce a concrete blacksmith shop and service station that he would construct in the following months. With the family's departure, not a single homesteader remained on Tobar Flat.¹³¹

¹³⁰ William McDaniel interview; *Nevada State Herald*, 19 August 1927; Elko County tax assessments, 1928 and 1929, ECCH. Dry weather in the late 1920s had made the raising of sheep a risky business, but his father's death, the schooling issue, and his desire to embark on a new trade were more important factors affecting McDaniel's decision to leave. What he did not know when he first decided to move to Wells was that the Great Depression would take a severe toll on mining operations on Spruce Mountain, and that he probably would have lost his job as a blacksmith within a short time. For more on the decline of mining on Spruce Mountain from 1929 onward, see Hall, "Spruce Mountain," 125-128, and for the establishment of U.S. Route 40, originally called the Victory Highway, see Patterson *et al.*, 172-173.

¹³¹ Elko County tax assessments, 1929, ECCH; *Nevada State Herald*, 29 March 1929 and 12 April 1929; Joseph and William McDaniel interviews. The fencing, sufficient to enclose ninety acres, had been taken from land homesteaded by Joseph H. Parkin, which was abandoned before 1920. Parkin's fences are described in his statement of 14 December 1915, HPA 517455, NA. While it is literally correct to say that the McDaniels' departure left Tobar Flat without any homesteader families, as his sons have maintained, they were not truly the last to leave, for Clarence and Eldora Barton, who had moved away

It did not take long for the family to become established in Wells. McDaniel got right to work on his commercial structure, and in August he announced that he was prepared to do “blacksmith and wagon work” in his “new shop on [the] highway, west side [of] town.” A short time later he opened the service station itself for business, and within months he had completed construction of four tourist cabins, valued at \$100, that were the forerunners of a travelers’ accommodation business that would remain in the family’s hands for decades. Helen McDaniel moved to Los Angeles to further her education shortly after the family’s dwelling was brought into Wells, but her place in the household was taken by Oscar Lofdahl, who quit his job at the Southern Pacific roundhouse in Wells to accept a position as a mail carrier, which gave him sufficient time to help McDaniel around the blacksmith shop and service station. Hedvig McDaniel looked after the tourist cabins. Her husband still owned 320 acres on Tobar Flat, including a house on what had been his father’s homestead, but this property was now of little interest except for the memories it held for this family of pioneers.¹³²

McDaniel continued to expand his business interests during the 1930s. By early 1936 he had increased the number of tourist cabins to six, and later in the year he would purchase a parcel of land a few hundred feet east of his home, where he would build a second, larger service station. When time permitted, he put up additional tourist cabins. By the spring of 1940 McDaniel owned twenty-five lots, had two service stations, each assessed at \$1,000, and ten tourist cabins, all facing Highway 40, as well as the family’s house and furniture, two trucks, and a 1935 Ford sedan. Later, he would build a small hotel and café next to the second gas station, and in 1949 he replaced the tourist cabins with what the Wells newspaper called “an ultra-modern motel.” By this time, McDaniel was recognized as one of Wells’ most prominent citizens.¹³³

in 1928, returned in the 1930s and lived for several more years on their property, located a little more than a mile northeast of the McDaniel place.

¹³² *Nevada State Herald*, 6 April 1929, 14 June 1929, and 16 August 1929; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1930, NA; Elko County tax assessments, 1930, ECCH. In the author’s interview with Ferris Brough, a Clover Valley rancher, on 28 June 1979, Mr. Brough said that McDaniel’s first cabins were made of railroad ties.

¹³³ Elko County tax assessments, 1936-1940, ECCH; *Wells Progress*, 9 December 1949. A photograph of part of the family’s original business property, taken in 1932, includes signs advertising gasoline sales, tire repairs, the rental of cabins with baths, and free information for people traveling to Utah and Idaho. For this and a photograph of McDaniel’s second gas station and hotel building, taken at some time after

Soon after arriving in Wells, McDaniel joined the community's Chamber of Commerce, and for the remainder of his life he was involved in civic affairs. He was appointed to fill a vacancy on the city council in 1943, was elected to serve a four-year term on the council in 1945, and in 1949 he was chosen as mayor by an overwhelming margin, receiving more votes than the combined total of his two opponents. Before becoming mayor he was also in charge of the Wells water department, and after his election to this position he handled the city's finances.¹³⁴

On the afternoon of December 2, 1949, while returning to Wells from Elko, McDaniel let his car drift into the westbound lane of Highway 40, where it collided head-on with a vehicle driven by a man from California. The crash, called "the worst highway traffic tragedy ever to occur in Elko county," crushed McDaniel's chest, killing him instantly, and fatally injured five of the six occupants of the other car. Residents of Wells were stunned by the sudden loss of one of their most respected citizens, but they rallied to organize his funeral, held in the high school gymnasium and attended by hundreds of men and women from all parts of the county. McDaniel was laid to rest in Elko. In less than two months he would have celebrated his seventieth birthday.¹³⁵

McDaniel was survived by his wife and the couple's seven children. At the time of his death their youngest son, Joe, a veteran of the Second World War who had served for thirty months in the Army Air Corps in North Africa, Italy, and Germany, was attending the University of Utah. Later, he earned a law degree, and in 1952 he was admitted to the Nevada bar and became a practicing attorney with offices in Elko. He served as Elko County's deputy District Attorney from 1953 through 1958, followed by two terms as District Attorney, and in 1970 he was elected as District Court judge, a position which he would hold for more than twenty years. The family was pleased with all of the children's

1940, see Howard Hickson, "Wells: A Pictorial History," *Northeastern Nevada Historical Society Quarterly* 86:1 (Winter 1986): 15 and 20.

¹³⁴ *Wells Progress*, 15 April 1949, 29 April 1949, 6 May 1949, and 9 December 1949.

¹³⁵ *Reno Evening Gazette*, 3 December 1949; *Wells Progress*, 9 December 1949. The driver of the Californians' car was Oren D. Wilson, a government trapper from Red Bluff. Ironically, the Californians were returning from a funeral in Idaho when the accident occurred. Hedvig McDaniel died in 1973 at the age of eighty-four, and was buried beside her husband. *Elko Free Press*, 21 February 1973.

accomplishments, but as his career developed they were especially proud of Joe, who had achieved so much in spite of his humble origins.¹³⁶

The land homesteaded by Joseph B. McDaniel remained in the family for more than two decades, when it was acquired by a rancher in exchange for Carl H. Lofdahl's former property on The Slough, which the ranch had obtained years earlier. The attraction of this property was the availability of a plentiful supply of ground water, which made it possible to produce good yields of alfalfa and other hay crops by pump irrigation. In contrast to the time when McDaniel considered installing an irrigation well, technology had now advanced to the point where pumps were bringing up water from depths of at least 300 feet, giving the land a value that was unimaginable a half-century earlier.¹³⁷

Today, the entire property is under pump irrigation, and no trace remains to suggest that a family of settlers once lived here, or that the family included a pair of individuals who would later become a mayor and a judge. The experience of the McDaniel family is one of the few great successes to emerge from homesteading on Tobar Flat, where only a handful of people improved their circumstances. But it is important to remember that while the roots of success were planted in this land, they did not bear fruit until the family moved away. If the father or his son had remained in the Tobar area, it is probable that neither would have achieved what he did, and that the story of the McDaniel family would have had a very different ending.

¹³⁶ *Wells Progress*, 9 December 1949; *Elko Free Press*, 14 November 1952, 17 November 1953, and 27 March 1974; *The Writ: Official Publication of the Washoe County Bar Association* 28:6 (June 2006): 14; Joseph and William McDaniel interviews.

¹³⁷ Land Ownership Records, ECCH; Joseph McDaniel and Eugene Pengelly interviews; author's interview with Leland Campsey, USDA Soil Conservation Service, Elko, Nevada, 3 July 1979; letter from Helen [Hedvig] V. McDaniel to Robert R. Dorsey, Nevada Division of Water Resources, 6 August 1968, File 6852, NDWR. Although Mrs. McDaniel's letter was dated 6 August 1968, it was undoubtedly written later than this because it was a response to a letter sent to her from Dorsey in September, 1968. The exchange of the McDaniel land for the former Lofdahl homestead also involved the transfer of land homesteaded by Joseph W. McDaniel, father of Joseph B. McDaniel, whose property lay immediately east of that of his son.

JOSEPH W. MCDANIEL

Joseph W. McDaniel, the father of Joseph B. McDaniel, was born in 1857 near St. Louis, Missouri, the oldest son of William McDaniel, a farmer from Tennessee, and his wife, the former Mary Richter, a native of Missouri. In 1870 he was living with his parents on a tenant farm near his mother's birthplace, about thirty miles southwest of St. Louis, where he was identified by the census taker as a "plow boy" working for his father. McDaniel married a young Missouri woman in the mid-1870s, and a short time later the newlyweds moved to St. Louis, where the husband found employment as a laborer, probably in a warehouse or factory beside the Union Pacific tracks that passed within two blocks of their home. The couple had two sons, William, born around 1876, and Joseph B., born in 1880. Shortly after the turn of the century the family relocated to a neighborhood close to another complex of railroad yards and industrial establishments. While living here, McDaniel worked as a peddler and later became a delivery man, hauling ice and other commodities to customers. After their sons were grown and had moved away, the couple divorced, and in 1909 McDaniel was living in a rented apartment and working as a janitor.¹³⁸

By this time, Joseph B. McDaniel had obtained a homestead on Tobar Flat, and in early 1910 he asked his father to join him. The two men saw that this arrangement would have advantages for both of them. First, the father was already in his fifties and living alone, and by moving to Nevada he could enjoy the benefits of family life and have people to look after him as he grew older. Second, by claiming a homestead he could double the acreage that the family would own. Finally, and perhaps most important, Joseph W. McDaniel had grown up on a farm, enjoyed working with animals, and could contribute his expertise and labor toward getting started on the land while his son supported the family with income from non-agricultural pursuits. He arrived in late March, 1910, and immediately filed an entry on the quarter-section lying immediately east of his son's property.¹³⁹

¹³⁸ U.S. Census of Population, manuscript schedules for Jefferson County, Missouri, 1870, St. Louis County, Missouri, 1900, and Elko County, Nevada, 1910 and 1920, NA; Death Certificate for Joseph William McDaniel, NMM; *St. Louis Directory* (St. Louis: Gould Directory Co., 1880-1909); Joseph and William McDaniel interviews.

¹³⁹ Joseph and William McDaniel interviews; statement of Joseph W. McDaniel, 10 August 1917, HPA 621644, and GLO tract books, NA.

McDaniel said that he moved onto his claim in April, 1910, but this was incorrect, for he and his son did not complete building a small structure on his property until June. What probably occurred was that he moved in with his son and daughter-in-law for the short time that they lived on their own claim after returning from Halleck and before moving to the Agee ranch, and counted this as having established residence. Before the end of April he joined the household of Thomas J. Sweeney and family, who lived a little more than a mile to the east, where he helped in the fields and looked after the Sweeneys' livestock. He may have spent a few nights in his house while he and his son put in crops on their own land, but since Joseph B. and Hedvig McDaniel did not yet have any children, it is just as likely that he stayed in their home. He probably remained with the Sweeneys until harvest time, but even after this it is not certain if he took up residence on his own claim or moved back into his son's house.¹⁴⁰

Although the two properties were farmed as a single unit, government records indicate that crops sown on the father's claim proved to be even more unsatisfactory than those on the son's, perhaps because runoff and seepage were less likely to reach his fields, which were a bit farther from the mountains and more distant from a shallow channel that crossed both men's land. Between 1910 and 1916 the family planted potatoes, alfalfa, barley, wheat, and a garden on the older man's land, but during all of these years the only harvests that they brought in were some potatoes in 1910 and a small amount of vegetables salvaged from a half-acre garden in 1915. At other times, the fields yielded nothing whatsoever. Incredibly, this did not stop them from trying, and as late as 1917 the father planted five acres of rye and a quarter-acre garden on his property. No harvest report exists for this year, but if the results recorded by a neighbor living closer to the mountains are any indication, these crops also failed.¹⁴¹

During this period McDaniel divided his time between his son's house and his own. As grandchildren arrived and space became more limited in the original dwelling, he tended to spend more nights in the structure on his land, but usually joined the rest of the family for meals, and in the winter

¹⁴⁰ Statement of Joseph W. McDaniel, 10 August 1917, HPA 621644, NA; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA; William McDaniel interview. When he proved up in 1917, McDaniel estimated that his house was worth \$150, even less than the value given for Andrew E. Scott's very modest dwelling four years earlier.

¹⁴¹ Statements of Joseph W. McDaniel, 10 August 1917, HPA 621644, and Jessie E. Ware, 3 July 1919, HPA 718166, NA. Miss Ware reported "no harvest" from ten acres of crops planted in 1917 on her land, situated more than a mile southwest of the Joseph W. McDaniel place.

he often slept in their house. When he proved up in 1917 he swore that he had never been absent from his homestead since 1910, and while it is probably correct to say that he had set foot on it almost every day, it is equally certain that he had not really fulfilled the government's requirement that he live there for seven months each year. He had no livestock of his own, and the chicken house that was on his side of the property line provided shelter for birds belonging to his son or, more accurately, his daughter-in-law. His little house afforded a certain amount of privacy and independence, but in fact the house, outbuildings, and fields on this property were simply extensions of his son's homestead.¹⁴²

From 1917 onward McDaniel's activities blended with those of his son's family. By this time he was sixty years old, and despite the growing size of the family, it was becoming impractical for him to remain in his own house, all the more so since it was no longer necessary to maintain the illusion that this was his principal place of residence. He moved his few belongings into his son's home in late 1917 or early 1918, and lived there for the remainder of his life. Because his son was usually at work on Spruce Mountain or elsewhere, the older man still performed much of the farm labor, but with each passing year he found that he could not contribute as much as he had in the past. Still, as late as 1920 he was well enough to plant a garden for Homer G. Curtiss of Clover Valley, who had served in the army during the First World War and upon being discharged had secured employment in Elko, too far away to work his land. He was accused by Ernest C. Wood of helping his son cut Wood's dam in 1922, but his participation, if any, in this affair was probably quite limited, for by now his strength was failing. McDaniel's inability to continue working the farm contributed to the family's decision a year later to abandon its attempts to raise crops and turn to sheep raising. In late August, 1925, he suffered a stroke which left him paralyzed, and from that point onward the family knew that it was only a matter of time before he passed away. McDaniel died on October 1, 1925, and was buried in a cemetery plot located, in an ironic twist, less than a half-mile from the Wood ranch and just a few hundred feet from Johnson Creek, whose waters had been the source of bitter conflict between the Woods and his own family.¹⁴³

¹⁴² Statement of Joseph W. McDaniel, 10 August 1917, HPA 621644, NA; Elko County tax assessments, 1912-1917, ECCH; William McDaniel interview. Homestead regulations permitted settlers to split their required seven months of residence into two blocks of time, but despite what he said it does not appear that McDaniel complied with this rule.

¹⁴³ Joseph and William McDaniel interviews; Wood to Scrugham, 26 April 1922, File 6628, NDWR; Elko County tax assessments, 1918-1925, ECCH; statement of Joseph W. McDaniel, 15 November 1920, HPA 804431, NA; *Nevada State Herald*, 9 October 1925; Death Certificate for Joseph William McDaniel, NNM; Clover Valley Cemetery (South) records. The 1920 census listed no occupation for Joseph W.

Joseph W. McDaniel was not a prominent settler. He was simply a man with farming experience in the Midwest who came to Nevada to help his son get started, and remained to contribute what he could. The mark that he left on the Tobar community and its landscape was faint. But there is no denying that without his toil in the fields and care of the livestock, the McDaniel family would have found it almost impossible to remain on the land during their first trying years, or to lay a solid foundation for the success that they enjoyed decades later.

McDaniel, and while it is known that he helped on the farm for another two or three years, failure by the census enumerator to record an occupation beside his name is indicative of his diminishing role in the family's economic life.

Chapter 4

RANCH PEOPLE

Ranchers from nearby Clover Valley played an important role in the process of land acquisition and settlement on Tobar Flat. Many participants were members of established ranching families, but others were employees or people hired by ranchers to engage in thinly disguised attempts to secure land and water. Predictably, most acquisitions lay only short distances below deeded property in Clover Valley or near The Slough, but in one case a former ranch hand obtained land situated as much as three miles beyond the end of this important watercourse. For the majority of these individuals, settlement was fluid at best, with periods of residence interrupted by months or even years of absence. Some people never occupied the land that they claimed. Despite their common ties to the ranching business, these homesteaders were a disparate group, with different backgrounds, intentions, and abilities, all of which were reflected in the complex patterns of life, resource use, and landscapes that they created in this marginal land.

ERNEST C. WOOD and family

Ernest C. Wood was born in 1871, a son of John C. Wood and his second wife, the former Jeannette Simons, who came to Clover Valley in 1870 after living at Spruce Mountain. He grew up on a ranch that his father developed in the southern part of Clover Valley along what came to be called Woods Creek, a mile north of Johnson Creek, which originates in the East Humboldt Range and continues, in much diminished size, onto Tobar Flat. In the next several years his mother gave birth to four more children. Three of these, Malinda, born in 1879, Fred, born in 1881, and Grover, born in 1885, would later join Ernest and their cousins, the Curtisses, in acquiring homestead land on Tobar Flat.¹⁴⁴

¹⁴⁴ Patterson *et al*, 428 and 433; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1880, 1900, and 1910, NA; GLO tract books, NA. John C. Wood was born in Indiana in 1829, and was living in California with his first wife in 1858, when their daughter, Martha, was born. Martha married Samuel T. Weeks of Clover Valley in 1874. After leaving California, Wood moved to Utah, where he married Jeannette Simons, and then drifted to mining camps in Nevada, including Hamilton and Eureka, before finding work on Spruce Mountain around 1869. Jeannette was born in upstate New York

John C. Wood ran the ranch for many years, assisted by his older sons and one or two hired hands, but before the turn of the century he went to Colorado to engage in mining, leaving his family behind, and made only intermittent returns to Clover Valley until he was an elderly man. From this point onward ranch operations were in the hands of his son, Ernest. When they were old enough, Fred and Grover Wood helped Ernest with the ranch work, and in the early 1900s they were often joined by the Curtiss boys, who provided additional sources of labor.¹⁴⁵

In the spring of 1900 Wood was living on the family ranch with his mother and three of his younger siblings. By this time the family owned 700 acres in Clover Valley, with more than a third of it irrigated from Woods Creek and two smaller watercourses. Their range livestock consisted of twenty-five horses and twenty-two head of cattle, but in the years that followed Wood disposed of most of the horses and moved more fully into the cattle business. In 1905 he owned forty head of range cattle, and late in the year he shipped two carloads from Wells to San Francisco, accompanying the animals to the California city himself. By 1908 his cattle numbers had more than doubled, and would reach the one hundred mark three years later.¹⁴⁶

Although the size of his cattle herd was growing, Wood was slow to expand the acreage producing winter feed for his stock. Neither Woods Creek nor the smaller streams was capable of delivering additional irrigation water to his deeded lands, and for a time he was content to continue raising feed in fields that his family had been using for years. But by 1908 he could see that he needed

in 1840, later moved to Utah, and came to Nevada with her husband in 1867. Her younger sister, Alice, married Homer G. Curtiss, and was the mother of three sons who would homestead near Tobar. Ernest C. Wood's first name was sometimes written as "Earnest," but it was more common to refer to him as simply E. C. Wood. It is said that John C. Wood obtained his property in Clover Valley in exchange for a horse that he gave to Frank Noble, who initially homesteaded the land. Robin Johns, "Clover Valley-Wells, Nevada" (2002), manuscript on file at NNM, 17.

¹⁴⁵ U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1880, 1900, and 1910, NA; *Elko Free Press*, 24 November 1919. John C. Wood was living with his family in Clover Valley in 1880, but was not present in 1900 or 1910. His trips to and from Colorado are recorded in the *Nevada State Herald*, 19 September 1902, 27 May 1904, and 5 August 1904. John C. Wood died in 1919 at the home of a daughter living in Clover Valley. The Curtisses spent most summers on the ranch after the death of their mother (Jeannette Wood's sister) in 1901.

¹⁴⁶ U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1900, NA; Elko County tax assessments, 1900, 1905, 1908, and 1911, ECCH; *Nevada State Herald*, 22 December 1905. The siblings living with Ernest and his mother in 1900 were Malinda, Fred, and Grover. By this time their sister, Mabel, born in 1873, was married to William A. Johnson, a neighbor.

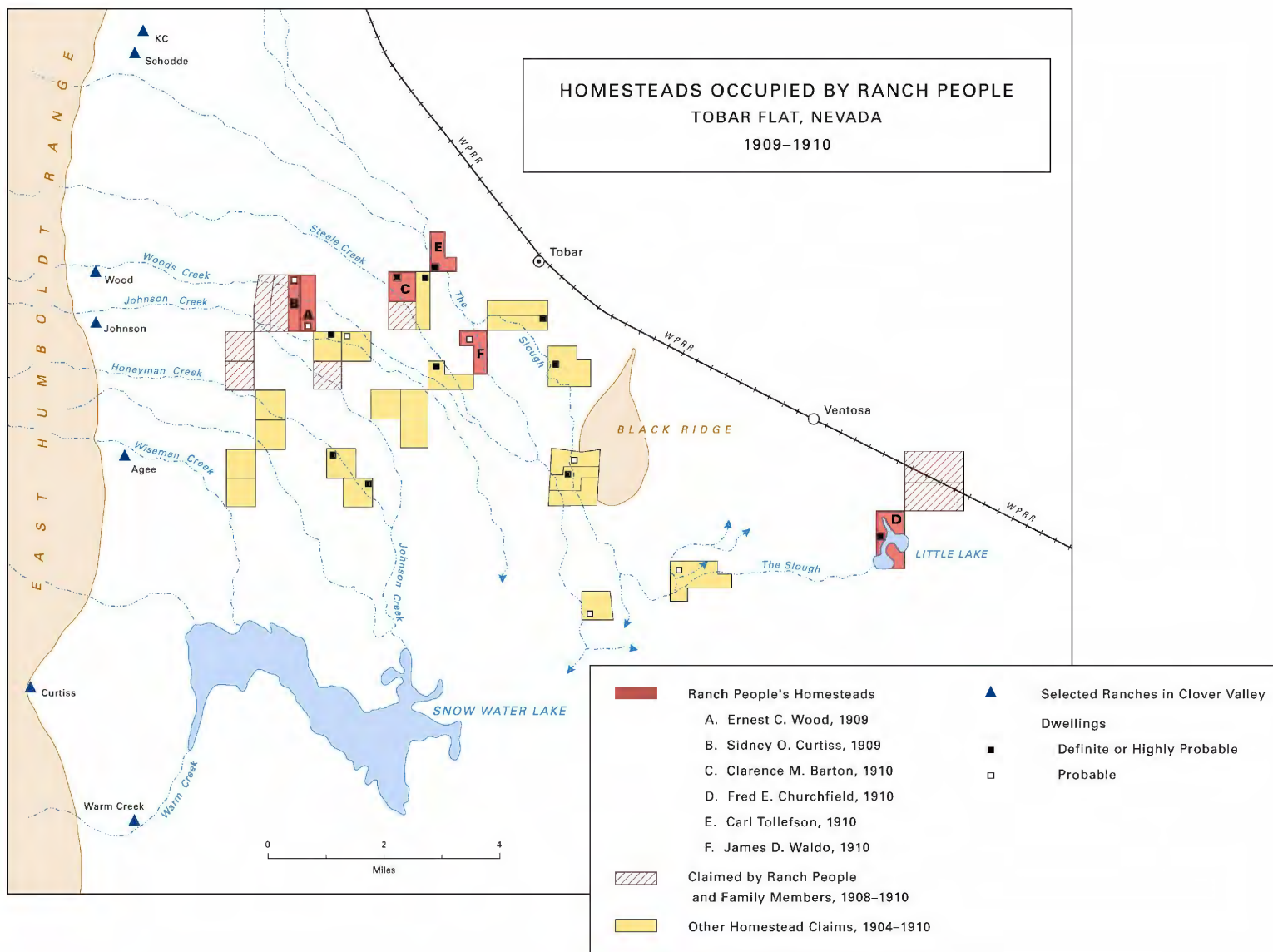
more cropland. All irrigable land in Clover Valley that lay within easy reach of the ranch was appropriated, but he knew that homestead parcels were available on Tobar Flat, and thought that a tract about three miles east of the family's home held particular promise because it could be moistened by waste water from the fields of William A. Johnson, his brother-in-law. He knew that George E. Wickizer and others had already claimed land along The Slough, and was aware that Joseph B. McDaniel had his eye on a quarter-section even closer to his own property. Wood was worried that if he did not take action soon, he would lose an opportunity to acquire land that might be good enough to produce hay or grain.¹⁴⁷

On December 5, 1908, just two weeks after Wickizer and his companions had applied for land, Ernest C. Wood, his sister, two brothers, and their cousin, Sidney O. Curtiss, journeyed to Elko to file claims of their own (Map 8). The men selected all of Section 28 in Township 35, Range 62, just northwest of what would become the McDaniel homestead, dividing it into four north-south strips of 160 acres each. Ernest claimed the easternmost strip, Fred took the most westerly one, while Curtiss and Grover Wood obtained the two middle strips. Each of these properties had access to water coming down from the Johnson ranch and to occasional overflow from fields near the eastern edge of the Woods' deeded land, and would become focal points of the family's efforts to expand its cropland. In contrast, Malinda Wood's homestead, a compact quarter-section located southwest of Fred's land, lay beyond reach of any surface flow, and must have been acquired simply for grazing purposes or, possibly, for dry farming at some time in the future.¹⁴⁸

It is not entirely certain which of these individuals actually lived on their claims. Curtiss did make his residence on the land, and Malinda Wood did not, but the record is less clear cut for her brothers. Ernest C. Wood declared that he built a house and occupied it shortly after filing his entry, an assertion that seems to be supported by Joseph B. McDaniel's statement in 1922 that Wood once had a house

¹⁴⁷ The reasons behind Ernest C. Wood's determination to acquire homestead land on Tobar Flat has been pieced together from the author's interview with Joseph McDaniel and from Wood's statements in his Application to Appropriate the Public Waters of the State of Nevada, 19 April 1911, and in an affidavit sworn in Wells before Charles H. Roland, U. S. Land Office, 3 May 1912, both attached to HPA 513141, NA. As late as 1904 Wood produced a surplus of grain, which he marketed in Wells, but this ended when he enlarged the size of his herd. *Nevada State Herald*, 25 November 1904.

¹⁴⁸ GLO tract books, NA.



and barn on his claim. But if he did establish a home here he did not remain very long, for according to his sworn statement he had to abandon it because of his mother's illness, which made it imperative to "quit [my] new house and return home to take charge of [my] old family homestead." He formally relinquished his claim in April, 1912, but refiled on the same land in May under provisions of the Desert Land Act, which did not require residence. The case for his brothers' residence on their claims is weaker. Sidney O. Curtiss said that Grover Wood lived continuously on the land for almost two years, while Fred Wood swore that "there has been no absence from my homestead" for more than three years, but in fact neither statement was true. Ernest conceded that Grover spent a great deal of time at the ranch and may not have fulfilled any part of his residence requirement, and said that while Fred had lived on his land during parts of three years, he was unable to provide a time frame for his supposed residence. Homestead reports for Grover and Fred tell of identical structures, with exactly the same value, on each property, which seems odd, and they omit mention of domestic wells, which would have been essential if either man had stayed on the land for any length of time, as Curtiss did. Furthermore, it appears that Fred may have removed some sort of a dwelling from his property in 1911, and since it is highly unlikely that there was a second house on this land, he would have had no place to stay from that point until he proved up in late 1912. The strongest case for limited or nonexistent periods of residence on the Woods' homestead claims comes from the federal census, taken in April, 1910, which found Ernest, Fred, and Grover Wood living with their mother at the family ranch in Clover Valley at a time when some of the men might have been expected to be living and working on their own land, while Malinda was a resident of San Francisco, employed as a stenographer. The exact details may never be known, but from this vantage point it seems probable that Ernest C. Wood did live on his claim for a short while, that Fred and Grover might have stayed on their land for brief periods, perhaps in a shack that straddled the two properties or was moved from one claim to the other, and that while some improvements were made on her land, Malinda was in San Francisco or at the family ranch for the entire time that the property was in her name.¹⁴⁹

¹⁴⁹ Ernest C. Wood affidavit, 3 May 1912, attached to HPA 513141, NA; statements of Ernest C. Wood, Fred W. Wood, and Sidney O. Curtiss, 18 September 1912, HPAs 317150 and 317151, NA; synopsis of unpatented homestead file CC 01300, BLM; U.S. Census of Population, manuscript schedules for Elko County, Nevada, and San Francisco County, California, 1910, NA. In 1916 the assessed value of all improvements on Ernest C. Wood's Desert Land entry, which until 1920 contained a dwelling and a small barn or shed, was just \$65, less than the value of the family's two milk cows, suggesting that when he built these structures in late 1908 or early 1909 he had no serious intention of making a permanent home there. Elko County tax assessments, 1916, ECCH. The probable movement of Fred Wood's house

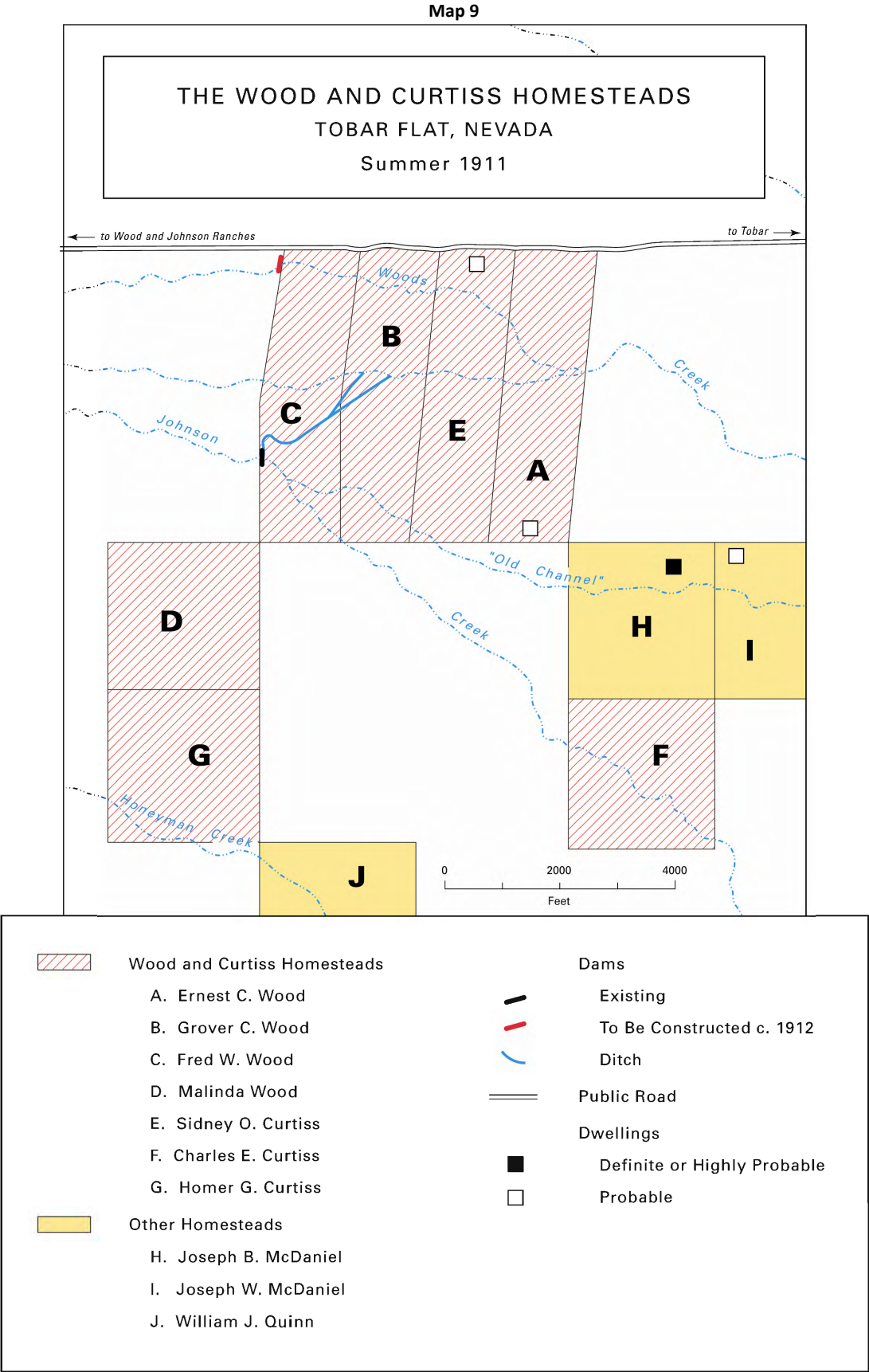
There was less ambiguity about the Woods' farming activities on Tobar Flat. The brothers cleared and fenced small acreages, more or less in the middle of each of their properties, in 1909, and planted grain, but the results were discouraging, probably because they had no organized system of irrigation. The next year was no better, making it clear that without the use of dams and ditches the acquisition of this property would prove to be a waste of time and energy. The untimely death of Grover in January, 1911, was a further setback, but the survivors regrouped and in April, 1911, Ernest applied for a permit to develop irrigation works that would deliver water to all of the claims in Section 28, including those of his late brother and Curtiss.¹⁵⁰

Wood's irrigation proposal was simple and straightforward (Map 9). The cornerstones were a low earthen dam across Johnson Creek near the western end of Fred's claim, and a pair of shallow ditches to direct water from that point to a natural channel that would convey it to the men's fields. Later, a second dam would be built just beyond the northwestern corner of Fred's land in order to store whatever water might enter the property via Woods Creek, with additional ditches fanning out to send this water into other natural channels. Wood estimated that it would take about three weeks to construct the first dam and ditches, that the work would cost no more than a hundred dollars, and that he and the others would be ready to put the water to use by the first of June, 1911.¹⁵¹

is noted in the synopsis of file CC 01299, but the original document, which should be in HPA 317151, is missing. Malinda Wood had attended school in Salt Lake City, and in 1910 she was sharing an apartment in San Francisco with the daughter of another Elko County rancher who was employed as a school teacher. Although there is compelling evidence that Sidney O. Curtiss did live on his homestead and easily satisfied the government's residence requirements, he too was listed as a member of the Wood household in Clover Valley in the April, 1910, census, which further muddies the question of the Woods' residence on the land.

¹⁵⁰ The amount of land cultivated on each man's property in 1909 and 1910 is uncertain, and the reported yields of four bushels per acre from the fields of Fred and Grover are probably very rough approximations, but they do support Ernest's assertion that he "raised a small crop of grain" in those years. Statements of Ernest C. Wood and Fred W. Wood, 18 September 1912, HPAs 317150 and 317151, and Ernest C. Wood affidavit, 3 May 1912, attached to HPA 513141, NA. Grover C. Wood died of pneumonia in Salt Lake City on January 6, 1911, while recovering from surgery for a hernia. *Elko Independent*, 13 January 1911; Salt Lake City Death records, Book G, 1911. After his death, Grover's homestead entry was in the hands of Ernest, who oversaw farming activities on the entire section and was responsible for developing the family's irrigation plan.

¹⁵¹ E. C. Wood, Application to Appropriate the Public Waters of the State of Nevada, 19 April 1911, and Map of Irrigation Works and Cultivated Land Held by Ernest C. Wood, 19 June 1915, both attached to HPA 513141, NA.



The benefits of this system were quickly realized. Yields on land claimed by Fred and Grover Wood, as well as that of Curtiss, shot up from four bushels per acre in 1910 to twenty in 1911, and while Ernest was less specific about his 1911 crop, he did say that his “object was to raise a crop of grain, and the result was a nice crop.” Encouraged by this turn of events, the men continued to clear land and plant grain. By late 1912 they had about 120 acres in crops, and at least that much cleared, plowed, and ready for planting. Harvest records do not exist after 1912 for three of the parcels in this section, but on the strip belonging to Ernest C. Wood, more than 1,500 bushels of oats were brought in from thirty-one acres in 1914, and a “good” crop was produced from nearly fifteen acres of barley.¹⁵² It is probable that similar results would have been recorded on land claimed by his brothers.

In the meantime, little was done with Malinda’s land, and in September, 1913, she relinquished the property, which was taken immediately by Fred C. Swall, a California-born tailor. In 1919 Malinda married George Schoer, a former resident of Clover Valley, and after periods of residence in Montello and Wells, she and her husband established a ranch of their own in northeastern Elko County, not far from the Idaho state line.¹⁵³ Ernest, with Fred’s help, continued to operate the ranch in Clover Valley, and to develop its outlier on Tobar Flat.

Success in producing feed grains on their Tobar Flat property contributed to the Woods’ decision to enlarge their number of livestock. By 1915 Ernest owned 200 range cattle and sixteen sheep, which received much of their sustenance from feed raised on land that he, his brothers, and Curtiss had claimed. At this time more than 200 acres of this property were under irrigation. On Ernest’s land, about sixty acres were in oats and barley, a noticeable increase since 1914, while more than twelve additional acres were cleared and awaiting cultivation. Information about utilization of land

¹⁵² Statements of Ernest C. Wood, Fred W. Wood, and Sidney O. Curtiss, 18 September 1912, HPAs 309273, 317150 and 317151, and by Ernest C. Wood, 19 June 1915, HPA 513141, NA. It is questionable whether specific figures given for these harvests are fully accurate, but there is no doubt that yields in 1911 were much greater than those in 1910.

¹⁵³ Synopsis of unpatented homestead file CC 01300, BLM; GLO tract books, NA. Malinda Wood’s marriage to Schoer, and the couple’s subsequent activities, are noted in the *Elko Free Press*, 13 October 1919 and 17 March 1936, and in the *Nevada State Herald*, 26 June 1925, supplemented by the U. S. Census of Population, manuscript schedules for Elko County, Nevada, 1920 and 1930, NA. Swall’s background is taken from the U. S. Census of Population, manuscript schedules for Orange County, California, 1900, and Umatilla County, Oregon, 1910, NA, and from Fred C. Swall, draft registration card, Twin Falls County, Idaho, May 6, 1917.

claimed by his brothers is less detailed, but according to Wood more than eighty of these acres were being irrigated and presumably producing well, a view supported by the tax assessor, who considered the brothers' property to be good arable land, capable of producing above-average crops.¹⁵⁴

Expansion of farming on the Woods' Tobar Flat property proved to short-lived, however. A series of dry years reduced runoff from the East Humboldt Range, and while fields close to the family's home received adequate amounts of moisture, those situated at greater distances from the mountains suffered greatly. It is also probable that jackrabbits caused destruction in the lower fields, just as they did elsewhere on the Flat. As supplies of feed dwindled, the Woods realized that they could not keep the number of cattle to which they had become accustomed, and turned their attention to sheep, which had a better chance of survival under these harsh conditions. Between 1916 and 1921 they disposed of most of their cattle and acquired sheep, whose numbers increased from twenty-one in the former year to 200 in the latter. By 1921 they had just two head of range cattle. Cultivated land on the property homesteaded by the three brothers and Curtiss was allowed to revert to range, fences were not maintained, and ditches fell into disrepair. According to Joseph B. McDaniel, the last bona fide attempt to irrigate the Woods' lower fields took place in July, 1917.¹⁵⁵

While these events were occurring, the family regained temporary control of the quarter-section that Malinda Wood had claimed in 1908. In August, 1918, Rebecca Dodds, a school teacher from Tobar who would later marry Fred Wood, filed a contest against the claim of Fred C. Swall, alleging that Swall had not lived on the land since at least the winter of 1917-1918 and that he had no intention of

¹⁵⁴ Statement of Ernest C. Wood, 19 June 1915, Map of Irrigation Works and Cultivated Land Held by Ernest C. Wood, 19 June 1915, and Ernest C. Wood, Proof of Application of Water to Beneficial Use, 13 July 1915, in or attached to HPA 513141, NA; Elko County tax assessments, 1915, ECCH. Wood described the acreage under irrigation by quarter-sections instead of by strips claimed by each entryman, and declared that his water right was applicable to irrigation of the entire section, which demonstrates that all of this land, including the parcel taken by Curtiss, was viewed as a single unit and managed as such.

¹⁵⁵ Elko County tax assessments, 1916-1921, ECCH; letters from J. B. McDaniel to J. G. Scrugham [State Engineer], 13 February 1922 and 24 April 1922, File 6628, NDWR. Precipitation at the Clover Valley weather station averaged 13.6 inches annually from 1910 through 1914, but dropped to an average of 11.3 inches for the next five years, just enough to reduce the amount of water that could reach fields located at some distance from the mountains. The brothers' decision to switch from cattle to sheep may have been influenced by a disastrous fire that swept through Clover Valley in late 1914, destroying grass and a large amount of stacked hay on a dozen ranches, including the Wood place. The fire and its impact is described in the *Nevada State Herald*, 20 November 1914.

returning. The case dragged on for more than a year, and was not resolved until a Land Office agent inspected the property in August, 1919, concluded that Swall had indeed abandoned the land, and recommended cancellation of his entry, which was completed a month later. Miss Dodds was given thirty days to exercise her preferential right and claim the land for herself, but she declined to do so, perhaps because she was preoccupied with teaching or preparations for her wedding or, more likely, because there was no longer much chance that someone not affiliated with her fiancé's family would want to acquire the property. Government records show that no one has filed an entry on this land since Swall's claim was cancelled, and that it remains a part of the public domain to this day. What the contest accomplished was to tie the land up in litigation for more than a year, effectively allowing the Woods to use it for grazing purposes without fear of interference during that time.¹⁵⁶

After 1921 the Wood ranching operation disintegrated, and as this process played out, the family paid only passing attention to its land on Tobar Flat. In 1922 they began selling off their sheep, and by the end of the year they had disposed of all of these animals, owned only two cattle (a bull and one "stock cow"), and had just a handful of horses. This was the year when Wood complained that McDaniel was taking water that was rightfully his, and said that he was anxious to start irrigating his lower fields, but McDaniel's assertion that Wood had not used this water for years and was not going to resume irrigating at any time in the future was probably closer to the truth. The most salient point in the exchange of correspondence about this issue was Wood's observation that he had used the water in question only during those years "when there was any," indicating that it was not always possible to irrigate his lower fields. There is no evidence that Wood put water on this land in 1922, or made any attempt to do so in subsequent years. Wood's marriage to a middle-aged widow from California in 1923 did nothing to rekindle his interest in reviving the ranch or bringing the lower fields back into production.¹⁵⁷

¹⁵⁶ GLO tract books, NA; Minutes of Proceedings, Elko Land Office Contest No. 193, FARC. The marriage of Fred C. Wood and Rebecca Dodds, which took place at the Presbyterian Manse in Elko, was reported by the *Elko Independent*, 22 November 1919, the day of their wedding.

¹⁵⁷ Elko County tax assessments, 1922-1923, ECCH; McDaniel to Scrugham, 24 April 1922, and Wood to Scrugham, 26 April 1922, File 6628, NDWR; U. S. Census of Population, manuscript schedules for Shasta County, California, 1930, NA; William McDaniel interview. The reasons behind the Woods' decision to get out of the sheep business are not entirely clear, but a major factor was probably the sharp drop in prices for lambs and wool that occurred in 1920 and 1921, which proved disastrous for many Elko County sheep raisers. For a summary of this difficult situation, see Patterson *et al.*, 308-309.

By 1924 the ranch was just a shadow of its former self. Ownership had been split into two uneven portions, with Wood's mother holding the deed to parcels containing the family's home and most of its better land, while Ernest retained control of several scattered tracts, including the strip that he had first claimed in 1908. This latter property was assessed as third class grazing land, a sure indication that cultivation here was a thing of the past. The land claimed by Fred and Grover, which now belonged to their mother, received a similar evaluation. The Woods no longer owned any sheep, and while Ernest did have ten head of range cattle, this could hardly compare to what he and his family had owned just a few years earlier.¹⁵⁸

On June 25, 1925, after months of failing health, Mrs. Jeannette Wood, the family matriarch, passed away at the home of her daughter, Mrs. Mabel Johnson of Clover Valley. Mrs. Wood's estate, which consisted primarily of her share of the ranch property, was inherited by her four surviving children and her stepdaughter, Mrs. Samuel T. Weeks, who lived nearby. After more than a year of indecision, the heirs sold the ranch to the Weeks brothers of Clover Valley in a court-ordered transaction that was completed in late 1926. The purchasers acquired the family's home place in Clover Valley and most of the nearby meadows and pastures, but chose not to buy the parcel originally homesteaded by Fred and Grover Wood, which was also part of the estate, presumably because they considered it to be a next-to-worthless piece of land. As part of the arrangement, the Weeks brothers also acquired Ernest C. Wood's scattered tracts near the ranch, but declined to purchase his long-abandoned property at the eastern end of the family's lower fields.¹⁵⁹

The sons invested their share of the proceeds from the sale of the ranch in new endeavors outside Clover Valley. Fred was the first to leave, moving to the vicinity of Fallon, where he developed a dairy farm on well-watered irrigated land that presented a striking contrast to the parched fields of

¹⁵⁸ Elko County tax assessments, 1924, ECCH.

¹⁵⁹ *Nevada State Herald*, 26 June 1925, 3 December 1926, and 31 December 1926; Elko County tax assessments, 1927-1928, ECCH. Mrs. Wood's obituary in the *Herald* said that she died at her home, but her death certificate, filled out by Mrs. Johnson and Dr. A. C. Olmsted of Wells, stated that she passed away at the Johnson ranch, just a short distance away. It is more likely that she spent her last days at the Johnson place, where she could receive better care than at home. The purchasers of her estate were Samuel C. and Seneca J. Weeks, sons of Mrs. Wood's stepdaughter. The Weeks brothers were actively expanding their ranching operations at this time, and in early 1928 they bought the KC ranch in northern Clover Valley, which was the last remaining unit of the O'Neil brothers' ranching empire. *Nevada State Herald*, 4 May 1928.

Tobar Flat. Ernest remained in the area a little longer, but around 1928 he and his wife moved to California. By 1930 they were living near Redding, in the northern part of the state, where they operated a small farm. Ernest C. Wood died in California in 1951, bringing an end to a busy life that had numerous high points and a few failures, including his inability to produce feed with any degree of consistency on the land that he and his brothers had acquired more than forty years earlier.¹⁶⁰

The Woods' lower fields lay abandoned and unwanted for nearly two decades after the ranch was sold. County assessors gave the land their lowest possible evaluation, which dropped taxes on these properties to next to nothing, but no one bothered to pay a cent. In 1930 the land was deeded to Elko County, which held it until the mid-1940s, when Ernest's former property, which fronts on U. S. Route 93, was purchased by an investor, and the remainder was sold to a rancher who was buying up numerous abandoned homesteads in the area.¹⁶¹

Today, the land homesteaded by Ernest C. Wood contains two modern houses, and evidence of Ernest's structures, which were probably located at the site of a present-day residence near the southern end of his property, has been obliterated. On his siblings' homesteads, the clearest indicators of former occupancy are in the southeastern corner of Malinda's land, where boards, fencing, and household debris can be found, but in all probability most if not all of this is related to the activities of Fred C. Swall, and not the Woods.¹⁶² Whether any of the family lived on their claims for significant periods of time remains open to question, but the Woods' impact on Tobar Flat's land and the use of its meager water resources is undeniable.

¹⁶⁰ *Nevada State Herald*, 24 August 1928; U.S. Census of Population, manuscript schedules for Churchill County, Nevada, and Shasta County, California, 1930, NA; California Death Index. In 1930 Fred Wood and the former Rebecca Dodds had two children, a daughter born in 1921 and a son born in 1925, but his brother and wife, who by now were both in their fifties, remained childless.

¹⁶¹ Elko County tax assessments, 1928-1929, ECCH. The property and the Woods' names were stricken from the tax lists after 1929, but the assessment roll for that year includes information, written years later, that describes acquisition by the county in 1930 and sale of the parcels in 1945 and 1947. The land was assessed as "mountain" in 1928 and 1929. There are no mountains on this property, of course, but assessors commonly employed this designation for acreage that had been abandoned and was not being utilized for any purpose.

¹⁶² A description of remnant landscape features on land claimed by Malinda Wood can be found in an archaeological site survey for the northeast quarter of Section 32, Township 35N, Range 62E, on file at the Elko Field Office of the U. S. Bureau of Land Management.

SIDNEY O. CURTISS and family

Sidney O. Curtiss was born in Wells in 1889, the youngest of three sons of Homer G. and Alice Curtiss, both natives of New York state who were married in 1884. His brothers were Charlie and Homer, born in 1886 and 1887, respectively. The boys' father was employed as a railroad car repairman with the Union Pacific and then the Central Pacific, living first in Nebraska and later at Terrace, in northwestern Utah, where Sid's brothers were born. After a brief period of residence in Wells, the family moved to Wadsworth, Nevada, an important division point and repair center until 1904, when the railroad's shops were relocated to Sparks. Their mother was the younger sister of Jeannette Wood of Clover Valley, which made the Curtiss boys cousins of Ernest C. Wood and his siblings. Mrs. Curtiss died in Wadsworth in 1901, and her remains were brought to Clover Valley for burial. After her death, Sid and his brothers often spent their summers on the Wood ranch, returning to western Nevada for the start of the school year, and in this way they became acquainted with the Clover Valley-Tobar Flat area, its lifestyle, and its possibilities.¹⁶³

After attending school in Sparks, Sid worked for the railroad for two years, but in 1908 he moved to the Wood ranch to help his cousins. In December of that year he joined the Woods in filing homestead claims on Tobar Flat. Sid's land, like that of three of the cousins, was a 160-acre strip in Section 28 of Township 35, Range 62, located between similar entries made by Ernest and Grover Wood. Unlike some of the Woods, Curtiss wasted little time in getting started. In January, 1909, he completed construction of a small frame dwelling and did some fencing, and when spring arrived he dug a domestic well. With the help of his cousins, he planted forty acres of oats and barley, to be watered by overflow from existing fields on the Johnson and Wood ranches. Later, he made additions to his house, put up a barn, and built a corral. This does not mean, however, that Curtiss always resided on his claim. Despite his assertion that "there was no absence" from his homestead between 1909 and 1912, he was found to be living with his aunt and cousins at the Wood ranch when the census taker arrived in April, 1910, and also spent considerable time in Utah, where he would marry Winnie Casey, a native of England who was working as a maid in Salt Lake City. Still, it appears that Curtiss did make a more serious effort than any

¹⁶³ U. S. Census of Population, manuscript schedules for Livingston County, New York, 1850, Wyoming County and Lewis County, New York, 1860, Cheyenne County, Nebraska, 1870, and Washoe County, Nevada, 1900, NA; *Nevada State Herald*, 25 January 1901, 29 August 1902, and 8 July 1904; Myrick, Vol. 1, 20-23 and 33-36. Like Wadsworth, Terrace was once a major division point and repair facility for the Central Pacific. The Southern Pacific took over full ownership of the Central Pacific in August, 1899.

of his cousins to establish a home on the land, particularly after he became involved with Winnie and fathered a daughter, the first of the couple's six children.¹⁶⁴

Sid's marriage and fatherhood were not the only important events involving the Curtiss family during this pivotal time. In July, 1909, Homer G. Curtiss, senior, passed away at the age of 67 and was buried beside his wife in Clover Valley. His death brought about an end to the family's connections with western Nevada, for shortly afterward his other sons, Charlie and Homer, relocated to Elko County. Charlie was the first to arrive, joining Sid and his cousins at the Wood ranch. Homer delayed moving for about a year, and continued working as a machinist in the railroad shops at Sparks, but in the summer of 1910 he, too, came to Clover Valley.¹⁶⁵

Both of these men soon took homesteads on Tobar Flat. In early April, 1910, Charlie filed on an unoccupied quarter-section immediately south of Joseph B. McDaniel's land, where he built a little house measuring about twelve feet square. Although it was small, the structure was habitable, and Charlie probably spent some nights there, but like his cousins, he ordinarily stayed at the Wood ranch. Homer made his claim in November, 1910, selecting a quarter-section about a mile west of Charlie's property and just south of the land taken in 1908 by Malinda Wood. It is doubtful if Homer ever established residence here, although fragmentary field evidence suggests that this cannot be completely ruled out. There is no question that these parcels were selected to help the Woods flesh out their holdings. Homer's land seems to have had little value except for grazing, but Charlie's claim is nearly bisected by Johnson Creek, and may have been seen as a place where some feed could be produced.¹⁶⁶

¹⁶⁴ *Elko Free Press*, 7 July 1976 and 5 June 1981; Salt Lake County Marriage Certificate A-15059, copy on file at the Family History Library, LDS; statement of Sidney O. Curtiss, 18 September 1912, HPA 309273, NA; U.S. Census of Population, manuscript schedules for Salt Lake County, Utah, 1910, and for Elko County, Nevada, 1910, 1920, and 1930, NA; author's telephone interview with Ruth Dedman (youngest daughter of Sid and Winnie Curtiss), Wells, Nevada, 21 September 2005. Mrs. Curtiss' given name was Winifred, but she was always called Winnie, even in the census records. She first met Curtiss in 1909, and gave birth to a daughter before the couple was married in August, 1912.

¹⁶⁵ U.S. Census of Population, manuscript schedules for Elko County and Washoe County, Nevada, 1910, NA; synopses of unpatented homestead files CC 04919 and CC 05504, BLM. According to the records of Clover Valley Cemetery (North), Homer G. Curtiss, senior, died on July 20, 1909.

¹⁶⁶ Synopses of unpatented homestead files CC 04919 and CC 05504, BLM; statement of Joseph H. Parkin, 14 December 1915, HPA 517455, NA. In June, 1912, Charlie's claim, which included the house and perhaps some cultivated land, was assessed as part of the property of "Wood and Curtis" of Clover Valley, but Homer's land was not listed in these records. Elko County tax assessments, 1912, ECCH.

Neither claim amounted to much, and both were relinquished late in the summer of 1912, primarily because the Curtisses and their cousins now recognized that they were not worth keeping. In addition, Charlie was preparing to get married and move away, and was anxious to dispose of his place before he left, while Homer wanted to obtain property that would be more than just an extension of his cousins' ranch. Charlie succeeded in selling his improvements, including the house, to a settler from Utah who claimed the land as soon as it became available, but Homer was less fortunate. With few if any improvements and no viable source of irrigation, his property held little interest for prospective farmers, and was returned to the public domain. But soon after the paper work that ended his involvement with this parcel was completed, Homer took possession of an unsurveyed tract close to the East Humboldt Range, some three miles beyond what would become the August Lofdahl place. Here, with help from Sid, he would begin development of a ranch that persisted against heavy odds for more than seventy-five years.¹⁶⁷

Meanwhile, farming activities on Sid's homestead paralleled those of the Wood brothers, which is not surprising because his land was being developed as part of a single unit under the direction of Ernest C. Wood. Once Wood installed his dam and ditches in 1911, Sid's harvests, like those of his cousins, increased from an estimated four bushels per acre to twenty. When he proved up in September, 1912, Curtiss had fifty acres cleared and plowed, although it is uncertain if any crops had been planted that year. Sid and Ernest C. Wood agreed that the Curtiss home was now worth \$500. Although this could not compare to the value of houses built by John C. Munson and George E. Wickizer, it was more than double the value of the dwelling on the Carl H. Lofdahl place, and was higher than that of Joseph B. McDaniel's home, ample evidence that in contrast to the properties of his cousins, the Curtiss homestead was a bona fide place of residence.¹⁶⁸

¹⁶⁷ GLO tract books, statements of Homer G. Curtiss, 24 April 1913 and 15 November 1920, and of Sidney Curtiss, 15 November 1920, HPA 804431, and statement of Joseph H. Parkin, 14 December 1915, HPA 517455, NA; synopses of unpatented homestead files CC 04919 and CC 05504, BLM; U.S. Census of Population, manuscript schedules for Silver Bow County, Montana, 1930, NA; Chris Sheerin, "Three Who Dared: J. Selby Badt, 'Van' and Ula Vandiver," *Northeastern Nevada Historical Society Quarterly* 80:4 (Fall 1980): 99; Elko County tax assessments, 1922-1961, ECCH. Charlie Curtiss married a sister of his brother's wife, Winnie, in 1913, and moved to Montana, where he obtained employment as a machinist, first with the Northern Pacific railroad and later in a copper mine. In 1930 he was living in Butte with his wife and five children.

¹⁶⁸ Statements of Sidney O. Curtiss and Ernest C. Wood, 18 September 1912, HPA 309273, NA; Elko County tax assessments, 1912, ECCH. By comparison, the value of all structures said to be on the claims of Fred and Grover Wood was just \$300 each.

After proving up, Curtiss had little to do with farming the land he now owned, which was cultivated, when it was used at all, by Ernest C. Wood and his brother, Fred. Instead, he turned most of his attention to doing contract plowing and threshing for ranchers in Clover and Ruby valleys. To accomplish this, he and Homer, with backing from the Woods, purchased an enormous steam tractor, plows, and a threshing outfit, together valued at more than \$2,000. From 1913 through 1917 the brothers' base of operations for this business was Sid's homestead, where they also kept additional machinery and a small number of horses. Because his new ranch near the mountains required considerable attention, Homer Curtiss became less involved in the enterprise, which after the first year or two was run by Sid. The brothers did not limit the use of their machinery to agricultural pursuits. When the second Tobar townsite was being developed around 1913, Sid was hired to remove desert shrubs and carve out more than a half-dozen streets, and to cut a road that ran southwest from Tobar for at least four miles to connect the promoters' town with the heart of the homestead country. At other times he used the ponderous tractor to haul ore from the Polar Star mine, about four miles south of Homer's ranch, to the railroad.¹⁶⁹

This work was not always enough to support the Curtiss family, especially after Winnie gave birth to a second daughter in 1913 and a son in 1915. To make ends meet, Sid often found employment with nearby ranchers and at Tobar, and in most cases he brought Winnie and the children with him to his place of work. In 1913, for example, the Curtisses were living about two miles east of Sid's homestead. Their exact location is not certain, but they were probably at the former Munson place, where Sid may have been hired by the O'Neils to operate the tractor left behind by Munson. It is also possible that he was working at Tobar, another two miles away, and was simply staying in the Munson house because it was closer to where he was employed. The Curtisses were again absent during parts of 1915, 1916, and 1917. During these years, Sid had a job tending bar in Tobar, then helped Homer on his ranch, and later went to Nebraska to work as a farm laborer, but he and his family returned to Nevada near the end of 1917. During this period of instability, Sid continued to do some plowing and threshing for others, but with the passage of time fewer people sought his services, primarily because he was

¹⁶⁹ *Nevada State Herald*, 8 October 1915 and 29 September 1916; Elko County tax assessments, 1913-1918, ECCH; Dedman interview; Jean McElrath, *Tumbleweeds: 1940-1967* (Wells: Privately Published, 1971), 614; McElrath, "The Sign." The Wood brothers were involved in the purchase and use of the tractor and other equipment in 1912, but after this year the operation was fully in the hands of the Curtisses. McElrath wrote that ore wagons pulled by the tractor went to Wells, but it is also likely that they were taken to the Western Pacific siding at Tobar.

often away from home and could seldom count on much help from his brother, who was preoccupied with his ranch. In 1918 Homer was drafted into the army, which made it impossible for him to contribute anything to the venture. Before he left for training camp, the brothers disposed of the tractor and their other equipment, and went out of business. Sid failed to pay his taxes that year, and his homestead property was turned over to the county. He scraped together enough money to get the place back in late 1919, but it was a temporary reprieve, and in 1921 he lost it permanently.¹⁷⁰

The family's nomadic lifestyle continued into the 1920s. In early 1920 the Curtisses were living in a rented house at a mine in the southern part of the East Humboldt Range, where Sid was employed as a hoist man. A year later they were at the Warm Creek Ranch southwest of Snow Water Lake. Here, Sid had the misfortune to be bitten by a rabid wildcat, which inflicted injuries severe enough for him to go to Reno for treatment. Later, the Curtisses returned to Tobar Flat, where they took over a house that had been abandoned by an unsuccessful homesteader, and planted a garden on land that the previous occupant had cleared. By this time the family included five children, three of them of school age, and it is possible that a desire to give the older children an opportunity for some formal education lay behind this move. Will McDaniel, who attended a school near his home in the early 1920s, recalled that all but two of his fellow students were McDaniel or Curtiss children.¹⁷¹

¹⁷⁰ *Nevada State Herald*, 3 October 1913, 29 September 1916, and 18 January 1918; statements by Sidney O. Curtiss, 1 February 1913, HPA 355381, and Homer G. Curtiss, 15 November 1920, HPA 804431, NA; Transaction Records, SP; Elko County tax assessments, 1916-1922, ECCH; Sidney Orville Curtiss, draft registration card, Scotts Bluff County, Nebraska, 5 September 1917; Duplicate Birth Certificate 1913-68, NNM; Dedman and William McDaniel interviews. Curtiss said in 1913 that he was the "next adjoining neighbor" of Carl Tollefson, who lived just a few hundred feet from the Munson house. The only way that he could have been living in such close proximity to Tollefson was if he was residing at the former Munson place, for the home of Clarence M. Barton, Tollefson's next closest neighbor, was about a half-mile away. The entire Curtiss family was living in Nebraska in the spring of 1917, when Sid was employed near the town of Minatare, east of Scotts Bluff.

¹⁷¹ U.S. Census of Population, manuscript schedules for Elko County Nevada, 1920 and 1930, NA; *Elko Free Press*, 19 October 1921; Duplicate Birth Certificates 1922-167 and 1927-80, NNM; Dedman and William McDaniel interviews. The mine where Sid was employed in 1920 was probably the Polar Star, a lead-zinc operation four miles from the Homer Curtiss ranch, but it could have been one of two other nearby mines that were developed by Tobar interests. The Curtisses had five children when they lived on Tobar Flat in the early 1920s, and another child was born in 1927, after they had moved away. In November, 1922, when the couple's fifth child was born, the family was living on Tobar Flat and Sid was once again listed as a farmer.

After this, Sid and his family moved to Homer's ranch at the foot of the mountains. The property still belonged to Homer, but he had not resumed living there after his discharge from the army in 1919. Instead, he found employment as a railroad machinist in Elko, where he resided until 1923, when he married and moved to Kansas to help on his father-in-law's farm. When Sid took over his brother's ranch, it had been unoccupied for more than five years, and its buildings and fences were in disrepair. Calling upon their experience with the abandoned homestead on Tobar Flat, the Curtisses made the house habitable, mended the fences, and then acquired some sheep. Homer retained ownership of the place until the 1940s, when its title was transferred to Sid, and as time passed Sid acquired property of his own, most of it a short distance south of Homer's holdings and the remainder on land closer to Snow Water Lake. By 1944 he controlled 400 acres and owned a hundred sheep and lambs.¹⁷²

On the last day of August, 1944, fire blamed on the carelessness of a sheepherder broke out near the Curtiss ranch. Fanned by winds gusting to forty miles an hour, it spread quickly to the north, engulfing some forty square miles of land, consuming thousands of tons of hay as well as an enormous amount of feed on the range, burning the posts of more than a hundred miles of fencing, and destroying a number of unfortunate cattle and sheep who could not get away. It was, declared an Elko newspaper, "the worst range fire in Nevada history." It took dozens of men more than twenty-four hours to subdue the blaze, which in some places smoldered for days after the worst was over. Although they escaped with their lives, the fire had a devastating effect on the Curtisses. Some of their sheep were gone, and with no feed remaining for those who had survived, it made no sense to carry on. Recalling this tragic event more than sixty years later, Sid and Winnie's youngest daughter, Ruth, who was eighteen years old at the time, declared that "the fire put [my father] out of the sheep business."¹⁷³

¹⁷² Statements of Homer G. Curtiss, Sidney Curtiss, and Joseph W. McDaniel, 15 November, 1920, HPA 804431, NA; U.S. Census of Population, manuscript census schedules for Bourbon County, Kansas, and Elko County, Nevada, 1930, NA; Elko County tax assessments, 1925-1947, ECCH; Dedman interview. Homer G. Curtiss did not live on his ranch after the first of March, 1918. Joseph W. McDaniel planted corn, potatoes, and other vegetables for Homer in 1920, and someone may have gone there during the summer to check on the crops' condition, but these were brief visits that scarcely interrupted a nearly continuous span of between five and six years when the place was vacant.

¹⁷³ *Elko Free Press*, 31 August 1944 and 1 September 1944; Nora Linjer Bowman, *Only the Mountains Remain* (Caldwell, ID: The Caxton Printers, Ltd., 1958), 309-312; Sheerin, 99; Dedman interview. Mrs. Bowman, wife of the superintendent of ranching operations of the Utah Construction Company, which

After disposing of the rest of their sheep, the family moved to Wells, where Sid obtained work as a trapper for the federal government. "He was never much of a farmer or a rancher," said a friend, "but he was one of the best trappers in the area." The Curtisses had been residents of Wells for almost a year when their only son, Robert, a member of the U.S. Army Signal Corps, was killed in action in the Pacific just a week before the conclusion of the Second World War. Sid had hoped to revive his ranch once the war ended and the range had recovered, but the loss of Robert stalled these aspirations, for by now Sid was in his late fifties and needed help making repairs and starting over, so he remained in Wells and continued his employment as a trapper.¹⁷⁴

This changed around 1950, when he teamed up with Willard Dedman, an army veteran who had recently married Ruth, to resume ranching. Together, Sid and his son-in-law erected new fences, placed fifteen acres under cultivation, and acquired a small number of cattle. As soon as the house was ready, the Curtisses and the Dedmans moved out from Wells to occupy the ranch. By 1955 they had twenty-five head of cattle, a number that would increase to about three dozen in the 1960s. Sid lived at the ranch until 1976, when he died after a long illness, and was buried in the family plot in Wells. Winnie passed away in 1981 at the age of 93, and was laid to rest beside the man she had married almost seventy years earlier. Their ranch was operated by the Dedmans until 1992, when they sold the property and returned to Wells.¹⁷⁵

Sidney O. Curtiss lived to be 86 years of age. Of these, more than seventy were spent in western Nevada, Clover Valley, and Wells. But for over a decade, Sid, Winnie, and the children were more or less permanent fixtures on Tobar Flat. Curtiss was not a typical homesteader, for his activities included cultivating fields on his cousin's ranch, operating heavy machinery, tending bar, and staying on someone else's property until better prospects turned up. Except for the streets of Tobar and the diagonal road

owned two ranches in Clover Valley, explained that the fire began when a "sheepherder left his campfire untended" (Bowman, 309), but it is uncertain if this man was employed by the Curtisses.

¹⁷⁴ *Wells Progress*, 7 September 1945; Elko County tax assessments, 1945-1950, ECCH; Dedman and Eugene Pengelly interviews.

¹⁷⁵ Dedman interview; Elko County tax assessments, 1951-1961, ECCH; *Elko Free Press*, 6 July 1976, 7 July 1976, and 5 June 1981. In 2005 the former Curtiss property on Tobar Flat was virtually indistinguishable from other long-abandoned homesteads in the area, except that a house trailer stood near the spot where it is believed the family's first home was located. The ranch at the edge of the mountains was now owned by a man from the Las Vegas area who had built an expensive house on this remote site, which overlooks Snow Water Lake and the southern end of Tobar Flat.

to the southwest, he left few tangible marks on the Flat, but for those whose paths crossed his, or who heard about him from others, the adventures of Sid Curtiss were part of the lore of this drab place, whose day-to-day existence was enlivened by his presence.

CLARENCE M. BARTON and family

Clarence M. Barton was born in 1881 in southeastern Kansas, one of eleven children of William H. Barton, a farmer from Ohio, and his wife, Minerva, a native of Illinois. After his father's death in the 1890s, Clarence and an older brother operated a farm that their mother rented near Wichita, but shortly after 1900 the family moved into Wichita, where several of the older children, including Elizabeth, a nurse, provided financial support. Clarence served in the armed forces from 1903 to 1906, and upon his discharge he worked for a blacksmith on the outskirts of Wichita.¹⁷⁶

After this, Barton went to Nevada and found employment in Clover Valley, perhaps at the KC ranch but more likely at the ranch of William F. Schodde, a German immigrant whose place was just south of the KC. While here, Barton met Eldora Kane, a stepdaughter of Schodde, and after a brief courtship the couple was married in December, 1907. Not long after their wedding, Eldora Barton became seriously ill, and had to be cared for at the KC until September, 1908, when she was well enough to return to the home of her mother and stepfather, where she spent another month recuperating. In mid-October, when she was able to travel, she and her husband moved to Wichita. "They have many friends here and in Clover Valley," wrote the editor of the Wells newspaper, "who wish them happiness and prosperity in their new home."¹⁷⁷

¹⁷⁶ U.S. Census of Population, manuscript census schedules for Montgomery County, Kansas, 1880, Greenwood County, Kansas, 1900, and Sedgwick County, Kansas, 1910, NA; *Wichita City Directory* (Wichita: Polk-McAvoy Directory Co., 1906-1910); Death Certificate for Clarence M. Barton, NNM.

¹⁷⁷ U.S. Census of Population, manuscript schedules for Sedgwick County, Kansas, 1910, and Elko County, Nevada, 1930, NA; Elko County Marriage Index, NNM; *Nevada State Herald*, 18 September 1908 and 16 October 1908. Eldora's correct name was Mary Eldora, but she preferred to be called Eldora. She was born in Clover Valley in 1890 to William Kane, an immigrant from Ireland who had established a ranch here in the 1870s, and his wife, Ida. After Kane's death in 1902, his widow rented the place to Schodde, and married him a year later. The exact nature of Eldora's illness is uncertain, but since she and Barton were never able to have children, it is possible that it was related to complications from a pregnancy that was terminated prematurely.

Upon their arrival in Wichita, Barton obtained work as a teamster, and the couple moved into a rented house in a working class neighborhood on the west side of the city, only a block from the home of Clarence's mother and her five unmarried children. But their period of residence in Wichita was short. In the summer of 1910 the couple returned to Nevada to visit Eldora's mother, arriving in Wells on the first of July and proceeding directly to Clover Valley. The visit was meant to be brief, but the Bartons remained in Clover Valley all summer, and during that time Clarence and his wife became convinced that they could build a better future here than in Kansas. In early September he claimed 160 acres just west of the John C. Munson place and about seven miles southeast of the Schodde ranch. A week later he took another 160 acres immediately to the south under the provisions of the Desert Land Act.¹⁷⁸

Barton began building a house soon after filing his first claim. Joseph B. McDaniel, who lived a little more than a mile away, said that Clarence established "actual residence... sometime in September, 1910," but it is probable that during the period of construction Eldora stayed with her mother and Schodde. When the finishing touches were completed in January, 1911, the couple moved into their new home, which was a two-room structure, measuring sixteen by twenty-seven feet, built of discarded railroad ties. At first, the house and property were considered outliers of the Schodde ranch, especially after Schodde purchased 480 acres of railroad land across the road from the couple's home in 1912, but as time passed they became cornerstones of Barton's own semi-autonomous livestock operation.¹⁷⁹

The Bartons' first years on the land were a struggle. Clarence put thirty-five acres in crops in 1911 and the next two years, but harvested very little on account of dry weather and damage by jackrabbits. His problems were compounded when the government cancelled his Desert Land entry in 1912 because he had not yet begun to develop a system of irrigation. Heavy spring runoff and an

¹⁷⁸ U.S. Census of Population, manuscript schedules for Sedgwick County, Kansas, 1910, GLO tract books, and statement of Clarence M. Barton, 17 September 1915, HPA 510255, NA; *Wichita City Directory*, 1910; *Nevada State Herald*, 8 July 1910. Eldora Barton's desire to be near her family played an important role in their decision to homestead on Tobar Flat, but it is also true that Clarence preferred farming to city life, and knew that few affordable opportunities to obtain land still existed in Kansas. Barton would lose his Desert Land entry in 1912, but would regain effective control of this land in 1917 when his mother claimed the property.

¹⁷⁹ Statements of Clarence M. Barton and Joseph B. McDaniel, 17 September 1915, HPA 510255, NA; Transaction Records, SP. Barton would remain dependent on Schodde for another decade, but from about 1920 onward he ran his share of the business as he saw fit.

unusually wet July brought a glimmer of hope in 1914, when he harvested 185 sacks of grain from ten acres of wheat, but this was an illusion for, as he said later, it was “the only crop of any account” that he brought in during all of his years of homesteading. Barton harvested absolutely nothing in 1915 because, to use the words of Joseph W. McDaniel, “the dry weather and the unusual number of rabbits destroyed the crop.” To get by, he took whatever work he could find, building a house for one homesteader, plowing for another, and undoubtedly working for his wife’s stepfather when the need arose.¹⁸⁰

Despite these setbacks, Barton persevered, and with the McDaniels, father and son, as witnesses, he proved up in September, 1915. In addition to the house, his structures included a small barn, a seldom-used granary, a chicken house, and a corral. The entire tract was fenced and cross-fenced with two strands of wire except on the eastern side, where a three-wire fence originally put up by Munson marked the boundary between Barton’s property and land now owned by the O’Neils. Close to the house, a hand-dug well, about fifteen feet deep, provided water for domestic purposes and for the couple’s small number of barnyard animals. The men made differing estimates of the value of Barton’s improvements, giving figures that ranged from \$140 to \$260, but in any case they were far below those for the former Munson place and lower than those on every occupied homestead within a two mile radius. Issuance of his patent was delayed because Barton had misspelled his name on the proof papers, but once this was cleared up in early 1916, the property was transferred to his name.¹⁸¹

The first detailed tax assessment of the Bartons’ property, made in 1916, provides a good picture of the couple’s farm in these formative years. In addition to the buildings, their possessions included ten dollars’ worth of furniture, a sewing machine, a wagon, and a harness. By this time, Clarence had only four acres planted to grain, and if the assessor’s opinion is any indication, it was not a good crop, receiving no more than a fourth class rating. After more than five years on the land, they

¹⁸⁰ Statements of Clarence M. Barton, 17 September 1915, HPA 510255, 8 November 1918, HPA 704575, and 21 April 1923, HPA 937126, statement of Joseph W. McDaniel, 17 September 1915, HPA 510255, and GLO tract books, NA.

¹⁸¹ Statements of Clarence M. Barton, Joseph B. McDaniel, and Joseph W. McDaniel, 17 September 1915, and Notice of Suspension of Proof, 23 December 1915, HPA 510255, NA. Joseph B. McDaniel believed that Barton’s improvements were worth \$260, but Barton himself put them at \$140. Joseph W. McDaniel thought that the house might have been worth as much as \$200 (probably too high since both his son and Barton said that it was worth well less than \$100), but he was unable to estimate the value of the other improvements.

owned just one work horse, two milk cows, ten chickens, and a turkey. This inventory remained constant through 1919, with the exception of the turkey, which disappeared from the list after 1916, presumably killed, eaten, and not replaced. Because they were childless, the Bartons probably had a surplus of milk that would have been the source of a small income, but in essence this was still a subsistence operation, with Barton's off-farm work keeping the couple afloat.¹⁸²

Beyond the homestead property, however, steps were being taken that would enable Barton to transform his farm into a modest cattle ranch. Both his mother, Minerva, and his sister, Elizabeth, moved from Kansas to Nevada in 1916, the former to live with Clarence and his wife and the latter to care for her mother after she became ill and was taken to Elko for treatment. Within a matter of months, both women would claim land that Clarence wanted to incorporate into his own holdings. Elizabeth took a homestead six miles to the southwest, where Clarence had built a small house for the previous claimant, while their mother filed an entry on property immediately south of her son's place that had belonged to Clarence from 1910 to 1912. Since that time, this parcel had been taken over by the O'Neil brothers, acting through the wife of one brother and a member of the law firm that represented the O'Neils, but it had been returned to the public domain in 1916 and was again open for entry. Elizabeth Barton soon returned to Kansas, and once the First World War broke out she joined the Army Nurse Corps, but her mother, whose health had improved, moved onto her claim, where Clarence built a four-room house that was made, like his own, from railroad ties. Then, in early 1920, Clarence obtained property located about midway between his place and his sister's land that had been abandoned by another homesteader, taken over by the county in 1919, and sold to him for back taxes of \$14.20, plus interest.¹⁸³ By this time Barton had direct or indirect control of approximately 640 acres, and in all probability he could also make some use of the land adjoining his place that William F. Schodde had purchased from the railroad in 1912 (Map 10).

¹⁸² Elko County tax assessments, 1916-1919, ECCH; statement of Clarence M. Barton, 8 November 1918, HPA 704575, NA.

¹⁸³ GLO tract books, statement of Minerva E. Barton, 8 November 1921, HPA 806710, statement of Clarence M. Barton, 21 April 1923, and letter from Ed E. Moore to George B. Russell, U.S. Land Office, Elko, Nevada, October 1923, HPA 937126, NA; Elko County tax assessments, 1918-1921, ECCH. Moore was the husband of Elizabeth Barton, who had died in November, 1919. The land that Barton obtained from the county had been homesteaded by Marion Barnes, who received a patent for this property in 1916.

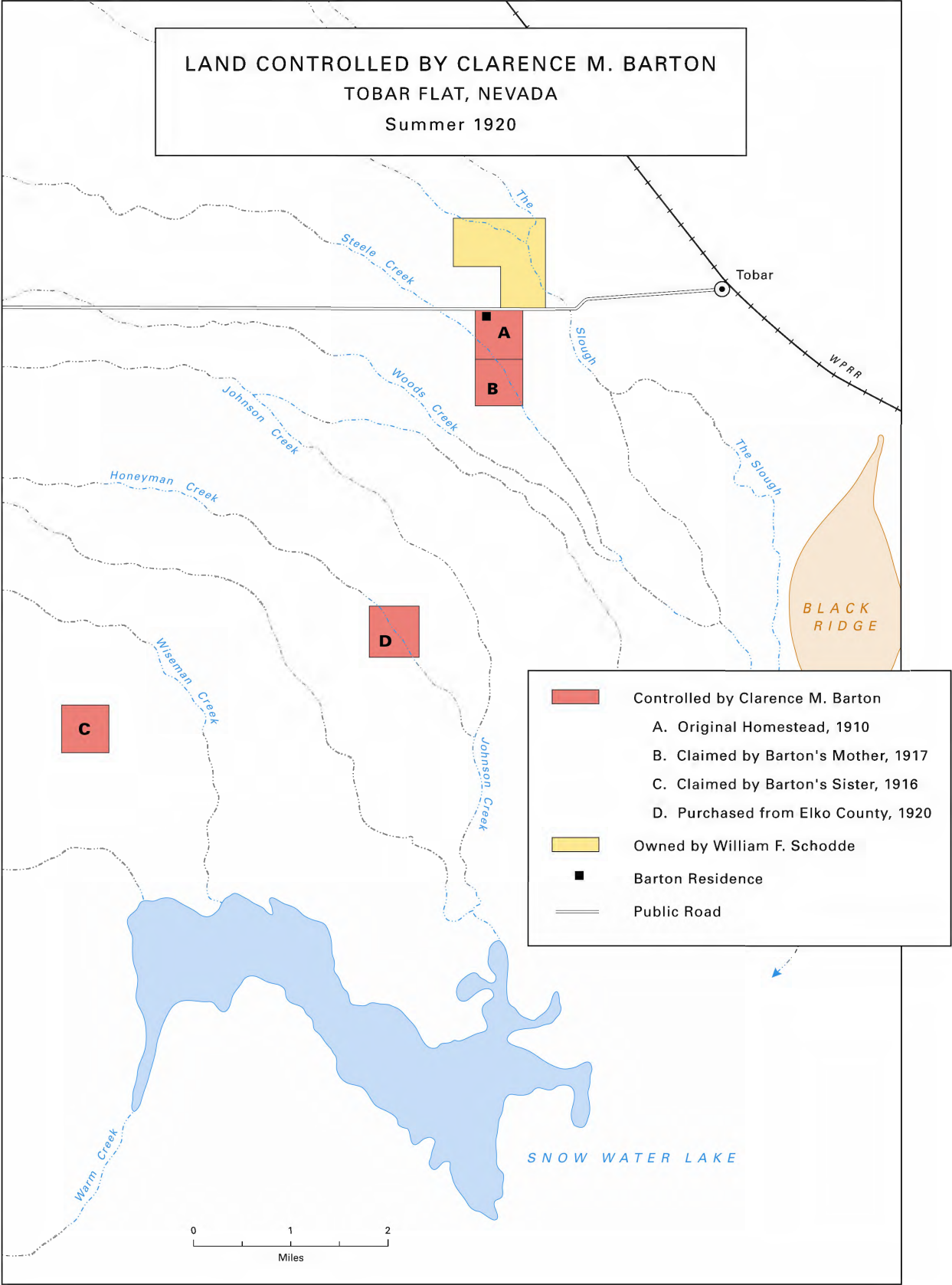
Acquisition of these lands enabled Barton to produce feed for a small number of cattle. In 1920 he harvested a modest amount of rye from the land his sister had taken, and had at least twenty-five acres in the same crop on his mother's claim. He continued cultivating a field on his own land, and probably planted crops on the property obtained from the county, whose previous owner had cleared fifteen acres. Barton also fenced part of his sister's land, enclosing about forty acres. By 1922 he owned twenty head of range cattle and a bull, numbers that would hold steady for another three years. Barton's self-image, as well as his expectations for the future, were made clear as early as 1918, when he told the local draft board that he was a rancher, not a farmer.¹⁸⁴

Despite these signs of progress, Barton's fledgling ranch soon unraveled. The most damaging blow occurred in 1926, when William F. Schodde retired from the cattle business and turned the home place over to his stepson, William W. Kane. Schodde had been a source of support from the start and probably helped Barton stock his ranch, but Kane, burdened with the task of getting established on his own, was in no position to give further assistance except to hire Clarence when he needed an extra hand. Even before this happened, Barton saw his holdings slipping away. In 1925 he failed to pay taxes on the land he had obtained from the county, initiating a process through which the property was again returned to county ownership. Then, in 1927, his mother died, and a brother in Kansas, who was executor of her estate, made no more than a token effort to keep her Nevada land before defaulting on the taxes and letting the county take it. Meanwhile, his sister, Elizabeth, had also passed away, and while her husband, Ed Moore, paid her taxes for a while, this did not last. After he remarried in 1923, Moore was hard-pressed to support his new wife and three stepchildren, and when he stopped paying taxes on the property in 1928, another parcel that Barton had used was lost, leaving him with only his original homestead. As his land base shrank, Clarence had to get rid of his cattle, and in 1928 he and his wife moved back to the ranch in Clover Valley where Eldora Barton had grown up.¹⁸⁵

¹⁸⁴ Statements of Minerva E. Barton, 8 November 1921, HPA 806710, and statements of Clarence M. Barton, 21 April 1923, and Ed E. Moore, 15 February 1924, HPA 937126, NA; Elko County tax assessments, 1919-1925, ECCH; Clarence M. Barton, draft registration card, Elko County, Nevada, 12 September 1918.

¹⁸⁵ Elko County tax assessments, 1925-1931, ECCH; *Nevada State Herald*, 5 October 1928 and 16 November 1928; *Elko Free Press*, 28 January 1941; U.S Census of Population, manuscript schedules for Sumner County, Kansas, and Elko County, Nevada, 1930, NA; William McDaniel interview.

Map 10



The Bartons' departure from Tobar Flat in 1928 began a phase of their lives when they became veritable vagabonds. After staying at the old Schodde place for a few months, the couple moved to another Clover Valley ranch, where they remained until May, 1929, when they relocated to Wells. Here, Barton obtained a position delivering mail and supplies to Clover Valley, but this lasted for only two months. In July they moved again, this time to the Warm Creek ranch near Snow Water Lake, the scene of Sidney O. Curtiss's encounter with the wildcat a few years earlier. By the following spring Clarence had still another job, managing a ranch north of Metropolis, where the Bartons made their home for three or four years.¹⁸⁶

During all of these movements, Barton had retained possession of his homestead property, and held out hope that he and his wife could move back to the Tobar-Clover Valley area if they could find some way of supporting themselves. The opportunity came in the mid-1930s, when Tobar's only remaining store, which included the post office, became available. The Bartons could not afford to buy the place, but they arranged to lease it with the option of purchasing it at a later date. At first, the couple lived in the railroad tie structure that had been their home from 1911 to 1928, and drove to Tobar each morning in Clarence's old car, but around 1936 they took up residence in the store building itself. By this time Clarence was suffering from the effects of a hardening of his arteries, which seemed to diminish his mental capacity, and most of the work of keeping the store and running the post office fell to Eldora.¹⁸⁷

In early March, 1939, Eldora Barton was visiting friends in Ventosa, six miles from Tobar, when she collapsed from an apparent aneurysm and was rushed to the hospital in Elko. By the next day she

¹⁸⁶ *Nevada State Herald*, 1 March 1929, 31 May 1929, and 19 July 1929; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1930, NA.

¹⁸⁷ Elko County tax assessments, 1929-1940, ECCH; *Elko Free Press*, 9 March, 1939; *Elko Independent*, 17 March, 1939; Death Certificate for Clarence M. Barton, NNM; Eugene Pengelly and Dedman interviews; Charles Stewart Powell, "Depression Days in Tobar," *Northeastern Nevada Historical Society Quarterly* 78:4 (Fall 1978): 128-129 and 136-137. Barton lost his land temporarily after failing to pay his 1932 taxes, but regained the property from Elko County in 1935 by paying the back taxes. Powell has written that when he arrived in Tobar around 1934, a woman [Mary Bassford] suffering from cancer ran the store and that Barton, "who, with his wife was homesteading in the valley," handled the post office duties, but this arrangement lasted only a short time. Ruth Dedman, who was born in 1927, remembers that when she was a little girl the Tobar store was run by Mrs. Bassford and another woman, probably Eldora Barton. Mrs. Bassford vacated the store sometime in 1936, and the Bartons moved into her living quarters soon after she departed.

had developed pneumonia, and her condition worsened. She passed away on March 9 at the age of forty-nine, and after a funeral service in Wells, she was buried in Clover Valley. In addition to Clarence, Eldora was survived by two sisters and her brother, William, who had left Clover Valley and was now operating a ranch south of Elko.¹⁸⁸

Barton was left to muddle along by himself, but was unable to handle anything but the most simple tasks. With the help of Lloyd Higley, who had come to Tobar from Idaho in the 1930s and like Clarence was a recent widower, he completed his payments for the store in 1940. The two men lived together in the store building, with Higley assuming most of the responsibility for ordering merchandise, waiting on customers, and handling postal duties. In September, 1942, the government closed the post office, which further reduced the declining volume of business transacted at the store, but Barton hardly noticed, for he was fading rapidly. Higley tried to look after him as best he could, but after a few months he acknowledged that there was nothing he could do for his friend, and arranged for Barton to be admitted to the county's home for the aged, where he could receive professional care. About a year later Barton transferred ownership of all of his property, which included the homestead and its improvements as well as the store at Tobar, into Higley's hands.¹⁸⁹

Higley ran the store until it went out of business in 1946, the same year that the Western Pacific abandoned its Tobar station and the dying town's school was closed. In the last months of the store's operation, he began to develop a small livestock farm, using the Barton homestead as a starting point and acquiring more land when he could. Meanwhile, Barton languished at the county home, and in May, 1950, a month after suffering a stroke, he died at the Elko General Hospital and was buried in the city's veterans cemetery. At the time of Barton's death, Higley owned slightly more than 400 acres of grazing land, including the old Barton homestead and two parcels across the road, where he kept five head of range cattle and a pair of dairy cows. Although his acreage was smaller and livestock numbers

¹⁸⁸ *Elko Free Press*, 9 March, 1939; *Elko Independent*, 17 March, 1939; Death Certificate for Mary Eldora Barton, NNM. Eldora's mother had died in 1917, and was also buried in Clover Valley.

¹⁸⁹ Elko County tax assessments, 1940-1945, ECCH; William J. Tatomer, "Tobar: Forgotten Ghost Town," *Northeastern Nevada Historical Society Quarterly* 78:1 (Winter 1978): 9; Robert P. Harris, *Nevada Postal History* (Reno: Bonanza Press, 1973), 52; Eugene Pengelly interview; U. S. Census of Population, manuscript schedules for Minidoka County, Idaho, 1930, NA; Death Certificates for Clarence M. Barton and Oletha Higley, NNM. The store and the lots it occupied were listed in Barton's name from 1941 through 1944, but in all but the first year his taxes were paid by Higley. The property was assessed to Higley from 1945 onward.

were lower, Higley's operation resembled that of Barton in the early 1920s, with promise that once more had yet to be fully realized. Years later, the property became part of the Tobar Flat holdings of what had been the KC ranch.¹⁹⁰

Clarence Barton was the last homesteader to live on Tobar Flat. Although he did not reside there continuously, he did make this place his home for about twenty-five years, five more than the time spent on the land by the Joseph B. McDaniel family, and roughly twice as long as the period of residence of Sid and Winnie Curtiss. Barton worked with cattle for much of his adult life, but could never quite get his own ranch firmly established, and spent his last days on the Flat puttering about the Tobar store, worn down by years of toil and poor health. The site of his homestead contains a modern stock pond, dug long after he departed, but only foundation remnants and a few discarded personal items serve as reminders of his presence over the course of many years. Barton endured a hard life and a lonely death, and is buried miles from the grave of his wife. Since they had no children, not a single direct descendant exists to celebrate the efforts of this pioneer couple, who were once an important part of the Tobar community.

JACK CHURCHFIELD and family

Born in Louisville, Kentucky, in 1857, John ("Jack") Churchfield was the third of five children of Martin and Ellen Churchfield, both immigrants from Ireland. Because his father was a laborer who worked for daily wages, the family moved frequently, living in several Kentucky communities, in Indiana, and then, in the 1870s, in Iowa. When he was nineteen, Jack married Evelyn ("Eva") Kenyon, a seventeen-year-old Iowa girl, and between 1877 and 1904 the couple had twelve children, all of whom lived to adulthood. Their four oldest sons, Jim and Fred, born in Iowa in the late 1870s, and twins John and Marty, born in Nebraska in 1891, would become directly or indirectly involved with Jack in land acquisition and an attempt to develop irrigated farmland on Tobar Flat.¹⁹¹

¹⁹⁰ Elko County tax assessments, 1945-1951, and Land Ownership Records, ECCH; Tatomer, 9; Death Certificate for Clarence M. Barton, NNM; *Wells Progress*, 12 May 1950.

¹⁹¹ U.S. Census of Population, manuscript schedules for Barren County, Kentucky, 1860, Washington County, Indiana, 1870, Allamakee and Cherokee counties, Iowa, 1880, Clay County, Indiana, and Elko County, Nevada, 1900, NA; *Our Churchfield Connection* (n.p., 1988), 3. The Churchfields' family

Jack, Eva, and their older children lived in Iowa until 1886, when they moved to southwestern Nebraska, where Eva gave birth to five children between 1887 and 1895. During this time, Jack worked as a farm laborer, sometimes helping to plant and harvest crops or care for livestock, but more often engaged in building fences. The Churchfields survived the worst of the drought and depression of the 1890s in Nebraska, but in the summer of 1897, believing that better opportunities existed farther west, they boarded a train bound for California. When Jack learned that he and his family could obtain employment on ranches in the Humboldt River valley that were operated by J. R. Bradley and his sons, they disembarked at Deeth to get started on this new endeavor and to look for a place to live.¹⁹²

Most of the Churchfields' work during the next few years involved putting up fences and digging wells, usually under contract to the Bradleys but occasionally for other farmers and ranchers near Deeth. Jack was ordinarily assisted by his two oldest sons, and on some occasions his teenaged daughters worked side-by-side with their father and brothers. At first, the Churchfields could not find satisfactory housing, and crowded into a two-room rented house in Deeth, but before 1900 they found better accommodations nearby, and later the family obtained a small property in Starr Valley, south of Deeth, that one of Jack's descendants has described, with some exaggeration, as "our family ranch."¹⁹³

Although the Churchfields retained close ties with Deeth and Starr Valley for years, family members did not always live there. When they heard that employment might be available elsewhere, Jack and some of the children would travel to job sites, remain until the work ended, and then return

genealogy lists just four of Martin and Ellen's children, but the manuscript census returns for Barren County in 1860 includes a son, Marty, born in Virginia about 1855, as well as the other four children. The maiden name of Evelyn Kenyon is sometimes referred to as "Kinnear."

¹⁹² *Our Churchfield Connection*, 29; U.S. Census of Population, manuscript schedules for Cherokee County, Iowa, 1880, NA; "Some of John and Laura Churchfield's History," dictated in 1977 to Mrs. Marion Churchfield by John Churchfield, Jr., in possession of Sim Churchfield, Elko, Nevada; author's interviews with Sim Churchfield (grandson of Jack Churchfield), Elko, Nevada, 26 June 1979 and 16 July 1982. The Churchfields' arrival in 1897 coincided with reorganization of part of the old Russell and Bradley ranch under the ownership of John R. Bradley and his two sons, who controlled land along the Humboldt River from a short distance east of Elko to Deeth, and northward along Mary's River. This operation became the Nevada Land and Livestock Co. in 1907, and later was taken over by the Union Land and Cattle Co. For more information on the history of this ranch, see Patterson *et al*, 326-330.

¹⁹³ Nawney McDermott, "Great Grand-Ma Mac: Bertha May Churchfield McDermott," *Northeastern Nevada Historical Society Quarterly* 86:3 (Summer 1986): 87; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1900, NA; Churchfield's History; Churchfield interview, 1979.

home. One such instance occurred in 1903, when Jack, accompanied by Fred, now twenty-four years of age, and Marty, who was twelve, went to White Pine County, where they initially stayed with a daughter who had recently married and relocated to Cherry Creek. Jack and his sons expected to get jobs at a mine near Cherry Creek that had reopened after years of inactivity, but when the anticipated positions did not materialize, they moved on to the vicinity of Ely. Here, the trio lived in a primitive log cabin for several months while Jack and Fred did some tunneling in mine shafts and Marty hauled water with the help of a burro that they had brought from home.¹⁹⁴

A move of greater magnitude took place the following year, when Jack, Eva, and all but one of their children journeyed to western Nevada to work on the Reclamation Service's Newlands irrigation project, which was underway near Fallon. The husbands of two of the Churchfields' daughters, including the man who had moved to Cherry Creek with his bride, also participated in the venture. Only one daughter, a seventeen-year-old girl who had just gotten married to Fred Monks, from Starr Valley, remained behind. Family tradition holds that "the Churchfield family helped to build the Lahontan earth dam," but in fact the clan's work was much more prosaic. Jack, his older sons, and the two sons-in-law were employed to level land and dig canals, while the twins, John and Marty, were hired as muleskinners.¹⁹⁵

¹⁹⁴ *Our Churchfield Connection*, 37; Churchfield's History. The work that Jack and Fred Churchfield did near Ely probably involved extending shafts to determine whether viable copper deposits existed at some distance beneath the surface, which would lead to the area's emergence as an important copper mining center a short time later. Jack and Fred were paid on the basis of the number of feet of tunneling that they completed. For summaries of the resumption of mining at Cherry Creek and preliminary steps taken to develop copper mines near Ely, see Hill, 163-164, and Elliott, 176-178.

¹⁹⁵ Churchfield interview, 1982; author's interview with Norma Pengelly (a daughter of Marty Churchfield), Wells, Nevada, 14 July 1982; *Our Churchfield Connection*, 38; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1900 and 1910, NA. *Our Churchfield Connection* contains a photograph of Jack, Eva, eleven of their children, two sons-in-law, and three grandchildren, taken in 1905 near Fallon, where the family was working on the government project. Fred Monks married Ella Churchfield in Starr Valley on 4 June 1904, just before the clan departed for western Nevada. A description of the project at the time the Churchfields were working there can be found in John M. Townley, *Turn This Water into Gold: The Story of the Newlands Project* (Reno: Nevada Historical Society, 1977), 31-36. The assertion that the Churchfields were involved with building the Lahontan Dam has been obtained from June Shaputis, "Ely Cemetery, Ely, Nevada" (1999), a web page available at www.webpanda.com/UP_Cemeteries/elycem_c.htm, which contains information obtained from communications with family members, obituaries, and cemetery records. In this case, the information about the family building the dam is off-base, for the Churchfields left western Nevada four years before construction of the dam began in 1911.

The Churchfields remained on the project for about three years. With seven men and boys holding steady jobs, this was a time of unprecedented prosperity for Jack and his family. But it was also a time of trouble, with the blame for most of it falling at the feet of Jack, who was a hard drinker, a strict disciplinarian, and an uncompromising adversary when disagreements arose, not always a happy combination. The most unfortunate incident occurred in 1906, when he took pay that was supposed to go to the twins, who were now fifteen years old and had been promoted to positions as canal diggers, and spent it in a saloon, returning home drunk but completely lacking in remorse. Marty, always the more compliant twin, took this in stride, but John was incensed by his father's actions, quit working with him, and set out for Deeth on one of the family's mules. The incident drove a wedge between father and son that was never fully repaired, and as a consequence John would have only limited involvement with Jack's efforts to divert water onto land southeast of Tobar a few years later. On the positive side, however, the years spent digging canals helped the Churchfields obtain skills which gave Jack confidence that, with help from his sons, he could develop an irrigation scheme of his own.¹⁹⁶

The Churchfields returned to northeastern Nevada in 1907. Some of the family, including John, who was still at odds with his father, made their homes near Deeth, and one of the married daughters, with her husband and son, moved to Wells. Jack, Eva, and the younger children, along with Fred, his wife, and Jim, went to Elko, primarily because of the prospect of jobs but also to enable the children to attend school on a more regular basis than in the past. Jack worked around Elko for a year, but left in early 1908 to construct fences for John C. Munson on Tobar Flat and for a rancher in Ruby Valley. It was at this time that he became familiar with The Slough and its possibilities, and saw how much water was delivered to Snow Water Lake during the spring runoff. Jack was convinced that if he could find the right place, he could irrigate land from both of these sources.¹⁹⁷

This abstract notion took tangible form in 1909, when Jack's son-in-law, Fred Monks, became manager of the Warm Creek ranch, and hired Jack, Fred, and Marty to work for him, with Jack becoming

¹⁹⁶ Churchfield interview, 1982.

¹⁹⁷ Churchfield's History; *Our Churchfield Connection*, 34-39; McDermott, 87; Churchfield interview, 1982; *Nevada State Herald*, 24 March 1911; *Elko Independent*, 22 September 1911; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA. Jack Churchfield's employment by Munson occurred just a few months before George E. Wickizer and his companions examined the land along The Slough, which led to the acquisition of homesteads below the Munson place before the end of the year.

responsible for erecting new fences and replacing old ones. As he got to know the country beyond Snow Water Lake, Jack concluded that the best place for the farm he had in mind was near Little Lake, a pair of shallow playas connected by a narrow channel and partially surrounded by dunes of sand and silt, at the end of The Slough. Soils here are not very good, but Jack believed that he could make the land productive by irrigating it with water that he would store in Little Lake.¹⁹⁸

The first step was to secure the land. In October, 1909, Jack and his oldest son, Jim, filed entries on two adjoining half-sections northeast of Little Lake under the Enlarged Homestead Act, which had been passed eight months earlier. The Act applied only to lands that had been classified as nonirrigable, and was supposed to encourage dry farming, but Jack was never one to let the intent of a law stand in the way of his goals, and moved ahead with plans to irrigate the property that he and Jim had taken. But this was only the start. Fred soon filed a similar claim on 320 acres that cornered on Jack's property and encompassed a large part of Little Lake, and in 1913, when he was old enough to claim a homestead, Marty obtained another half-section that lay close to the place where The Slough's channel entered Little Lake. Jack added to his holdings in 1911 by leasing four sections of railroad land, including one located just south of his homestead and east of Fred's, at a cost of one cent per acre. Two additional half-sections of government land were designated by Jack for irrigation in November, 1910, but there is no evidence that anyone made a formal application for them. Altogether, what the Churchfields saw as their domain covered seven square miles, but the family's hold on the land was tenuous, for neither Jack nor his sons were the actual owners of any part of this vast acreage.¹⁹⁹

¹⁹⁸ Churchfield interview, 1982; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA; Application by John Churchfield to Appropriate the Public Waters of the State of Nevada, 14 November 1910, File 1850, NDWR.

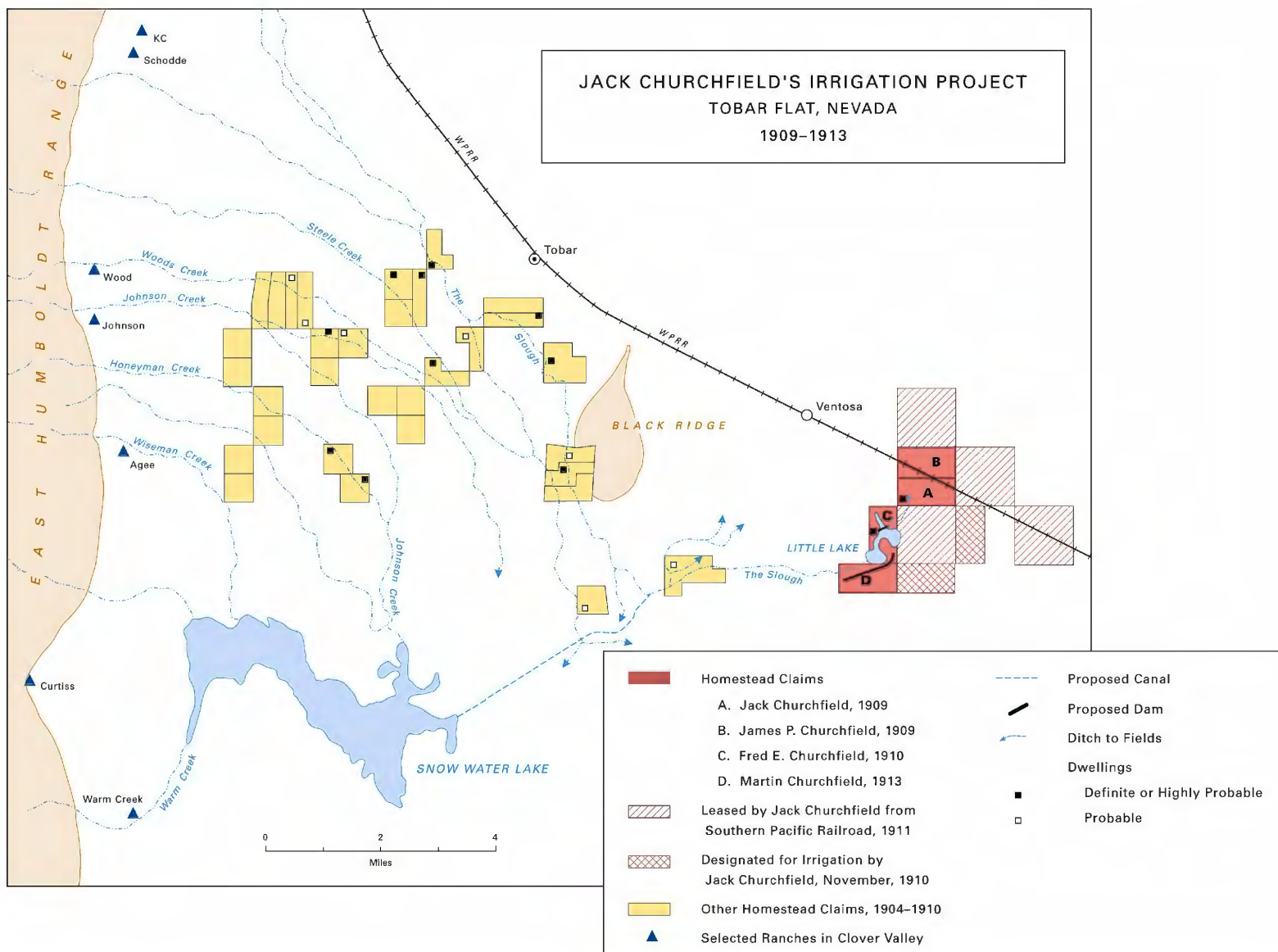
¹⁹⁹ GLO tract books, NA; synopses of unpatented homestead files EL 0254, 0255, 0305, and 01189, BLM; Transaction Records, SP; Churchfield Application, 14 November 1910, File 1850, NDWR. John Churchfield's son, Sim, said that it was his father, and not Jack, who claimed land with Jim in 1909, and this author has repeated his assertion in earlier works. But additional research indicates that Jack himself must have been the actual claimant, for at the time when the entry was made John was only eighteen years old, too young to file a claim. John did file on a homestead near Deeth in 1913, and if he had been the "John Churchfield" who took 320 acres near Little Lake in 1909, he would not have been allowed to claim more land until this first entry was cancelled, which did not occur until 1917. Furthermore, John was not on good terms with his father at this time, so it is unlikely that he would have actively participated in the initial phase of Jack's venture, which began only three years after the ugly incident on the project near Fallon.

Jack's plan of irrigation was imaginative, to say the least. Other settlers on The Slough, such as George E. Brown and the Wickizers, would rely on overflow, supplemented here and there by short, shallow ditches, to water their crops. In contrast, the Churchfields were embarking on a major undertaking (Map 11). Jack proposed to build earthen dams and use dunes on the shore of Little Lake to impound water coming down The Slough during the spring runoff, no small task in its own right. From here, a half-mile long ditch would convey the water northeastward to Jack's homestead property, where the first field would be laid out. Later, other ditches would deliver irrigation water to fields east and southeast of Little Lake, some of them more than a mile away. Jack said that when construction was completed in 1912, he would have 1,600 acres ready for irrigation, but it is doubtful if he really believed that the project would be fully operational so quickly, or that he could put a sufficient amount of water on this much land.²⁰⁰

If water from The Slough alone proved to be inadequate, Jack thought that he and his sons, calling upon their experience on the government project in western Nevada, would be able to dig a canal, four feet wide and a foot deep, from the eastern arm of Snow Water Lake to a point on The Slough near the George E. Brown homestead, a distance of approximately four miles. Today, this part of his plan seems completely irrational, for very little water enters this end of the lake and part of the proposed canal would have to cross land that sloped toward Snow Water Lake and away from The Slough. But Jack Churchfield was not always a rational man, and preferred to believe what he wanted to believe, in this case that he and his sons could compensate for the natural slope and get this water into The Slough. To be fair, the land in question is almost perfectly flat, with slopes of only a few inches per mile, and the Churchfields were certainly capable canal diggers, but the task was still a daunting one. Jack "probably walked that line fifty times," recalled his grandson, and was certain that the canal would function as planned. He was not alone in this belief. In 1912, after the Churchfields had begun work on their project, the State Engineer approved the entire plan, including Jack's proposal to get water from Snow Water Lake into The Slough, although it is not certain how carefully the Engineer and his associates scrutinized his application or if they realized that one part of it involved conveying water against the forces of gravity.²⁰¹

²⁰⁰ Churchfield Application, 14 November 1910, and accompanying maps, File 1850, NDWR; Churchfield interview, 1982.

²⁰¹ Churchfield Application, 14 November 1910, and accompanying maps, File 1850, and Malone to Badt, 10 December 1929, File 1722, NDWR; Churchfield interview, 1982.



Map 11

Work on the project got under way in 1911. On New Year's Eve, 1910, when according to his grandson he may not have been completely sober, Jack arranged to purchase, on credit, more than a thousand dollars' worth of equipment, tools, and supplies from M. Badt and Company, the most prominent store in Wells. Over the course of the next several weeks, he and his sons hauled these items to Little Lake, dug a well, completed work on a cabin that they had begun earlier, and built a second cabin. The larger of these structures was located on Fred's claim, near the point where construction of the first dam and ditch would begin, while the other was a half-mile away on Jack's land, close to the site of the first field. By March, approximately a dozen of the Churchfields were living in the cabins. Their numbers included Jack and Eva, Fred and perhaps his wife and infant son, Jim and his wife and daughter, Marty, and Jack and Eva's four youngest sons, whose ages ranged from ten to fifteen. John initially distanced himself from the project, but about a year later, when he was working in Clover Valley and courting a Clover Valley girl, he helped out when he could. It is impossible to precisely reconstruct the family's living arrangements, which fluctuated in response to the need for workers at each site, but ordinarily most individuals stayed in the cabin on Fred's land, which was the hub of operations as well as the place where Eva Churchfield, who was in charge of feeding the group, made her home.²⁰²

The Churchfields began by constructing a low dam near the northern end of Little Lake and shoveling out the first part of a ditch that would carry water to Jack's homestead property, where they cleared desert shrubs from approximately twenty acres. When Jack came to Wells to purchase additional supplies in April, 1911, the town's newspaper editor reported that the project was well underway, writing that Churchfield was "engaged in farming and reclaiming a large acreage of land" near the Western Pacific tracks north of Little Lake. Two months later the tax assessor visited the Churchfields and found that while Jack's possessions included six work horses, two other horses, a pair of harnesses, and a wagon, he had no equipment, such as a Fresno scraper, that would ease the task of digging the ditch and be essential for cutting the canal.²⁰³ Despite the absence of a scraper, the assessor

²⁰² Deposition filed by Herbert Badt, 2 January 1917, *Badt v. Churchfield*, District Court Case File 2465, ECCH; *Nevada State Herald*, 24 March 1911; *Our Churchfield Connection*, 33 and 42-44; Churchfield interview, 1982. Although most of the Churchfields did not move out to Little Lake until 1911, several family members stayed on Fred's claim for a short time in the fall of 1910, when Jack was finalizing his plans and some of the sons were putting up the first cabin. Because of these activities, the Churchfields have been grouped with settlers who were on the land before the end of 1910.

²⁰³ *Nevada State Herald*, 7 April 1911; Badt deposition and Elko County tax assessments, 1911, ECCH; Churchfield interviews, 1979 and 1982. The Fresno scraper, invented in 1883 and produced by the Fresno Agricultural Works of California, was a C-shaped bowl, made of iron and steel and drawn by

must have seen considerable activity at this once lonely place, with some men urging their horses forward at the dam site, others railing brush, the younger boys performing menial tasks, and Mrs. Churchfield, with the help of a daughter-in-law, preparing a hearty meal for eight hungry workers.

The family made good progress for most of the summer. But they received a setback in August when Eva Churchfield fell ill with heart trouble and had to be taken to Wells for treatment. She returned to Little Lake a short time later, but was no better, and in September Jack and one of her daughters took her to Sacramento, California, “where it was thought the low altitude would revive her.” Her condition grew progressively worse, however, and on the sixteenth of September she passed away in the California city. Her remains were brought to Deeth for funeral services, and she was buried in Starr Valley. At the time of her death Eva Churchfield was just fifty-two years of age, but the burden of bearing and raising a dozen children and, some said, of living with Jack, had worn her out long before her time.²⁰⁴

Naturally, this tragedy put the Churchfields’ project on hold. Not only had Eva been cooking for the men and boys at Little Lake, but she was also the glue that had held the fractious family together, and with her passing they lost a voice of reason that had calmed many disputes. Work halted during her final illness and in the days following her death, and as the Churchfields recovered from their loss, reorganization of the family took precedence over ditching and railing. With no one to look after them, the three youngest children were sent to live with a sister in Starr Valley, reducing the number of hands that Jack could put to work. The oldest son, Jim, also largely withdrew from the project at this time. He had never been terribly interested in farming to begin with, and with his wife expecting the couple’s second child, he and his family took up residence in Wells. Jim would return to Little Lake from time to time, but his involvement would not be as strong as it had been before his mother’s death. As winter set in, Jack saw that it would be necessary to cut back on his original plan, and when his lease on the

horses, that scooped and dumped soil that had to be removed to construct canals and ditches. For more information about this piece of equipment, see The American Society of Mechanical Engineers, *The Fresno Scraper* (Fresno: privately published, 1991).

²⁰⁴ *Nevada State Herald*, 1 September 1911; *Elko Independent*, 22 September 1911; *Our Churchfield Connection*, 30 and 32; Starr Valley Cemetery records; Churchfield interview, 1979; Norma Pengelly interview. Mrs. Churchfield had experienced problems with her heart for several years, perhaps as far back as when her family was in western Nevada, but it was not until they moved to Little Lake that her illness became life threatening.

railroad land expired at the end of the year, he failed to renew it, reducing the acreage in which the family had an interest by more than fifty percent.²⁰⁵

It is doubtful if any of the Churchfields spent the winter of 1911-1912 in the cabins at Little Lake, but with the approach of spring a small number of family members returned to the project, bringing with them a Fresno scraper and other pieces of machinery. In addition to Jack, the group included Fred and Marty, who got along better with their father than the other sons, and their sixteen-year-old brother, Eddie. At times they were joined by Jim and John, but these occasions were not frequent. The men planted grain and potatoes in the field that was cleared in 1911, and resumed work on the ditch that had been halted when Eva Churchfield died, but with limited manpower the going was slow. Although an unusually large amount of runoff flowed into Little Lake in 1912, it failed to benefit the Churchfields because their ditch did not yet extend all the way to the field. Desperate to get water to the crops, Jack sent several of his sons to work on the canal from Snow Water Lake, which had filled more of its basin than usual this year, while one or two continued with the ditch. But progress with the scraper went slower than expected because heavy soils along the route of this canal were more difficult to cut through than land that the Churchfields had encountered when building canals for the government. By summer's end the lake was dry and the canal was far from complete.²⁰⁶

Despite the absence of irrigation water, the Churchfields' crops did well in 1912, and in the fall they dug up enough potatoes to fill several sacks and harvested a fair amount of grain. The reason for their good fortune was no secret, for the spring and summer of 1912 had been one of the wettest on record in northeastern Nevada, and the crops had received sufficient moisture without a single drop of

²⁰⁵ Churchfield interviews, 1979 and 1982; Norma Pengelly interview; *Our Churchfield Connection*, 34; McDermott, 87; Olmsted records, NHS; Duplicate Birth Certificates 1912-71 and 1914-85, NNM; Transaction Records, SP. When Jim Churchfield's second child was born in February, 1912, he listed his address as Wells and said that he was a farmer because he and other family members were still involved in the Little Lake project, but sixteen months later, Jim and his family were living in Elko, where he had a job as a teamster.

²⁰⁶ Churchfield interview, 1982; Elko County tax assessments, 1912, ECCH. In July, 1912, Jack Churchfield was assessed for fifty dollars worth of machinery, in contrast to none a year earlier. This undoubtedly included a Fresno scraper, but it is uncertain if he owned the version designed to be pulled by two, three, or four horses, or if it was new or used.

irrigation water. But Jack knew that he could not always count on this much rain, and that it was imperative to get things in working order as soon as possible.²⁰⁷

Unfortunately, nothing went right for Jack in 1913. His sons may have tried to extend the canal from the point where work had stalled during the previous summer, but if this did take place it was no more successful than before, and they soon gave up (Photo 9). Everything depended on getting water from The Slough into their reservoir at Little Lake, and from there to the field. Jack thought that it would help if he could smooth out the stream's channel, and asked William Kearney, the State Engineer, if he could "go into the big slough and take out the high places so that the water would run better to my advantage," but this was denied. Of greater concern were legal issues about The Slough's water. Jack believed that when John C. Munson left the area in late 1912 he had forfeited his irrigation rights, and that Munson's water now belonged to him. This had not made any difference in 1912, when there was enough water for everyone, but now, faced with the prospect of a drier year, Jack desperately wanted every drop that he could get. He did not understand why the O'Neil brothers could take water out of The Slough since his own application for this water was approved before the O'Neils took over the Munson place. Kearney explained that Munson's water rights, contained in two permits that gave him most of The Slough's water, had been transferred to the O'Neils, and warned Jack that these permits "are prior to yours and until they are served you would have no right to the water." When the O'Neils' arrangements with Kearney's office were finalized in May, 1913, Jack knew that all was lost. Earlier, he might have fought for the water or taken it illegally, but now, facing opposition from the powerful O'Neils and rebellion from even his most loyal sons, who were worn out and disillusioned by the project, he concluded that it made no sense to carry on.²⁰⁸

²⁰⁷ Churchfield interview, 1979. The Clover Valley weather station received fifteen inches of precipitation in 1912, with almost two inches falling in July, which is ordinarily one of the driest months. At Metropolis, more than eighteen inches, nearly double the usual amount, was recorded in 1912. The exact amount of rain falling on the Churchfields' grain and potatoes will never be known, but without doubt it was more than in previous or subsequent years.

²⁰⁸ Letters from John Churchfield to William Kearney, State Engineer, 7 April 1913, and from Kearney to Churchfield, 9 April 1913, File 1850, NDWR; Certificate 102, issued 13 May 1913, File 1201-1202, NDWR; Malone to Badt, 10 December 1929, File 1722, NDWR; Churchfield interview, 1982.



Photo 9. The remains of Jack Churchfield's canal, designed to deliver water from Snow Water Lake to The Slough, near the point where it was abandoned in 1913. Taken by the author, 1982.

One final attempt to utilize the Churchfield lands occurred in 1913, and surprisingly, it was made by Jack's son, John. In late May, John married Laura Duval of Clover Valley, and after a brief honeymoon in Elko the couple moved to Ventosa, about two miles from Little Lake, where John had obtained work with a Western Pacific section crew. To have some privacy, the newlyweds often spent their weekends at one of the family cabins, and while there they planted a garden in the previous year's potato patch. With the help of well water, the garden yielded a satisfactory crop of vegetables, the only time that anything was produced on this land by means of artificial irrigation. John and Laura's oldest son believed that his parents planted another garden here the next year, but this seems doubtful since his mother gave birth to the couple's first child, a daughter, at Deeth in May, 1914, and probably did not rejoin her husband at Ventosa after the delivery. By the spring of 1915 John was again living near

Deeth, where his family remained for several years. With his departure, the involvement of the Churchfield family with land development on Tobar Flat came to an end.²⁰⁹

Soon after the failure of his irrigation project, Jack returned to mining. In 1914 he moved to Bullion, in the Railroad district southwest of Elko, where large amounts of lead, silver, and copper were being produced after years of limited activity. Jim, Fred, Marty, and at least one of the younger sons joined him here, prospecting and filing claims, developing their own properties, and working for more highly capitalized operators. Production peaked during the First World War, and the Churchfields enjoyed some of the prosperity that accompanied it. Their greatest success occurred in 1917, when Marty reported that “he and his father have found some very rich ore in their mines,” but it cannot be determined if they mined the ore themselves or if their property was absorbed by a larger firm. A year later the Churchfields relocated to Mill Canyon, south of Beowawe in Eureka County, and mined a small amount of gold. Predictably, John did not participate in these ventures, and found employment on ranches in Ruby Valley, Clover Valley, and closer to home in the vicinity of Deeth.²¹⁰

Although Jack and his sons thought that they had put their Little Lake experience behind them, they encountered many reminders of the project’s failure during their years at Bullion and Mill Canyon. Most were simply notices from various government agencies removing layers of bureaucratic paperwork that had accumulated while they were actively involved with the scheme. These included an uncontested challenge to the legitimacy of Marty’s claim in 1914, cancellation of the family’s homestead

²⁰⁹ *Nevada State Herald*, 6 June 1913, 12 May, 1916, and 30 March 1917; *Elko Independent*, 11 June 1915; *Elko Free Press*, 23 January 1978; *Our Churchfield Connection*, 41; Elko County tax assessments, 1916-1917, ECCH; Churchfield interview, 1982. It is possible, of course, that John Churchfield, acting alone, did plant a garden in 1914, but since he spent little or no time at the cabins that year, it is unlikely that he continued the work that he and his wife had begun a year earlier.

²¹⁰ *Nevada State Herald*, 31 December 1915, 9 February 1917, 30 March 1917, and 6 April 1917; *Elko Independent*, 6 February 1918 and 3 September 1918; *Our Churchfield Connection*, 41; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1920, and Eureka County, Nevada, 1920, NA; Elko County tax assessments, 1914-1918, ECCH; Churchfield interview, 1982. A good summary of mining at Bullion, including production figures, can be found in Arthur E. Granger, Mendell M. Bell, George C. Simmons, and Florence Lee, *Geology and Mineral Resources of Elko County, Nevada*, Nevada Bureau of Mines Bulletin 54 (Reno: University of Nevada, 1957), 127-132. Mill Canyon, also known as Buckhorn, was a productive mining area in the 1860s and from 1908 until 1916, when a promising vein pinched out. The Churchfields’ arrival more than a year later was another case of the unreasonable hope and poor timing that seemed to affect many of Jack’s ventures. Mining at Mill Canyon is reviewed in Lincoln, 85-86.

entries between 1914 and 1918, and cancellation of Jack's irrigation application in 1918. Tax bills were sent to Jack, Jim, and Fred for improvements and for personal property that they had left behind, but with one exception these were ignored, and after a few years the county stopped trying to collect the money and removed their names from the tax rolls.²¹¹

A more serious legacy was the stack of unpaid bills made out to Jack for equipment and supplies. In December, 1916, Herbert Badt, acting on behalf of M. Badt and Co. of Wells, which had sold the things that Jack needed to get started on his irrigation project, brought suit against him, alleging that he had not paid for any of his purchases and that he now owed more than \$2,000, including accumulated interest. When the case was heard in District Court in February, 1917, Jack admitted that he had received the goods in question but had failed to pay for them. After some negotiation between the parties, the court ordered Jack to pay Badt almost \$1,700, and made him responsible for attorneys' fees and court costs. Jack agreed to do this, but returned to Bullion without giving a cent to Badt. By 1920, his debt, with additional interest charges, again exceeded \$2,000, and the county sheriff was ordered to collect what he could from Jack and from money owed to him. The sheriff succeeded in obtaining a check for about half of the debt, made out to Jack and a saloon keeper from Bullion, but the check was found to be worthless. He then collected some gold coins from the man who had written the bad check, but could not determine how much of this was owed to Jack and how much should go to the saloon keeper, so he gave the money to the plaintiff's attorney to sort out, and washed his hands of the matter. In the end, only a fraction of Jack's debt was erased, perhaps a fitting conclusion to a venture that, in retrospect, never had a chance of success.²¹²

²¹¹ GLO tract books, NA; synopses of unpatented homestead files EL 0254, 0255, 0305, and 01189, BLM; statement of Samuel R. Fawcett, 20 August 1914, Elko Land Office Contest No. 60, FARC; letter from Seymour Case, State Engineer, to John Churchfield, 9 March 1918, File 1850, NDWR; Malone to Badt, 10 December 1929, File 1722, NDWR; Elko County tax assessments, 1912-1914, ECCH. The ineffective Fresno scraper was one of the items that Jack had left behind. The last tax bills for their Little Lake property were sent to the Churchfields in 1914, but their names were not stricken from the lists until later. The county usually specified the dates when names were removed, but in the case of the Churchfields it failed to do so.

²¹² *Badt v. Churchfield*, ECCH; *Nevada State Herald*, 2 March 1917; Churchfield interview, 1982. The saloon keeper was Sam Zunino, who was also involved with mining at Bullion, and may have been Jack's partner in one of his schemes. The sheriff tried to obtain funds from another man who was alleged to owe money to Jack, but was unsuccessful because Jack could not prove that this individual owed him anything.

The case brought by the Badts was not the last of Jack's brushes with the law. After passage of the Volstead Act of 1919, which prohibited the manufacture, transportation, or sale of alcoholic beverages, he became involved in the liquor business. It is not known if Jack made any moonshine himself, but there is no doubt that he was engaged in its distribution and sale, and was arrested for these activities on several occasions. In one instance he was charged with selling liquor to railroad workers in Wells, while in others he was accused of making alcohol available at local dances, where at times it fell into the hands of minors. Although Jack was not found guilty in every case, the preponderance of evidence, supported by his family's collective memory, makes it clear that he was not always an innocent bystander when these events occurred.²¹³

In late October, 1928, Jack and several companions were traveling from Tonopah to Ely when their vehicle was caught in heavy snow that closed the highway, stranding them overnight at an elevation in excess of 6,000 feet. By the time the party was rescued, Jack's legs and feet were badly frozen, and upon his return to Deeth he was unable to walk and was confined to his bed. The family hoped that his condition would improve with the passage of time, but instead it worsened, and just after Christmas he was taken to the hospital in Elko. After months of treatment he was no better, and on October 14, 1929, doctors amputated his right leg above the knee to halt the spread of gangrene. Ten days later the other leg was surgically removed. Despite these last-ditch efforts, it became apparent that the tough old man could not survive much longer. On October 26, 1929, a year and two days after his legs had been frozen, he died from complications arising from the second surgery and the effects of a stroke that occurred shortly after the operation. Jack was buried in the Starr Valley cemetery next to the remains of his wife, who had preceded him in death eighteen years earlier. At the time of his passing, he was seventy-two years of age.²¹⁴

²¹³ *Elko Independent*, 6 August 1925; *Nevada State Herald*, 7 August 1925, 22 January 1926, and 2 April 1926; Churchfield's History; Churchfield interview, 1982. Considering his reputation, it is easy to believe that when Jack accompanied the Wells baseball team to a game in Winnemucca in the summer of 1925, he did not go along for just the entertainment. *Nevada State Herald*, 3 July 1925.

²¹⁴ *Nevada State Herald*, 1 February 1929; *Elko Free Press*, 14 October 1929 and 28 October 1929; *Reno Evening Gazette*, 26 October 1929; Death Certificate for John Churchfield, NNM. The trip from Tonopah to Ely might have been undertaken for the purpose of prospecting or bootlegging, but this cannot be determined. Of the sons who had been most involved with Jack in his irrigation scheme, only Marty lived in the immediate area at the time of his death, and was in a position to help. Jim was working at a mine in northern Elko County, John made his home in Idaho, Fred had been dead for ten years, a victim of the influenza pandemic, and Eddie had also passed away.

Jack Churchfield was a resourceful, hard working man. He was also stubborn, difficult to deal with, and often unreasonable in his expectations. These traits help explain why he pushed ahead with plans to irrigate land near Little Lake, and why they failed. Whether he was ordering his sons to dig canals that would never carry water, mining in places that others had worked over, or delivering liquor during the prohibition era, Jack was constantly running against the wind, and for that he deserves some credit, but he should also receive most of the blame for undertaking projects that did not work out nearly as well as he had hoped.

CARL TOLLEFSON

Born in Minnesota in 1879 to Norwegian immigrants, Tollefson joined the Marine Corps when he was twenty years of age, and served in Panama and at Guantanamo Bay, Cuba, as well at several domestic military installations. After his discharge in 1905, he returned to Minnesota, where he worked as a farm laborer in the southern part of the state, and then drifted west, marrying at some time in 1910 and staying in Salt Lake City for a while before continuing on to Nevada.²¹⁵

On October 13, 1910, in the company of James D. Waldo, another military veteran, Tollefson filed a homestead claim on an L-shaped property along The Slough just northeast of the John C. Munson place and about two miles west of the future site of Tobar. His reasons for taking land at this time were not widely advertised, but as time passed it became clear that Tollefson was acting on behalf of the KC ranch of Clover Valley, which had been purchased by Salt Lake City people in 1909. The advantage of having Tollefson claim land that the KC wanted was that he was allowed to apply time spent in military service to the government's residence requirements, substantially reducing the period needed to

²¹⁵ Statements of Carl Tollefson, 13 October 1910 and 18 April 1913, and an affidavit sworn by Tollefson before William S. Dalton in Salt Lake City, 9 April 1913, HPA 355381, NA; Record of Minnesota Volunteers in the Spanish American War; Carl Tollefson, draft registration card, King County, Washington, 12 September 1918; U. S. Census of Population, manuscript schedules for Waseca County, Minnesota, 1910, and King County, Washington, 1920, NA. Tollefson was not married in April, 1910, but when he filed his homestead entry in October of that year he declared that he was now married, and he repeated this when he proved up in 1913. Very little is known about his wife except that her name was probably Mary or Marie and that for much of the time that Tollefson was in Nevada, she stayed in Salt Lake City and worked as a maid. Both Tollefson and Sidney O. Curtiss made vague references to the presence of a second person, probably his wife, at his claim shack on Tobar Flat, but it is clear that she was not there at all times. The Tollefsons had no children.

become the property's legal owner. With Tollefson's acquiescence, the ranch would then be able to utilize this coveted parcel as it wished.²¹⁶

On the day before he filed his entry, Tollefson notified the U. S. Land Office that he had established residence on the property he would claim. Whether he remained here for any period of time is subject to question, but he may have stayed long enough to begin construction of a very modest dwelling, located a few hundred feet from the home of John C. Munson. With the onset of winter, Tollefson returned to Salt Lake City, where in early 1911 he was living in rented quarters with Jim Waldo and Jim's brother, Lloyd, and had a job as an iron worker. He came back to Nevada in late March, completed building his house within a matter of hours, and turned to the task of clearing land and making other improvements.²¹⁷

Although he probably spent part of the year working for the KC, Tollefson managed to complete a considerable amount of work on his own land in 1911. He built a stable and a corral near the house, dug a shallow well, and erected wire fencing that he connected to fences already put up by neighboring landowners, which succeeded in enclosing his entire claim. He also built one or two small earthen dams

²¹⁶ GLO tract books, NA. Waldo claimed 160 acres about a mile south of Tollefson's entry immediately after Tollefson filed on his land. Homestead regulations provided that "the time which the homestead settler has served in the Army, Navy, or Marine Corps of the United States shall be deducted from the time otherwise required to perfect title... but no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year." *U. S. Code*, 298. The K. C. Ranch was purchased in late 1909 by two men from Salt Lake City and by J. W. Wolf, a Canadian who moved to Salt Lake City at about this time and operated a soap factory a short distance southwest of the city's downtown area. *Nevada State Herald*, 3 December 1909, and *Salt Lake City Directory*, 1909-1911. Any one of these men could have become acquainted with Tollefson and Waldo before they moved to Nevada, and would have known about their past military service and the effect that it would have on the land acquisition process. It is thought that both Tollefson and Waldo were employed by the KC during at least part of the time they spent in Nevada.

²¹⁷ Statements by Carl Tollefson, 12 October 1910, 26 November 1912, and 18 April 1913, HPA 355381, NA; *Salt Lake City Directory*, 1911. Presumably, Mrs. Tollefson also lived with her husband and the Waldos when the men were in Salt Lake City. Tollefson said that his house was located in the southwest forty of the southwest quarter of Section 24 in Township 35, Range 62. Most of this parcel is subject to flooding by The Slough and is a poor choice for a dwelling, but the corner nearest Munson's homestead stands a few feet above flood level and was probably the house site.

on The Slough, and dug a ditch that would carry water to a field he was planning to cultivate. Tollefson did not put in any crops this year, but he did clear fifteen acres in preparation for spring planting.²¹⁸

The only crop that Tollefson tried to raise was some wheat sowed in 1912 on the fifteen acres that he had cleared the previous year. The results were not good. Tollefson declared that he “harvested nothing” and let stock graze the field, but Sidney O. Curtiss modified this slightly, saying that a small amount of fodder was obtained from five acres close to the house and that the remainder “never matured and was cut for hay.” It did not really matter which man’s statement lay closer to the truth, for Tollefson’s primary objective was not to bring in a bountiful harvest, but to simply stay on his claim for the necessary amount of time, make a few improvements, and provide evidence that he had cultivated some land. There was less uncertainty about how the remainder of the property was utilized. Tollefson, Curtiss, and Clarence M. Barton agreed that it provided grazing for a few cattle, probably owned by the KC, and for a half-dozen horses that belonged to Tollefson.²¹⁹

In November, 1912, Tollefson announced his intention to prove up, and said that he would use the twenty-three months that had elapsed since he first established residence in 1910 to partially fulfill the five-year residence requirement, and apply time spent in the Marines for the remainder. Accompanied by Curtiss and Barton, he went to Wells on the first of February, 1913, when each man gave testimony before a land office official. A week later Tollefson was informed that his proof could not be allowed because he had not provided evidence that he had actually served in the military, and that credit could not be given for time served unless it “was in time of war.” For two months Tollefson did nothing, but in April he had a Salt Lake City attorney prepare an affidavit in which he said that he thought he had already sent his discharge papers to the land office, that indeed he had been in the Marine Corps for five years, and that he was proving up under a law which did not specify that credit for time spent in the military had to be earned during wartime. There is no record of the land office’s

²¹⁸ Statement of Carl Tollefson, 18 April 1913, HPA 355381, NA. By 1913 Tollefson had two wells on his property, but it is probable that one of these was dug after 1911. It is possible that one of the dams described by Tollefson was actually constructed by John C. Munson in 1908 or 1909 on land that would later be claimed by Tollefson, for Munson became a friend of Tollefson and may have agreed to let him receive credit for making this improvement.

²¹⁹ Statements of Sidney O. Curtiss and Clarence M. Barton, 1 February 1913, and of Carl Tollefson, 18 April 1913, HPA 355381, NA.

ruling, but clearly it was in Tollefson's favor, for less than two weeks later he submitted a new proof which was accepted without reservation.²²⁰

Tollefson did not remain in Nevada much longer. By the fall of 1913, when the patent to his Tobar Flat property was issued, he was living in Spokane, Washington, where he may have been employed as a bartender in a saloon operated by his brother. He remained in Spokane until the outbreak of the First World War, when he moved to Seattle to work as a riveter in a shipyard. He was still living in Seattle in the early 1920s, employed as a laborer in the construction business. By this time Tollefson was in his forties, no longer married, and was staying in a rented room at a men's social club near the Seattle waterfront.²²¹

Tax records provide a clear picture of the use and disposition of Tollefson's land after his departure. From 1914 onward, no mention was made of buildings, fencing, or other improvements, indicating that no one was living there and that assessors did not consider any structures still standing to be worth taxing. The entire tract, including the fifteen acres once planted to wheat, was classified as

²²⁰ Statements of Carl Tollefson, 26 November 1912 and 18 April 1913, and Sidney O. Curtiss and Clarence M. Barton, 1 February 1913; letter from Register, U. S. Land Office, Carson City, to Carl Tollefson, 8 February 1913; affidavit sworn by Tollefson before William S. Dalton in Salt Lake City, 9 April 1913. Originals or copies of all of these items are in HPA 355381, NA. Dalton had served as assistant City Attorney in 1910 and 1911, and was now in private practice. It is doubtful if Tollefson sought out Dalton's services on his own, or that he could afford to pay for them. In all probability Tollefson's trip to Utah and preparation of the affidavit was initiated and funded by J. W. Wolf or one of the other owners of the KC. A critical part of the affidavit was a passage which stated that Tollefson "is entitled to the benefit of Section 2305 of the Revised Statutes of the United States," which says nothing about credit for military service in lieu of actual residence being earned only in time of war. The Land Office's silence after rejecting Tollefson's original proof may reflect a misinterpretation of the law by the clerk who first handled the case, or it may be a testimony to the influence of a capable attorney acting on behalf of important clients.

²²¹ U. S. Land Office, documents dated 15 September 1913 and 14 November 1913, and a letter from Tollefson to the Land Office, 16 August 1918, HPA 355381, NA; *Spokane City Directory* (Spokane: R. L. Polk & Co., 1913-1915); Tollefson's draft registration card, 1918; *Seattle City Directory* (Seattle: R. L. Polk & Co., 1918-1922); U.S. Census of Population, manuscript schedules for King County, Washington, 1920, NA; Elko County tax assessments, 1922, ECCH. Evidence that Tollefson's marriage had ended is found in his draft registration of 1918, where he wrote that his nearest relative was a sister living in North Dakota, which seems to imply that he was not married, his enumeration as an unmarried man in the 1920 census, and his residence at the men's club in 1922. From 1918 through 1920 Tollefson was one of several lodgers in the apartment of William A. Richards, a Seattle grocer, further suggesting his wife was not with him.

grazing land. At first, taxes were paid by someone from Chicago, but after 1916, when the O'Neil brothers purchased the KC property, it became part of the O'Neil holdings, in fact if not in name. Tollefson remained the legal owner, but for several years his taxes were paid on precisely the same dates that the O'Neils made their payments, a good indication that while the brothers did not own this parcel, they considered it part of their domain, and took the necessary steps to insure that no one else would get it. When the O'Neil empire crumbled in 1924, these payments stopped and the land reverted to county ownership. Acquisition of the old KC property by the Weeks brothers in 1928 did not affect the former Tollefson homestead, which had never legally belonged to the KC or the O'Neils, and the Weeks made it clear that they did not want it. In 1930 it was still in the county's hands, but later it was purchased by the man who had taken over most of the old KCs holdings.²²²

Today, there is little to indicate that anyone lived and worked here. One of the dams still stands in The Slough's channel, but nothing remains of the field where wheat was planted in 1912. Some fence lines are now marked by strands of tangled wires lying on the ground. A few boards and rusted cans are scattered about on a slight rise where the house was probably located, but it takes a vivid imagination to see these as remnants of a viable dwelling place. The absence of anything more substantial is ample proof that Tollefson's homestead did not amount to much, and that his interest was not in developing a place to make his home, but rather to acquire land for the people who hired him.

JIM WALDO

Born in Michigan in 1880, James D. Waldo spent his early boyhood in that state and then moved with his parents to Indiana. Later, he returned to Michigan to work in the timber industry, and in 1900 he was employed at a logging camp in the northwestern part of the lower peninsula. He joined the army in the early 1900s, and in 1910 he was stationed in the Philippines, where he held the rank of

²²² Elko County tax assessments, 1914-1930, and Land Ownership Records, ECCH. The Chicago party that paid some of Tollefson's tax assessments was probably acting on behalf of the KC interests. Purchase of the KC by the O'Neils in 1916 is found in the *Nevada State Herald*, 25 February 1916, and the sale of this property to the Weeks brothers is reported in the *Herald* on 4 May 1928. Disintegration of the O'Neil ranching operations is summarized in Barainca, 15-16.

sergeant. After his discharge later in the year Waldo returned to the United States and made his way to Salt Lake City, where he met Carl Tollefson.²²³

In the fall of 1910 Waldo and Tollefson went to Nevada, and together they filed homestead entries on October 13. The parcel that Waldo selected was an inverted L-shaped unit covering 160 acres southwest of Tobar on a distributary of The Slough between the homesteads of George E. Wickizer and Thomas J. Sweeney. Significantly, it lay just a mile south of Tollefson's claim, and was separated from his friend's property only by railroad land controlled by John C. Munson. Like Tollefson, he probably filed his claim on behalf of the KC ranch, which wanted to take advantage of his status as a military veteran to obtain title to this strategic piece of land as quickly as possible. Jim's younger brother, Lloyd, was also in the area at this time and had clear connections with Clover Valley stockmen, but since he had not been in the service there was no compelling reason for him to file a similar claim.²²⁴

Waldo built a shack on his property soon after filing, but before long he returned to Salt Lake City, where he obtained work as a mechanic and shared an apartment with his brother and Tollefson. In the spring of 1911 the men moved back to Tobar Flat, but Waldo did nothing to improve his homestead. Although he owned two work horses, he cleared no land, and made no attempt to put up fencing or build additional structures. At summer's end Jim and his brother went back to Salt Lake City, where he was again employed as a mechanic while Lloyd found work as a janitor.²²⁵

The Waldo brothers reappeared in Nevada in the spring of 1912, but for Jim this marked the final phase of his involvement with homesteading. In early June he was injured in an accident involving runaway horses and a wagon that was serious enough to require a doctor to come from Wells to treat the victims. Waldo suffered a broken collar bone in the incident, and another person fractured her arm.

²²³ U.S. Census of Population, manuscript schedules for Osceola County, Michigan, and Randolph County, Indiana, 1900, and Batanga Province, Philippines, 1910, NA; *Salt Lake City Directory*, 1910.

²²⁴ Synopsis of unpatented homestead file CC 05429, BLM; GLO tract books and statement of Sidney O. Curtiss, 16 July 1912, HPA 309273, NA.

²²⁵ *Salt Lake City Directory*, 1911 and 1912; statement by George S. Hoaglin, 8 February 1915, Minutes of Proceedings, Elko Land Office Contest No. 79, FARC; Elko County tax assessments, 1912, ECCH. It is probable that Waldo used his horses to help Tollefson and others get started, and may have been involved with construction work at the first Tobar townsite. Although Lloyd Waldo was frequently in the area and was probably employed by one or more ranchers, he did not claim a homestead for himself.

Unable to work, he went to Indiana to stay with his family while he healed. He remained in the Midwest for several years, but in 1917 he turned up in Salt Lake City, once again employed as a mechanic and rooming with Lloyd, who had been living permanently in the Utah city since about 1914. Waldo rejoined the army during the First World War, and remained in the service after hostilities ended. In 1920 he was stationed at a base in Monterey, California, where he worked as a baker. He continued to live in California after leaving the military, and died in San Bernardino County in 1957.²²⁶

James D. Waldo's departure from Tobar Flat did not bring an end to interest in the land he had claimed. The O'Neils may have used it for grazing after they took over Munson's property in 1913, but since its grass and surface water was limited and it was hemmed in by other homesteads, it did not hold as much appeal for them as properties to the northwest. The real attraction was its potential for irrigation from ground water, which lies only a few feet beneath the surface. The most enthusiastic proponent of this idea was John C. Burd, operator of a drug store in Tobar. In April, 1915, Burd filed a contest against Waldo's claim, alleging that Waldo had not been in the area for several years and that his shack was gone, clear evidence that he had no interest in returning. Still in Indiana, Waldo did not dispute this, and in June his entry was cancelled.²²⁷

Burd wasted no time moving into action. In July, 1915, he submitted a plan to the land office showing how he intended to irrigate Waldo's former homestead with well water. Later in the summer a government inspector examined the land, agreed that his proposal was feasible, and in October recommended that Burd be allowed to claim the property under the Desert Land Act, provided that he could demonstrate his "financial ability to install [a] pumping plant to reclaim [the] irrigable area." Burd had no difficulty meeting this requirement, and in January, 1916, his application was approved. But like so many ventures on Tobar Flat, the irrigation plan went nowhere. A man holding an adjoining parcel of land complained that Burd's entry contained false information and demanded that he not be allowed to use the water until further investigation was made, delaying implementation of the scheme for months. By the time this was resolved, Tobar's hopes of prosperity had begun to fade, and Burd had shut the

²²⁶ *Nevada State Herald*, 14 June 1912; Minutes of Proceedings, Elko Land Office Contest No. 89, FARC; *Salt Lake City Directory*, 1913-1917; U.S. Census of Population, manuscript schedules for Monterey County, California, 1920, and Los Angeles County, California, 1930, NA; California Death Index.

²²⁷ *Nevada State Herald*, 23 April 1915; Minutes of Proceedings, Elko Land Office Contest No. 89, FARC.

doors of his drug store, going first to Carlin and then to Idaho before moving to California. In April, 1917, writing from Long Beach, he notified officials that he was no longer interested in the property or its water, and two months later the government cancelled his claim and reopened the land for entry.²²⁸

A final attempt to bring this land into private ownership was made in 1918, when a surveyor from Colorado and his elderly father filed entries which covered all of the property that had been claimed earlier by Waldo and Burd. Although the father stayed around Tobar for a year or two, neither man established residence, and in the 1920s they both moved to California. The son relinquished his share two years after claiming it, but his father, who was now in his late seventies, let his application stand until it was cancelled in 1924. At this time there were no structures, irrigation wells, or cultivated fields on the land, and to anyone who came here it must have looked much the same as it had when Waldo abandoned it a dozen years earlier.²²⁹

No effort to obtain ownership of this tract has taken place since 1918, and today it remains part of the public domain. An unimproved road built by Sidney O. Curtiss in 1913 slices across the property before coming to a halt just short of The Slough, but there is little else here to suggest past or present use. The story of homesteading on property originally taken by James D. Waldo is one of a half-hearted attempt to secure grazing for ranchers, followed by an abortive irrigation scheme, and finally a feeble attempt to get land by men whose intentions were murky at best. Each represents something far short of success, but in retrospect, only Waldo lived here, and while he left nothing more than faint marks that have long been erased, his actions and those of his associates came closest to resembling residence and utilization of this one small piece of Tobar Flat.

²²⁸ Synopsis of unpatented homestead file EL 02160, including the report of inspector Joseph Jensen, 6 October 1915, BLM; Minutes of Proceedings, Elko Land Office Contests No. 89 and 110, FARC; *Elko Independent*, 9 June 1915. The rise and fall of Tobar's commercial district is described in Bowen, *Utah People in the Nevada Desert*, 70-72. By 1918 Burd was the proprietor of a hotel in Long Beach, a position that he still held in 1930.

²²⁹ Synopsis of unpatented homestead files EL 03333 and 03356, BLM; *Elko Independent*, 18 October 1918 and 28 August 1920. Information about the father, Andrew J. Mellinger, and his son, Clarence, has been pieced together from land office records for each man, the U.S. Census of Population, manuscript census schedules for Osborne County, Kansas, 1900 and 1910, and Sonoma County, California, 1930, and from Clarence Mellinger, draft registration card, Kit Carson County, Colorado, 12 September 1918. The Mellingers' motives are uncertain. Neither man filed a Desert Land entry, which suggests that they had no intention of irrigating their land, either from wells or surface water. Perhaps, like Tollefson and Waldo, they were acting on behalf of a Clover Valley rancher, but it also possible that one or both of them had bona fide plans to live here, but soon thought better of it.

Chapter 5

SALT LAKE CITY PEOPLE

The final group of settlers who occupied land on Tobar Flat before the end of 1910 has been classified as “Salt Lake City People,” which is a somewhat artificial designation. None of these individuals was a native of Utah, nor were any of them members of the Mormon church. Instead, each was a blue collar worker of Irish descent who happened to be living in or near Salt Lake City immediately before obtaining homesteads southwest of Tobar. Each individual, one unmarried and two with families, remained on the land between seven and eight years, longer than many of their fellow settlers, but none could have lasted this long without outside sources of income. Two left home each winter to earn a living, while the third kept afloat by engaging in construction work at Tobar and helping his neighbors build houses and barns. When they abandoned their homesteads, two men moved on to California and the third returned to Salt Lake City before going back to Colorado, where he and his wife had formerly resided. Their presence in the early days of settlement was the catalyst that soon drew a much larger group with similar backgrounds to the country between Tobar and Snow Water Lake, which became a community consisting largely of blue collar workers from the Utah capital who were trying their luck at farming in the desert.

THOMAS J. SWEENEY

The son of Irish immigrants, Thomas J. Sweeney was born in New York City in 1864. He married Mary McGovern in New York in 1888, but after her death in 1895 he left the city and set out for the West to start a new life. By 1900 Sweeney was living in a rented room in Salt Lake City and was listed in the census as a boiler maker, although it is likely that he also worked as a carpenter, perhaps for his next-door neighbor, a building contractor. Completion of what became the Union Pacific’s Salt Lake Route in the early 1900s produced a construction boom at the town of Caliente, Nevada, some 300 miles southwest of Salt Lake City, attracting a large number of workers, including Sweeney, who saw this as an opportunity to make the most of his skills as a carpenter. Sweeney moved to Caliente around

1905, when townsite development was accelerating, and it was here that he met Florence Adair, who would become his second wife.²³⁰

Florence was born in 1876, the third of ten children of David and Emma Huntsman, a Mormon couple living in the small town of Hebron in southwestern Utah, and spent her first years on farms in a succession of Latter-day Saint communities in Utah, Arizona, and Nevada. In 1895 she married Daniel T. Adair, a native of Utah whose father had participated in the famous Cotton Mission of the late 1850s. The newlyweds made their home on a rented farm at Overton, in southeastern Nevada, and before the turn of the century they welcomed the arrival of three children. These were Tacy, born in 1896 and named after Florence's younger sister who had died as an infant, Ruth, born in 1898, and Daniel Leslie, often called Leslie, to avoid confusion with his father, born in 1899.²³¹

The young family received a terrible blow in late 1901 when Daniel T. Adair died at the age of thirty-three, leaving his wife with three children under the age of six. Florence remained on the farm at Overton for a year or two after her husband's death, and was joined by her teenaged sister, Amelia, who came over from her parents' home, a dozen miles away, to help with the children. But it proved impossible for the young women to keep the farm going by themselves, so they disposed of the property and moved back to the Huntsman place. Later, the sisters relocated to Caliente, where Florence found employment in the bustling railroad town while Amelia cared for the children.²³²

²³⁰ U. S. Census of Population, manuscript schedules for New York City, 1870, Salt Lake County, Utah, 1900, and Los Angeles County, 1930, NA; New York City Marriages, 1600s to 1800s, and New York City Deaths, 1892-1902, available on line at Ancestry.com. The record is not clear about children from Sweeney's first marriage or the cause of his wife's death. The growth of Caliente and construction of buildings that accompanied it is noted briefly in Myrick, Vol. 2, 644, and in James W. Hulse, *The Silver State: Nevada's Heritage Reinterpreted* (Reno: University of Nevada Press), 184-185, and recorded in the *Las Vegas Age*, 20 May, 1905, the *Lincoln County Record*, 27 July 1906, and almost every issue of the *Caliente Lode-Express* from June, 1906, through the end of 1907. Sweeney was a carpenter or building contractor for most of his adult life, and it is reasonable to believe that he was engaged in this trade, at least on a part-time basis, when he lived in Salt Lake City in 1900.

²³¹ Huntsman and Adair family genealogical records, LDS; U. S. Census of Population, manuscript schedules for Washington County, Utah, 1870, 1880, and 1900, Beaver County, Utah, 1870 and 1880, Apache County, Arizona, 1880, Lincoln County, Nevada, 1900, and Elko County, Nevada, 1910, NA.

²³² Huntsman and Adair family genealogical records and Utah Cemetery Inventory, LDS; U. S. Census of Population, manuscript schedules for Lincoln County, Nevada, 1900, NA; Robin Adair, Family Group Sheet for the George Washington Adair Family [n.d.], a web page available at www.rootsweb.com/~usfsgs/nevada/a/AdairGeoWashington.txt. The jobs that Florence held in Caliente

On June 24, 1907, Tom Sweeney and Florence Adair were married in a civil ceremony in Salt Lake City. The union was an unusual pairing – an Irish Catholic in his forties and a young Mormon widow – but it provided companionship for both of them as well as a measure of security for Florence and the children. The couple returned to Caliente shortly after their wedding, and Sweeney resumed his work as a carpenter. When Caliente's growth stalled a few months later, the Sweeneys moved back to Salt Lake City, where Tom, calling on his long experience in the building trades, formed his own contracting firm, which he ran from the family's home southeast of the city's central business district. Here, on June 7, 1908, Florence gave birth to their first child, a daughter named Rose.²³³

The Sweeneys lived in Salt Lake City for less than two years before relocating to Tobar Flat. The impetus for this move was provided by Tom's connection with William G. Ehlert, a fellow contractor, and through Ehlert with Max A. Jaensch, a liquor salesman, and Albert J. Weber, a Salt Lake City attorney. At about the same time that George E. Wickizer and his companions became involved with homesteading near The Slough, Ehlert, Jaensch, and Weber formed the Tobar Town Company with the intention of developing a townsite near the Western Pacific tracks. Ehlert had known Sweeney for years, may have worked with him on building projects in Salt Lake City after Tom returned from Caliente, and wanted him to be in charge of construction once the partners had secured a site for their town. The company was unable to purchase a prime parcel that contained the railroad depot, and after a lengthy period of legal maneuvering and negotiations with the government it had to settle for land a short distance to the south, delaying the start of its project until 1911, but this did not deter Sweeney, who claimed a homestead southwest of the Wickizer place in May, 1909, and moved onto the land a few weeks later.²³⁴

cannot be determined, but numerous opportunities existed for waitresses and domestic help, and it is probable that she was employed in one or more of these positions.

²³³ Utah Marriage Index, LDS; *Caliente Lode-Express*, 13 July 1907 and 28 September 1907; *Salt Lake City Directory*, 1909; U. S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA; California Death Index. It is unclear if Amelia Huntsman lived with the Sweeneys in Salt Lake City, but since she helped to care for her sister's children at Overton and in Caliente, and was part of the Sweeney household on Tobar Flat, it is reasonable to suppose that she was also with them in Utah.

²³⁴ *Nevada State Herald*, 11 June 1909; *Salt Lake City Directory*, 1900-1911; U. S. Census of Population, manuscript schedules for Salt Lake County, Utah, 1910, NA; GLO tract books, statement of Thomas J. Sweeney, 2 October 1912, HPA 321928, U. S. Land Office affidavits, 26 October 1909 and 3 July 1911, and affidavit sworn by Fred T. McGurrian and Theodore Wickizer, 14 November 1911, all

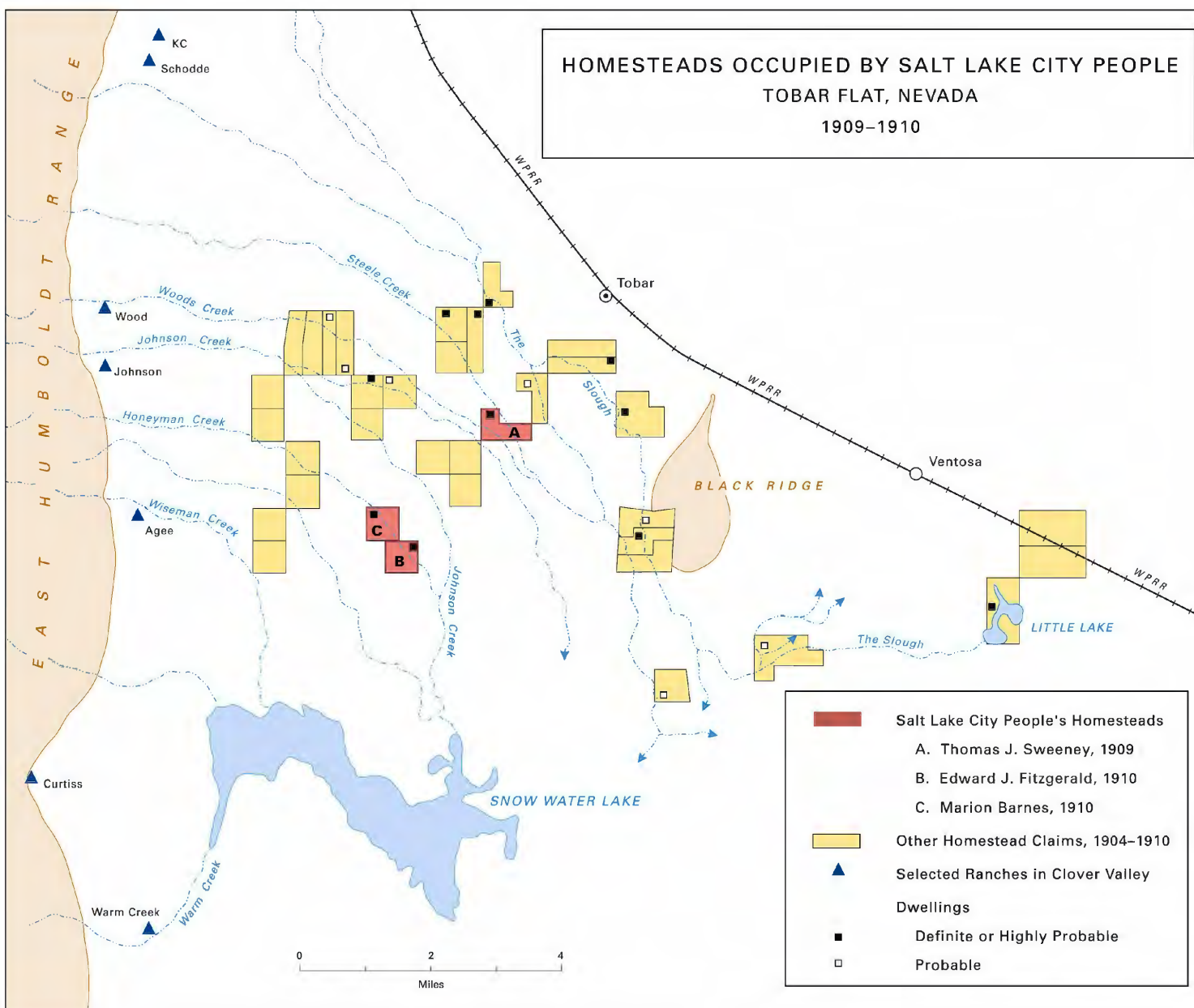
The exact reasons for what would seem to be a premature move to Nevada are not known, but Sweeney apparently believed that the company would have no trouble acquiring the property that it desired, and wanted to get a good piece of land for himself while it was still available, before other land seekers attracted to the area by townsite development arrived on the scene. By doing this, he would have his wife and children settled in their new home when construction at the town began. It is probable that other family considerations also affected his decision. By the spring of 1909 Florence Sweeney was again pregnant, and the couple may have decided that it would be wiser for her to make the move to Nevada at this time instead of waiting until her pregnancy was more advanced. Moreover, Mrs. Sweeney had spent most of her life in small rural communities, and may not have been altogether comfortable living in the city, particularly since this meant having to raise her children in surroundings that were decidedly different from the circumstances of her own upbringing. A new farming settlement such as Tobar would have seemed more familiar and more to her liking.²³⁵

Sweeney's homestead was an L-shaped property that lay close to the heart of Tobar Flat, about two miles from the homes of John C. Munson, George E. Wickizer, and Joseph B. McDaniel, and cornering on land that would be claimed by Jim Waldo a year later (Map 12). The tract was configured so that the channels of Steele Creek and two small tributaries crossed it, and while it is clear that Sweeney intended to position his fields astride the tributaries, there is no evidence that he planned to develop the land near Steele Creek itself, which has shaped some of the southeastern part of his homestead into a succession of slight depressions and gentle knolls. The land that Sweeney would cultivate is almost perfectly level, and as he described it, consists of sandy loam soils which he believed were "fairly good" for farming.²³⁶

attached to HPA 401131, NA; Transaction Records, SP; Map of Tobar Townsite, Elko County, Nevada, surveyed by H. W. Horne according to a plat prepared by W. G. Ehlert, 11 September 1911, ECCH. The Tobar Town Company, which was never formally incorporated, was operated from Weber's Salt Lake City law office.

²³⁵ Florence Sweeney gave birth to a daughter, Florence, at the family's Tobar Flat home on 2 December 1909, so she would have been about two months pregnant when her husband filed his homestead claim in May.

²³⁶ GLO tract books and statement of Thomas J. Sweeney, 2 October 1912, HPA 321928, NA. Because of its scale, Map 12 shows only one of the two tributaries (Woods Creek) of Steele Creek that crossed the Sweeney homestead. The second tributary paralleled Steele and Woods creeks, and passed just northeast of the family's house.



Map 12

The house that Sweeney built for his family was located near the northwestern end of his claim, close to where Sidney O. Curtiss would cut the road to Tobar in 1913. This structure, consisting of a concrete lower story and a frame upper story, contained six rooms and was the prototype for a similar dwelling that he and Wickizer would complete on the latter's property a few months later. Like Wickizer's house, it had a concrete stoop, but the Sweeneys' stoop was much more substantial, extending along the entire front of their home, and probably took on the functions of a real porch. At some time after the original construction, Sweeney enlarged the kitchen by attaching an extension to the back side of the house. A root cellar, with rock walls and cement steps, was constructed just a few feet from the kitchen. Nearby was a well for domestic purposes, while two additional wells, presumably for livestock use, were dug at greater distances from the house. The list of outbuildings also included a barn and a small structure used as a blacksmith shop. As the Sweeney farmstead took shape, it was clear that it would become one of the finest places on Tobar Flat, rivaling those of Munson and Wickizer in quality and value.²³⁷

When the federal census taker visited Tobar Flat in April, 1910, she found that the Sweeney household consisted of nine people. These included Tom and Florence, the three children from her marriage to Adair, and the two little girls whom Tom had fathered. Florence's sister, Amelia, now twenty-six years old, was listed as the family's cook, but in fact she performed a variety of chores, not the least of which was looking after the children. The ninth member of the household was Joseph W. McDaniel, recently arrived from Missouri, who had been hired by Sweeney to help with the farming. Together, the two men did some fencing in 1910 and planted ten acres of oats which were cut for hay later in the year.²³⁸

Sweeney made substantial progress in 1911. He nearly doubled his cultivated acreage, planted it in wheat, oats, and rye, and brought in 37 tons of hay, which provided much of the feed for livestock that he had been acquiring since 1909. By now, he owned three work horses, two stock cattle, a milk cow, and two hogs, and the homestead was beginning to look like a real farm. Equally encouraging was the townsite situation. The Tobar Town Company's land acquisition problems were finally resolved, and

²³⁷ Statement of Thomas J. Sweeney, 2 October 1912, HPA 321928, NA; Teel interview. The *Nevada State Herald* declared in its 3 October 1913 issue that Sweeney had "one of the best improved places in Tobar," an assertion supported by Sweeney's estimate a year earlier that his improvements were worth \$2350.

²³⁸ U. S. Census of Population, manuscript schedules for Elko County, Nevada, 1910, NA; statement of Thomas J. Sweeney, 2 October 1912, HPA 321928, NA.

late in the year Sweeney began construction of several buildings, assisted by the Wickizer brothers and a handful of men that he and Max A. Jaensch, the liquor dealer, had recruited from Salt Lake City.²³⁹

While these events were taking place, the Sweeneys played active roles in the life of the young community that was developing around them. Both parents were involved with Tobar's first school, located near the Munson place. Florence took the school census in 1910, while a year later Tom accompanied a new teacher to Wells so she could complete her employment forms. In 1912 he would be elected to serve with George E. Wickizer and another man on the district school board. But Sweeney did not limit his contributions to school-related activities. His neighbors also knew him as a generous friend who helped them with their building projects and provided service as a blacksmith when the need arose.²⁴⁰

The year 1912 was a bittersweet one for the Sweeney family. On the positive side, their garden, which was irrigated via a hand-dug ditch carrying runoff from a tributary of Steele Creek, produced well, and yielded several exceptional specimens, including a huge turnip said to weigh close to four pounds and a beet that was almost as large. Sweeney submitted final proof on the homestead in October, and encountered no difficulty in obtaining his patent, another sign of progress. At the townsite, he and his crew completed a hotel, a store, and at least three smaller structures before the end of the year, and anticipated erecting additional buildings in the months to come.²⁴¹

Unfortunately, these events were overshadowed by serious problems of both an agricultural and a domestic nature. In 1912 Sweeney had twenty-five acres planted in grain, all in the western part of his property where fields could be watered by overflow and seepage from the two channels that crossed this area. His crops benefited from moisture from these sources and from an unusually large

²³⁹ Statement of Thomas J. Sweeney, 2 October 1912, HPA 321928, and affidavit sworn by Fred T. McGurrin and Theodore Wickizer, 14 November 1911, attached to HPA 401131, NA; Elko County tax assessments, 1911, ECCH; *Nevada State Herald*, 24 November 1911; Troxel interview.

²⁴⁰ *Nevada State Herald*, 29 April 1910, 13 October 1911, and 3 May 1912; William McDaniel and Troxel interviews.

²⁴¹ GLO tract books, statement of Thomas J. Sweeney, 2 October 1912, HPA 321928, and letter from J. W. Kingsbury, General Land Office inspector, to the Commissioner of the General Land Office, 14 May 1913, attached to HPA 401131, NA; *Nevada State Herald*, 27 September 1912. As noted earlier, 1912 was the wettest year on record in northeastern Nevada, and normally inconsequential channels were filled to unusually high levels, making it easy to divert water into nearby gardens and fields. The birth certificate for his daughter, Lilly, born in October, 1912, shows that at this time Sweeney was both a farmer and a carpenter.

amount of rainfall in the spring, and in early summer it appeared that he would enjoy the best harvest since his arrival. But before the grain could mature it was devoured by rabbits. Sweeney had fenced and cross-fenced his property with several strands of wire, protecting the fields from large animals, but it was easy for rabbits to slip under these barriers to nibble on the crop whenever they wanted, and they did so with regularity. By fall he could see that the grain was “a total loss,” and knew that it would be difficult to provide feed for his cattle and horses through the winter that was fast approaching.²⁴²

At home, the family experienced a pair of daunting setbacks. The most serious occurred in midsummer, when Florence Sweeney, about six months pregnant, was diagnosed with tuberculosis. Florence had not felt well for some time, and had attributed part of this to her pregnancy, but when she visited Dr. A. C. Olmsted in Wells her worst fears were realized. Not only was she seriously ill, but the family’s close living arrangement made it possible that other household members might also contract the deadly disease. To avoid infecting her family, Florence withdrew from most domestic activities, which were handled by her sister and her oldest daughter, Tacy, who was now sixteen years old, and awaited the baby’s arrival. On the October 27, 1912, she gave birth to another daughter, Lilly Beatrice. Under ordinary circumstances, this would have been a time of joy, but in this case the birth only added to the Sweeneys’ troubles, for the baby was ill from the beginning and died a short time later. The strain of childbirth and the subsequent death of her daughter did nothing to improve Florence’s condition, and she grew steadily worse.²⁴³

²⁴² Statements of Thomas J. Sweeney, George E. Wickizer, and Theodore F. Wickizer, 2 October 1912, HPA 321928, NA. It is probable that the garden was protected by wire mesh fencing, and that Sweeney or the older children could drive off most rabbits that got past this barrier, but the grain fields had no such protection and were too large and too far from the house to be defended by family members. The Wickizers concurred that Sweeney’s crop was “entirely destroyed,” but added that while worst damage was caused by rabbits, some of it was done by squirrels.

²⁴³ Olmsted records, NSH; Duplicate Birth Certificate 1912-155 (for Lilly Beatrice Sweeney), Elko County Death Index (for Florence E. Sweeney), and Death Certificate for Florence Edna Sweeney, NNM; *Nevada State Herald*, 8 May 1914. It is not known when or where Florence contracted tuberculosis. Dr. Olmsted wrote on her death certificate that at the time of her passing in 1914 she had “tuberculosis of the lungs” for about two years, but the Wells newspaper said that she “had suffered for several years with the dreaded disease,” implying that she may have been ill before 1912. It is probable that Dr. Olmsted had treated her for tuberculosis for only two years, beginning at the time of her pregnancy, before she died. The length of Lilly’s life is also unclear. Dr. Olmsted recorded the date of her birth, which he attended at the Sweeney home, in her birth certificate and his own records, but no documents, including the county death index, supply a date for her death. It is not likely that she was stillborn, for if this was the case Dr. Olmsted would have made a note of it. A headstone placed years

Although he must have been discouraged by these events, Sweeney persevered. He continued to farm, and in the fall of 1913 he received praise from the Wells newspaper for his experimentation with “all kinds of grain and garden truck.” Sweeney apparently enjoyed better luck this year than in the rabbit-plagued season of 1912, for the paper’s editor added, perhaps with more than a little exaggeration, that “Mr. Sweeney has demonstrated that the soil of Elko county can produce in quality and quantity cereals and vegetables equal to those produced in any other county or state.” By this time a second townsite company had entered the scene, and Sweeney, recognizing that the new firm’s trackside location and more aggressive marketing strategies gave it unquestioned advantages over the Tobar Town Company, had quit working for his original employer and accepted a position with its rival, known as the Hoaglin Brothers’ Investment Company. Store buildings, saloons, and restaurants were already going up at the Hoaglin site, and while one of the Hoaglins was nominally in charge of the project, work on each structure was in fact being carried out under the direction of Sweeney, described as a “well known contractor and builder.”²⁴⁴

On May 2, 1914, Dr. Olmsted was called to the Sweeney home to treat Florence, who by now was racked by tuberculosis and near death. There was nothing that the doctor could do at this point except provide comfort, and shortly after midnight she passed away. Her obituary, published later in the week by the Wells newspaper, said that “she was well-liked and respected by all who knew her,” observed that “death came to her as a relief for her sufferings,” and declared that “the sympathy of many people in this neighborhood is extended to the bereaved husband and motherless children.”

later at Lilly’s grave in Clover Valley indicates that she was born and died in 1913, but Dr. Olmsted’s records and her birth certificate show clearly that she was born in 1912. Perhaps the person providing information to the headstone’s carver remembered that Lilly had died in 1913 after a very short life, and it was assumed that she was born in the same year, or that by the time the marker was erected the exact year of her birth and death had been forgotten. There is no doubt, however, that she did not survive for long after her birth, perhaps just a matter of days or, at the most, a few months.

²⁴⁴ *Nevada State Herald*, 3 October 1913. The Hoaglin Brothers used the slogan “Tobar: Where the Big Red Apple Grows,” to attract people to its townsite and nearby agricultural land, and hired Sidney O. Curtiss to construct roads for them. In contrast to the Tobar Town Company, which was always based in Salt Lake City and often had no salesman on its Nevada site, the Hoaglin Brothers established their headquarters in Tobar and had someone meet every land seeker or prospective town lot purchaser who arrived at the depot. For more on the two competing townsite companies, see Bowen, *Utah People in the Nevada Desert*, 69-70, and *Opportunities for Homes and Investments on the Line of the Western Pacific* (San Francisco: Western Pacific Railway, c.1913), 10.

Florence was buried beside her infant daughter in the Clover Valley cemetery. At the time of her passing she was just thirty-seven years of age.²⁴⁵

After his wife's death, Sweeney tried to busy himself with farming and construction work, while Florence's daughters and Amelia cooked, cleaned, and cared for the younger children. By the end of summer it appeared that his life was stabilizing, but in October a new problem erupted. This involved Sweeney's arrest with four other men on a trespassing charge, brief periods of incarceration at Tobar and in Elko, and fallout from this incident that would require numerous appearances in court. Exactly what happened is not clear, for newspaper reports and court records contain conflicting information and are filled with accusations and counteraccusations, but it began when Sweeney and his companions were caught in the act of moving a building from one of Tobar's townsites to the other. Threats were followed by the drawing of guns on both sides, and while Tobar's constable broke up the confrontation before any shots were fired, hard feelings persisted. The trespassing charges were dropped a week after the incident, but Sweeney and the others then brought charges against the local justice of the peace who had issued the order to take them into custody, and against the constable who had taken them to Elko and held them there overnight, billing each man for the cost of transporting them to and from the county seat. In July, 1916, the case against the justice and the constable was also dismissed, but the damage had already been done, and Sweeney was no longer held in the same high esteem that he had once enjoyed.²⁴⁶

²⁴⁵ Death Certificate for Florence Edna Sweeney, NNM; *Nevada State Herald*, 8 May 1914.

²⁴⁶ *Sweeney et al. v. Jasmine and Shrader*, District Court Case File 2225, ECCH; *Nevada State Herald*, 23 October 1914 and 1 January 1915; *Elko Independent*, 23 October 1914 and 16 January 1915. The building in question was a hotel, the individuals involved (other than Sweeney and his companions) included Max A. Jaensch and Cornelius Hoaglin, and the standoff occurred on public land lying between Jaensch's Tobar Town Company site and the Hoaglin Brothers' townsite. Most reports agree that the hotel was being moved from Jaensch's townsite to that of the Hoaglins, but it is not certain if the Hoaglins were responsible for this action or if Jaensch was trying to move the structure onto his rivals' property, which was attracting more business than his own site. Depending on which version is true, Sweeney was either helping the Hoaglins or had switched his allegiance back to the Tobar Town Company, his original employer. The constable was Herman H. Schrader (not "Shrader"), a homesteader admired by almost everyone in the community, and while some agreed that Schrader had overreacted by taking the men to Elko, they also realized that he was an inexperienced lawman who was not sure of what he was supposed to do under the circumstances. Many people felt that Sweeney and his companions could have resolved the issue without taking Schrader and the justice to court.

During these troubled times the family's connections to Tobar grew steadily weaker. The process began with Tacy's marriage in 1914 and her departure to Elko a year later, but as events unfolded it became clear that changes were being produced by economic forces as well as family matters. Drought and rabbit invasions which ravaged northeastern Nevada in 1915 did not spare Sweeney's crops, forcing him to get rid of his hogs and milk cows because he was unable to feed them. To compound his problems, construction at the townsite came to a halt, eliminating the family's principal source of income. Sweeney was inclined to remain on his homestead for a while longer, hoping that conditions on the land and in town would improve, but in late in the year, when Amelia Huntsman began making preparations to marry a railroad worker and move to Nebraska, he knew that the time had come to leave. Amelia had been the children's principal caregiver since before their mother's death, and while Ruth, now seventeen years old, could handle things in the short run, she too was planning to get married and move away. Ruth's departure would reduce the shrinking family's size to four, and leave it with no one capable of caring for the little girls. In the spring of 1916 Sweeney and the remaining family members moved to Elko, where Tacy could lend a hand with child rearing and other domestic chores. Before they left, Tom sold his horses, a sure sign that he had no plans of returning to Tobar to farm or engage in construction work.²⁴⁷

Relocation to Elko did not solve all of Sweeney's problems. He had no trouble finding work, but faced a serious dilemma on the domestic front. Within a six-month period in 1917, Ruth gave birth to a son, Tacy had a baby and moved to California, and Leslie Adair, Tom's stepson, joined the army. Ruth would remain in Nevada for another year, but with an infant of her own to care for, she was in no position to be of much help to Sweeney and his daughters. It was clear that he could not raise the girls by himself. In 1918, worn down by the struggle, Sweeney took his daughters to San Francisco and

²⁴⁷ *Nevada State Herald*, 11 November 1914, 4 June 1915, 2 July 1915, 20 August 1915, and 10 September 1915; *Elko Independent*, 18 April 1916; Elko County tax assessments, 1915 and 1916, ECCH; U. S. Census of Population, manuscript schedules for Washoe County, Nevada, 1910, Keith County, Nebraska, 1920, Lake County, Oregon, 1920, and San Diego County, California, 1930, NA; Walter Bert Shelton draft registration card, Keith County, Nebraska, 12 September 1918; Elko County Marriage Certificates 8877 and 13163, ECCH; One World Tree genealogical information about the Adair and Starr families, available on line at Ancestry.com. Tacy's husband was Nicholas W. Starr, a native of Wyoming who was at Sweeney's side during the confrontation over movement of the building at Tobar. Ironically, Starr later became Tobar's constable, succeeding Schrader, the man who had arrested him, Sweeney, and their companions. He served only a few months in this position before moving to Elko. When Ruth married Harry K. Randles of Charleston, in northern Elko County, on April 18, 1916, her address was listed as Tobar, and presumably her family was still living on the homestead at this time, but they would not remain much longer.

placed them in the care of a Catholic orphanage. He did not completely abandon the girls, however, for he was able to find a job with a Bay area shipyard and rented a room in a private home near the Oakland waterfront, less than ten miles from the orphanage, so he could visit his daughters whenever possible.²⁴⁸

Sweeney remained in Oakland for about ten years, working as a carpenter. He was employed by the shipyard until 1921, when he became involved with building projects in Oakland and other nearby communities. After his daughters finished high school he moved to southern California, and in 1930 was living by himself in a small rented house near Los Angeles, still employed as a carpenter. Sweeney died in March, 1931, at the age of sixty-seven, and after a requiem mass at a local Catholic church he was buried in a Los Angeles cemetery. At this time his two daughters and the former Amelia Huntsman were the only family members living in California. Rose was a nurse in San Francisco, Florence was living in Montebello, about twenty miles from her father's home, and Amelia was now a resident of San Diego, where her husband operated a grocery store. Tom's stepson, Leslie, was still in the army, living with his wife and young son at Fort Riley, Kansas, while Ruth, his stepdaughter, was in Washington state, where she and her husband had a farm. Sadly, his third stepchild, Tacy, had passed away in 1923, leaving her husband with two young sons.²⁴⁹

The land that Sweeney had homesteaded in 1909 remained in his possession during the entire time he lived in Oakland. There were some occasions when he was late in paying the taxes and the property was nominally taken over by the county, but in each instance he eventually made his payments, including accrued interest, and regained full ownership. In 1920 his property was rented to Frank E. Doyle, like Sweeney a native of New York, who lived there with his invalid son, and as late as 1925 the house was still occupied, possibly by the Doyles. When he moved to southern California around 1927, Sweeney transferred the property to a Los Angeles woman who retained ownership until

²⁴⁸ *Elko Independent*, 18 April 1916; Elko County tax assessments, 1917-1920, ECCH; U.S. Census of Population, manuscript schedules for Alameda County, California, San Francisco County, California, Blaine County, Idaho, and Kinney County, Texas, 1920, NA; Nicholas William Starr draft registration card, Contra Costa County, California, 12 September 1918; Elko County Marriage Index; California Death Index; Social Security Death Index; One World Tree genealogical information about the Adair and Starr families.

²⁴⁹ U.S. Census of Population, manuscript schedules for Alameda County, California, 1920, and for Los Angeles County, San Diego County, and San Francisco County, California, Geary County, Kansas, and Clark County Washington, 1930, NA; Elko County tax assessments, 1921-1928, ECCH; *Oakland City Directory* (Oakland: Polk-Husted Directory Co.), 1921-1928; *Los Angeles Times*, 25 March 1931; One World Tree genealogical information about the Adair and Starr families.

after the Second World War. Since that time the land has passed through several hands, and today it belongs to a rancher who lives a mile to the northwest.²⁵⁰ Sweeney's fences have long since fallen down, and field remnants are indistinct, but his house remains a prominent part of the landscape. The structure's concrete walls, like those of George E. Wickizer's home, are still standing (Photo 10). A few steps from the house is the root cellar (Photo 11). The cellar's roof is gone, but its walls and steps are virtually intact, a testimony to Sweeney's building expertise. The ditch that carried water to the family's garden is clearly visible, but its small size and the site's bleak surroundings make it hard to imagine that it was able to deliver sufficient moisture for the vegetables that received high praise from the Wells newspaper nearly a hundred years ago.



Photo 10. The Thomas J. Sweeney house, built in 1909. The structure at the right, modified years later, may have been where Sweeney operated his blacksmith shop. Taken by the author, 1979.

²⁵⁰ Elko County tax assessments, 1918-1945, ECCH; U.S. Census of Population, manuscript schedules for Elko County, Nevada, 1920, NA; Teel interview. In 1930 Doyle and his son were living in Malheur County, Oregon, but it is not certain when they left Nevada. The son's severe disability is recorded on his draft registration card, filed in 1917 in Lewis County, Idaho. The person who took over Sweeney's Tobar property was Mary (or May) Bartlett, whose identity is uncertain. It is possible that she was a relative, but more likely that she was the Irish widow who had operated a rooming house in Oakland not far from Sweeney's home in the early 1920s, and later moved to Los Angeles.



Photo 11. Remains of Thomas J. Sweeney's root cellar, with rock walls and cement steps, located behind the family's house. Taken by the author, 2005.

When Sweeney died in 1931, the *Los Angeles Times* published a brief obituary that described him as a man “aged 67 years [and] late of Tobar, Nev.” It is not certain who provided the *Times* with this information, but the context makes it clear that Sweeney’s years on Tobar Flat were seen as more important than his time of residence in Caliente, Salt Lake City, or California.²⁵¹ For him, it was the

²⁵¹ *Los Angeles Times*, 25 March 1931. It is likely that information for the obituary was supplied by his daughter, Florence, or by Mrs. Bartlett.

defining period of his life. It was here that he spent most of his marriage to Florence, where two of his children were born, and where the entire family lived together. It was here that he became a prominent member of his community, serving on the school board, supervising construction at both Tobar townsites, and operating a farm of his own. And it was here that he experienced some of the worst moments of his life, losing his wife and daughter to death, serving time in jail, losing the respect of his neighbors, and watching members of his family go their separate ways. Tom Sweeney lived on Tobar Flat for only seven years, but it was this action-packed time, bracketed by years of living alone in rented rooms, that gave him an identity that he embraced. Few if any of the Flat's other settlers could have made similar claims, or supported them with the details of their lives.

EDWARD J. FITZGERALD

Edward J. Fitzgerald, like Tom Sweeney, was the son of Irish immigrants and a resident of Salt Lake City immediately before moving to Tobar Flat. He was born in Nebraska in 1875, but grew up in the mountains of Colorado, where his father was a miner. By 1900 Fitzgerald had left home, was living in a boarding house in the mining town of Breckenridge, and was employed as a laborer. He was married in 1901, and a year later he and his wife, Emma, became the parents of a daughter whom they named Anna May, often called May. By now the Fitzgeralds had relocated to Colorado Springs, where Ed obtained a job as a structural steel worker. It was at this time that he met Marion Barnes, who would later homestead with him in Nevada and live on an adjoining parcel of land.²⁵²

The Fitzgeralds remained in Colorado Springs for three years, and during this time Emma gave birth to the couple's second child, a son named after his father. But employment opportunities drew the family westward, and by 1906 they were living in Salt Lake City, where Fitzgerald was working as a

²⁵² U.S. Census of Population, manuscript schedules for Park County, Colorado, 1880, Summit County, Colorado, 1900, Tooele County, Utah, 1910, and Denver County, Colorado, 1930, NA; statements of Edward J. Fitzgerald, 17 June 1916, HPA 550934, and 25 July 1916, HPA 551965, and Marion Barnes, 22 July 1916, HPA 551965, NA; *City Directory of Colorado Springs* (Colorado Springs: Giles Directory Co., 1902); Edward Fitzgerald draft registration card, Alameda County, California, 12 September 1918. The identity of Fitzgerald's wife is not completely certain, but in all likelihood she was the former Emma Lachenmaier, a daughter of German immigrants who was born and raised in Kansas. U.S. Census of Population, manuscript schedules for Cloud County, Kansas, 1880 and 1900, Salt Lake County, Utah, 1920, and Denver County, Colorado, 1930, NA.

blacksmith for a carriage maker. It is unclear if Marion Barnes moved to Salt Lake City at precisely the same time as the Fitzgeralds, but if not, he came shortly thereafter and found a job in the city's structural steel industry. Barnes and the Fitzgeralds lived only three blocks apart in Salt Lake City, and both later made their homes in Tooele, west of the city, where in early 1910 Fitzgerald was employed at an iron works. In May, 1910, they traveled together to Nevada, selected homestead sites in the same quarter-section on Tobar Flat, and continued on to Elko, where Ed filed his claim immediately after Barnes.²⁵³

The land that Fitzgerald and Barnes acquired lay about two miles southwest of the Sweeney place, astride Honeyman Creek, which joins Johnson Creek a half-mile beyond Fitzgerald's property. After filing their claims, both men returned to Utah. Barnes came back to Nevada in July and built a shack, but Fitzgerald, who had a family to support, worked in the Salt Lake City area until October, when he rejoined Barnes, and together the men began construction of a three-room frame dwelling near the northeastern corner of his claim. It is not certain if Ed's wife and children visited the homestead at this time, but if they did they did not remain for long, for by the end of the month the entire family was living at Wabuska, in western Nevada, where Fitzgerald had found work, perhaps as a blacksmith for the Nevada Copper Belt Railroad, which was being extended to the site of a new smelter just north of Wabuska, or possibly at the smelter itself.²⁵⁴

The Fitzgeralds returned to Tobar Flat in the spring of 1911, when Ed completed his house, began work on a barn, did some fencing, and planted two acres of potatoes beside a small runoff channel near the house. After some promising spring showers, the weather turned dry, with less than an inch of precipitation recorded at the Clover Valley station from July 1 through September 30, and the crop did poorly. As soon as they brought in the few potatoes that were worth harvesting, the family went to Salt Lake City so Fitzgerald could "earn money to improve the entry and to school his children,"

²⁵³ *Salt Lake City Directory*, 1906; Social Security Death Index; U.S. Census of Population, manuscript schedules for Tooele County, Utah, 1910, and for Salt Lake County, Utah, 1910 and 1920, statement of William Quinn, 17 June 1916, HPA 550934, homestead entries 05064 and 05065, attached to HPAs 550934 and 551965, respectively, and GLO tract books, NA. Edward Fitzgerald, Jr., was born on November 3, 1903.

²⁵⁴ Statements of Edward J. Fitzgerald, 17 June 1916, HPA 550934, and 25 July, 1916, HPA 551965, and Marion Barnes, 22 July 1916, HPA 551965, NA; entries for 15 March and 24 March 1911, synopsis of file CC 05065, BLM. The original documents summarized in file CC 05065 are no longer contained in HPA 551965. Construction of the railroad and smelter near Wabuska is described in Myrick, Vol. 1, 216-218.

as Barnes explained. For six months the Fitzgeralds lived in rented quarters a short distance west of Temple Square while Ed tried to scrape together a living as a common laborer. This was the last time that the family would be together for the winter until they gave up the homestead in 1918. For the next six years, Emma and the children would be year-round residents of Tobar Flat, with Ed staying at home in the summer and working away during the winter months.²⁵⁵

When the Fitzgeralds resumed living on the homestead in the spring of 1912, they enlarged the potato field and planted a garden, and were rewarded with what Ed called “a fair crop” that had benefited from an unusual amount of rainfall. By now he was ready to begin farming on a larger scale, so during the spring and summer of 1913, with help from Barnes and power supplied by a pair of recently-acquired work horses, Fitzgerald cleared desert shrubs from twenty-five acres and completed a fence enclosing forty acres that contained the family’s garden and potato patch, the freshly-cleared ground, and a small amount of undeveloped land. All of the new clearing was located southwest of the house and extended across the channel of Honeyman Creek (Photo 12), which Fitzgerald hoped could supply some moisture to the crops that he would plant in the years to come.²⁵⁶

²⁵⁵ Statements of Edward J. Fitzgerald, 25 July, 1916, Marion Barnes, 22 July 1916, and William Quinn, 22 July 1916, HPA 551965, NA; *Salt Lake City Directory*, 1912. All of Fitzgerald’s places of employment during these years cannot be determined, but it is clear that he often worked at the smelter in McGill and that on one occasion he had a job on the docks of Oakland.

²⁵⁶ Statement of Edward J. Fitzgerald, 25 July, 1916, HPA 551965, NA; Elko County tax assessments, 1913, ECCH. The two men also cleared fifteen acres on Barnes’ property at this time, with most of it, like Fitzgerald’s new field, positioned to receive overflow and seepage from Honeyman Creek.



Photo 12. The site of Edward J. Fitzgerald's fields near the channel of Honeyman Creek. View is to the northwest, with the East Humboldt Range in the distance. Taken by the author, 2006.

Unfortunately, these expectations were never realized. The potatoes and garden crops did all right in 1914, but grain planted in the new field failed to mature and had to be cut for hay. Conditions worsened the next year, when drought and rabbit invasions devastated crops throughout the area. By July, 1915, Fitzgerald was so discouraged that he considered relinquishing his homestead and then reclaiming it under provisions of the Desert Land Act, which did not require residence on the land. But he decided against this strategy, and resigned himself to carrying on as before. At summer's end, he again cut the remnants of his grain crop for hay, which came to about half of the previous year's amount, and hoped for better luck in the future.²⁵⁷

²⁵⁷ Statement of Edward J. Fitzgerald, 25 July, 1916, HPA 551965, NA; entry for 13 July 1915, synopsis of file CC 05065, BLM. It is probable that Fitzgerald was thinking about installing an irrigation well when he inquired about a Desert Land entry, for it was during this time that Wilbur C. Earhart, who held land immediately north of the Fitzgerald place, was involved with plans to put in an irrigation well of his own. It is doubtful that Fitzgerald believed that Honeyman Creek could consistently provide irrigation water for twenty acres, as required by law, especially when judged by conditions during the

Fitzgerald's inability to raise grain, or even a good crop of hay, limited his ability to keep livestock. For as long as he and his family remained on Tobar Flat, the only large animals that Fitzgerald owned were his two work horses. There is no evidence that the family had a single milk cow, despite the presence of two children who would have needed the nourishment that milk provides. The only other animals to be found on the Fitzgerald place was a small flock of poultry. Most eggs and chickens were consumed at home, but on at least one occasion Mrs. Fitzgerald had some hatching eggs that she offered for sale to other settlers who wanted to raise chickens. Still, it was clear that the family could not live on farming alone, and that they would always have to rely on wages that Ed earned during his lengthy absences each winter.²⁵⁸

In July, 1916, Fitzgerald submitted final proof on his homestead before Ludlow B. Glafcke, the land office agent at Tobar. His improvements at this time included the family's three-room frame house, a barn and corral, two wells, twenty-five acres under cultivation, and the fence that he and Barnes completed in 1913. Neither Fitzgerald nor his witnesses provided estimates of the value of each improvement, but based on what he was told, Glafcke calculated that their total worth was around \$2,000, which seems a bit high. Still, there was no question that the Fitzgerald place was better developed than the Barnes homestead, to which Fitzgerald had given a value of \$450 just a month earlier.²⁵⁹

Fitzgerald received his patent in October, 1916. At this point, other settlers who had equally unsatisfactory experiences as farmers might have mortgaged their property, paid off their debts, and moved away. But the Fitzgeralds did not immediately follow this procedure, probably because Ed was earning a fair living from his off-homestead employment and his family had a rent-free home in which to live. Instead, the Fitzgeralds remained on the land, continued to look after their horses and chickens,

summer of 1915, when the creek was dry. For more information on Earhart's proposal, which was not carried to completion, see the entries for 12 August 1915, and 7 September 1915, in the synopsis of file EL 01667, BLM.

²⁵⁸ Elko County tax assessments, 1912-1918, ECCH; *Nevada State Herald*, 26 February 1915.

²⁵⁹ Statements of Edward J. Fitzgerald, 17 June 1916, HPA 550934, and 25 July, 1916, HPA 551965, and Glafcke's valuation of Fitzgerald's improvements, HPA 551965, NA. Fitzgerald said that he had more than one well, but did not give the exact number. Presumably he had one well for domestic use and another for his horses.

and paid their taxes promptly. They also enrolled their teenaged daughter, May, in the new high school in Wells, a further indication that the family was better-off than many of their neighbors.²⁶⁰

The family stayed on Tobar Flat for two more years. During this period Ed spent many months working away, and for a time during the First World War he was employed in California. After the armistice was declared in November, 1918, Fitzgerald returned to Nevada, and after considering their prospects, he and his wife concluded that it was time to make a major change in their lives. By now, Ed's friend and partner, Marion Barnes, as well as most of their neighbors, had moved away. Only one house within a two-mile radius was not abandoned, and at the time when Fitzgerald came back from California, the residents of that dwelling were wintering in Utah. What had once been a vibrant neighborhood was now a collection of empty houses and unproductive fields, swept by the cold winds of winter. It was not hard for the Fitzgeralds to leave. Just before the end of the year, they disposed of the horses and chickens and moved back to Salt Lake City, where they found a house to rent about a block from where they had lived during the winter of 1911-1912.²⁶¹

In early 1920 the Fitzgeralds were living in the same house, but by now they had more than one source of income. Part of their residence contained rooms which Emma rented to three lodgers, each in their sixties, and both children were also employed. May had a position as a stenographer at a dry goods store, while Edward, who had recently turned sixteen, was now a construction worker. As he had done for years, Ed was working away from home, in this instance at the smelter in McGill, where he had been employed earlier, and was staying with fifteen other men in a company-owned boarding house. Nearby, in another boarding house, was Amos C. West, who had a homestead just west of the Fitzgeralds on Tobar Flat, and now, like Ed, held a job at the smelter.²⁶²

²⁶⁰ GLO tract books, NA; Elko County tax assessments, 1917-1919, ECCH; *Nevada State Herald*, 1 September 1916. It is almost certain that the Fitzgeralds' daughter stayed in Wells while attending high school, incurring an expense that other homesteaders could ill afford.

²⁶¹ Edward J. Fitzgerald draft registration card, Alameda County, California, 12 September 1918; Elko County tax assessments, 1918-1919, ECCH; *Salt Lake City Directory*, 1919.

²⁶² U.S. Census of Population, manuscript schedules for Salt Lake County, Utah, White Pine County, Nevada, and Jerome County, Idaho; *Salt Lake City Directory*, 1920. West's wife and three children were living in southern Idaho at this time, but would move back to Tobar in the spring, when West returned to his homestead. The town of McGill had come into existence in 1906, when work began on the smelter, and by 1920 it had a population of nearly 3,000. For a discussion of life in McGill and similar nearby towns at this time, see Elliott, 210-246.

Several months later the family moved to a new home a half-mile to the southeast. By now, the Fitzgeralds were reunited, for Ed had given up his position in McGill and obtained a job as a structural steel worker in Salt Lake City. Later, he worked for a utility company in its equipment yard near the Union Pacific depot. Then, in 1923 the Fitzgeralds relocated to Denver, where Ed rented a house on the west side of the city and, calling upon his long experience in the metal trades, found a new job in the structural steel industry, which he would hold for years. With Ed and both children working, the family prospered, and soon they purchased a house, valued in 1930 at \$4,700, on the next street. The Fitzgeralds remained in Denver until the depths of the Depression, when they left the city, perhaps because Ed had lost his job and could not keep up the payments on their house. Their next place of residence is uncertain, but they may have returned to Utah, where an Edward J. Fitzgerald was living in Magna and employed as a bartender from 1935 through 1938.²⁶³

The property on Tobar Flat was held by the Fitzgeralds for more than a dozen years after their departure, but in the early 1930s Ed stopped paying taxes on it, and in 1935 it was deeded to Elko County. It was sold to a local rancher in 1945, changed hands twice in the 1960s, and was subdivided into eight parcels in the 1980s. All of these parcels, ranging from ten to forty acres, remain in private hands today.²⁶⁴ In 1995 a team commissioned by the Bureau of Land Management conducted an inventory of the cultural resources of a small area that included the family's home. The team found pieces of milled lumber with wire nails, lengths of barbed wire and woven wire fencing, several tin cans, and a number of glass and ceramic fragments. Its report indicated that the remnants found here may have represented "a very short term effort at homesteading or ranching," and concluded that they were not worth further attention.²⁶⁵ The conclusion was undoubtedly correct, but the team's belief that it

²⁶³ *Salt Lake City Directory*, 1921-1923 and 1935-1938; *Denver Directory*, 1924-1933; U.S. Census of Population, manuscript schedules for Denver County, 1930, NA. In the early 1930s Edward J. Fitzgerald and his son were both employed as structural steel workers, and May, unmarried and still living at home, was a stenographer for a tire firm. After 1933, neither Ed, his wife, nor his son are listed in the *Denver Directory*, but from 1934 through 1940 May, still employed by the tire company, lived alone in rented apartments, lending support to the belief that her parents and brother were no longer in Denver.

²⁶⁴ Elko County tax assessments, 1918-1935, and Land Ownership Records, ECCH; author's interview with Ed Wolfe, Tobar Flat, Nevada, 16 September 2006. The record of the sale of Fitzgerald's former property in 1945 is contained in the Elko County tax assessment for 1934.

²⁶⁵ Archaeological Site Survey Report 1-1539 (P), on file at the Elko Field Office, BLM. About three-quarters of the inventoried area was on the former Fitzgerald homestead, while the remainder was on public land, just north of what is today recognized as the boundary between these two properties. It is

had inventoried a site of very little historic consequence was off-base, for when judged by the standards of its day, the Fitzgerald place was a well-developed homestead, occupied by a solid, hard-working family, that should not have been dismissed so lightly.

The Fitzgeralds made their home on Tobar Flat for almost a decade. During that time they employed three strategies that maximized their chances of success. First, Fitzgerald had a partner, Marion Barnes, who was able to provide assistance when it was needed, and could help to look after the place while he was away.²⁶⁶ Second, he laid out his fields in such a way that crops would receive the greatest amount of surface flow and underground seepage that was available on his property. Third, he was able to secure off-homestead employment on a regular basis, and spent several months each year on these jobs, thus reducing his family's reliance on their farming activities. In an area where it was imperative to make the most of every opportunity, each of these measures made sense, and should have given the Fitzgeralds an edge. But they finally had to give up because these steps were not enough and because their neighbors had experienced even less success, leaving the family to carry on almost by itself. The Fitzgeralds' experience showed that that even when they did all the right things, forging a satisfactory life over the long haul on Tobar Flat was next to impossible.

MARION BARNES

Born in Wisconsin on the day before Christmas, 1872, Barnes moved to Iowa with his parents in the late 1870s, and spent most of his boyhood on a farm in the northern part of the state, just a few miles from the Minnesota border. By the time he was twenty-seven, Barnes was living in a workingmen's boarding house in the port town of Escanaba, on Michigan's Upper Peninsula, where he was employed as a laborer. A year or two later he relocated to Colorado and met Edward J. Fitzgerald, with whom he would be connected for the next fifteen years. Barnes and the Fitzgeralds moved to Salt

probable that this property line was not thought to be in exactly the same place in the early 1900s, and that Fitzgerald believed that his land extended about sixty feet north of the present line. The parcel lying just north of the line was claimed under provisions of the Desert Land Act in 1914 and again in 1917, in both cases by Tobar merchants, but there is no record that either man put up a building or erected fencing on this property.

²⁶⁶ Barnes also worked away during the winter, but his absences were not ordinarily as long as those of Fitzgerald.

Lake City around 1906. He then lived for a while in Tooele, where the Fitzgeralds also made their home, and later moved back to Salt Lake City, where he had a room in a residential hotel on the fringes of the city's Central Business District.²⁶⁷

Barnes and Fitzgerald acquired adjoining homestead properties in May, 1910. Barnes' claim was located northwest of Fitzgerald's land, and was nearly bisected by Honeyman Creek, which both men planned to use to moisten their crops. After filing his claim, Barnes went back to Utah, but returned two months later to build a one-room dwelling and await the arrival of his partner. Upon Fitzgerald's return to Tobar Flat in the fall, the two men began construction on the latter's house, and then departed for the winter. Fitzgerald found a job at Wabuska, but it is not known where Barnes was employed, although it is likely that he went back to the Salt Lake City area, where he had lived and worked for the past four years.²⁶⁸

After an absence of four months, Barnes returned to his homestead, fenced the perimeter of his property, and helped Fitzgerald complete his house and put up fences. Although Fitzgerald planted some potatoes at this time, there is no evidence that Barnes engaged in any farming activity in 1911. What he did when he was not erecting fences or helping Fitzgerald with his house is not clear, for he was slow to dig a well and never built a barn, and a corral that he mentioned in 1916 was probably not constructed until 1913 or later. It is possible that he worked for Thomas J. Sweeney on the first Tobar townsite for a short while, but this would not have amounted to much, for late in the year, when construction at the townsite was picking up, Barnes left the area for another winter of off-homestead employment.²⁶⁹

²⁶⁷ U.S. Census of Population, manuscript schedules for Worth County, Iowa, 1910, Delta County, Michigan, 1900, Tooele County, Utah, 1910, and Salt Lake County, Utah, 1910, NA; statements of Marion Barnes, Edward J. Fitzgerald, and William Quinn, 17 June 1916, HPA 550934, NA. Barnes was listed twice in the 1910 census, which was taken in April of that year. While living in Tooele he worked as a mechanic at a smelter and lived in a private home with five other lodgers, all employed in the metal industries. After returning to Salt Lake City, he was employed, like Fitzgerald, as a structural steel worker.

²⁶⁸ Statements of Marion Barnes, 17 June 1916, HPA 550934, and Edward J. Fitzgerald, 25 July 1916, HPA 551965, NA.

²⁶⁹ Statement of Marion Barnes, 17 June 1916, HPA 550934, NA.

Although rainfall was plentiful in 1912 and Honeyman Creek probably overflowed its banks, Barnes did not benefit from this moisture because he still had no land ready for planting. Instead, he spent most of the spring and summer months clearing desert shrubs and preparing his fields for the next year's crop, and then departed once again to "make money to live upon and improve my homestead." Finally, in the spring of 1913, more than thirty months after establishing residence, he put in his first crops, which consisted of fifteen acres of grain and potatoes. Like Fitzgerald, Barnes laid out his fields close to Honeyman Creek in order to take advantage of whatever overflow and seepage the creek might provide. Spring rains were light that year, and the crop was slow to develop, but the arrival of summer saw an increase in precipitation, and the grain, in particular, began to look good. But in a scenario that would become all too familiar on Tobar Flat, it did not take long for rabbits to recognize the prospect of good meals in Barnes' fields, and they swarmed out of the surrounding sagebrush country to attack. His land was enclosed by four wires, but not by rabbit fencing, so the attacks took a severe toll. Looking back on these events three years later, Barnes declared that his first attempt at farming had gotten off to a promising start, but that in the end "rabbits harvested most of [my] crop."²⁷⁰

Barnes enjoyed somewhat better luck in 1914, when he planted an unspecified acreage in alfalfa, millet, and potatoes, and harvested what he called a "fair crop." He did not say how much hay he cut from the alfalfa and millet, but reported that he had "harvested about 100 sacks of potatoes," a satisfactory yield which compared favorably with Fitzgerald's crop and far exceeded that of Joseph W. McDaniel, living two miles away, whose potatoes were a complete failure. However, this marked the apex of Barnes' farming activities. He planted nothing in 1915, which in retrospect proved to be a twisted stroke of good fortune, for most of his neighbors lost everything that year to drought and rabbits. In 1916 he planted two acres of potatoes, but nothing else. In each of these years Barnes continued to work away during the cooler months, although his absences were ordinarily shorter than those of Fitzgerald, which enabled him to lend a hand at his partner's place, especially in the spring, when Fitzgerald was still busy with his winter job.²⁷¹

²⁷⁰ Statement of Marion Barnes, 17 June 1916, HPA 550934, NA. Precipitation for June and July, 1913, at the Clover Valley station was 4.27 inches, more than three times the normal amount for these months.

²⁷¹ Statements of Marion Barnes, 17 June 1916, HPA 550934, Edward J. Fitzgerald, 25 July 1916, HPA 551965, HPA 621644, and Joseph W. McDaniel, 8 August 1917, HPA 621644, NA.

Barnes proved up on June 17, 1916, about a month before Fitzgerald. His testimony, supplemented by that of Fitzgerald and another man, confirms that his homestead was not highly developed. His only structures were the house and corral, although it does appear that a shed was built on the site later in the year or sometime in 1917. Fifteen acres were cleared, and, as Barnes put it, the “balance of [my] entry [consists of] sage and meadow land [with] no improvements.” The wire fence, enclosing all 160 acres, was his most valuable possession. Barnes thought that the value of these improvements was about \$500, while Fitzgerald pegged it a little lower, at \$450. The county assessor, who examined the house, corral, well, and fence in the spring of 1916, made what was probably a more realistic appraisal, giving them a combined value of a mere sixty dollars. There is no record that Barnes kept animals of any sort, although the existence of a corral suggests that at times he may have owned a horse. In essence, his property was an extension of the Fitzgerald homestead, and contained only the barest of essentials.²⁷²

It is not certain how much longer Barnes remained in the area. He was on the Elko County jury list in January, 1918, and in August his name appeared as a registered voter in Tobar precinct, but it is probable that by this time he was no longer on the land. He was certainly gone by the time Edward J. Fitzgerald returned from California later in the year. After leaving Tobar, Barnes made his way to California, where he may have worked as a ranch hand in the Central Valley before relocating to the northern part of the state. In 1930, at the age of fifty-eight and still unmarried, he was living by himself in a small rented house on the outskirts of Crescent City, some twenty miles from the Oregon state line, and was employed as a logger. Barnes remained here for the rest of his life, and died in the spring of 1946.²⁷³

²⁷² Statements of Marion Barnes, Edward J. Fitzgerald, and William Quinn, 17 June 1916, HPA 550934, NA; Elko County tax assessments, 1916-1918, ECCH. The 1916 tax assessment was made before Barnes was issued his patent, so the value of the land itself, which still belonged to the government at the time, was not included. In 1917 the land was assessed as 160 acres of grazing, worth \$640.

²⁷³ *Nevada State Herald*, 18 January 1918 and 23 August 1918; Elko County tax assessments, 1918-1919, ECCH; U.S. Census of Population, manuscript schedules for Del Norte County, California, 1930, NA; California Death Index. An exhaustive search of the 1920 manuscript census, employing every conceivable combination of first and last names that might have been misspellings of the words “Marion” and “Barnes,” has produced no positively reliable match anywhere in the United States, but a certain “Mare” Barnes, a single man of the right age, was listed as a ranch hand in Merced County, California, and may have been the person in question.

After Barnes left Tobar Flat, his property was taken over by Elko County for non-payment of taxes, and was purchased from the county by Clarence M. Barton in 1920. Barton used it until 1925, and a year later it was returned to county ownership. In 1969 the property was split and sold to two individuals, but no development took place, and since that time the land has been further subdivided, with all parcels passing through the hands of a number of individuals.²⁷⁴ Today, only faint evidence remains to suggest that someone lived here and cultivated the land. Like Joseph W. McDaniel and others, Barnes was a lone individual who was in Nevada primarily to help support a more substantial adjoining homestead, and like McDaniel, he made just a slight imprint on the fabric of the community and the land that he occupied.

²⁷⁴ Elko County tax assessments, 1918-1926, and Land Ownership Records, ECCH.

Chapter 6

CONCLUSIONS

Eighteen families and single adults, totaling about fifty people, were residents of Tobar Flat before the end of 1910. These people have been grouped into four categories, each designed to simplify a complex settlement process in which previous occupations and personal connections played important roles in determining who would claim land here, and where certain individuals would choose to live. But analysis of the settlers' activities shows that in many instances these distinctions were blurred by the realities of their lives, and that they should be viewed as convenient arrangements, and not absolute or perfect fits. For example, John C. Munson, who worked as a teamster before moving to the Flat, had longstanding ties with several ranchers in Clover Valley, while Clarence M. Barton, related by marriage to a ranch family, had once been a teamster. Carl Tollefson and James D. Waldo, recruited to obtain land for ranchers, had lived in Salt Lake City immediately before coming to Nevada, and arguably could be grouped with other settlers from the Utah city. So, too, could Andrew C. Myerhoff, the locomotive engineer. George E. Wickizer and Andrew E. Scott had also lived in Salt Lake City before obtaining jobs that would take them to Tobar Flat, although an argument for grouping them with the other Salt Lake City people would be weaker than one supporting the view that Myerhoff was as much a Salt Laker as a railroader.

Regardless of their occupations and family backgrounds, two characteristics shared by most settlers were their low incomes and the fact that they had been hardened by years of physical labor. Only Munson, Thomas J. Sweeney, and perhaps Ernest C. Wood did not unquestionably fall into the category of low-income individuals, but none of them had been well-to-do by any stretch of the imagination. Every settler, whether he had been driving wagons loaded with ore, spiking rails, rounding up cattle, or employed as a blacksmith, was thoroughly familiar with hard work, and expected nothing less when he moved onto his homestead. Most were willing to endure years of hardship in exchange for the opportunity to develop farms or ranches, or at the very least to have low-cost places of their own while earning a living from some sort of manual labor. Not everyone with an opportunity to homestead was willing to do this. The first settlers believed that by settling on Tobar Flat they could ultimately

better themselves economically, and they saw this objective as something that could be accomplished with the strength and skills that they possessed.

It proved almost impossible for settlers to remain on the land without income earned from off-homestead employment. Only Wood and Joseph W. McDaniel were not obliged to find work away from home once they had established residence, and in both instances these men had something else to fall back on: the family ranch in the case of Wood and his son's off-homestead income in the case of McDaniel. Even John C. Munson, who may have been the most prosperous of the early settlers, continued freighting for three or four years after he moved onto the land, and, as some would be quick to point out, he too had an additional source of income from the sale of cattle that did not belong to him. For the others, homesteading on Tobar Flat routinely involved splitting time between working on their claims and working away, with some finding employment as close as Tobar, others laboring in Nevada's mines and smelters, and still others going out of state to jobs in Utah and California.

If homesteading on Tobar Flat is judged by permanence of settlement, it was a failure, for with the departure of the McDaniel family and Clarence M. Barton not a single person remained on the land. Blame could be placed on a variety of factors, some of which hold up under scrutiny and others that do not. The evidence does not support assumptions that none of the settlers were sufficiently resilient or that there were no good farmers among them. Few men were tougher than Carl Tollefson, the former Marine, or more obstinate than the hard-bitten Jack Churchfield, yet neither remained on his land for more than three years. No one would argue that Theodore F. Wickizer and Carl H. Lofdahl's father, August, were not good farmers, for both men later proved that under the right conditions they could develop viable agricultural operations. But the Wickizer and Lofdahl homesteads on The Slough were productive on just a few occasions. Clearly, neither strength in the face of adversity nor a man's farming ability weighed heavily in the equation of success and failure.

Issues of a personal nature caused serious problems for some settlers, and forced a number of them to cut short the time that they spent on their homesteads. It is possible that John C. Munson and his family would have remained on Tobar Flat indefinitely if he had not been charged with rustling cattle and fled to California to avoid prosecution. No one knows how much longer Thomas J. Sweeney would have stayed if his wife had survived, or if he had not run afoul of the law in the incident at the townsite, or if family members had been able to provide more help with his young daughters, but he might have been able to outlast the harsh weather conditions of 1915 and 1916 if these events had not occurred.

Similarly, the death of Eva Churchfield cut deeply into her family's ability to sustain its efforts to irrigate land near Little Lake, and Jessie Wickizer's poor health was instrumental in convincing her husband to leave Nevada and start over again in Nebraska. And who can say that Jim Waldo would not have made a more determined effort to develop his homestead if he had not been injured in an accident that prevented him from working? It is naive, of course, to say that these individuals would have enjoyed unqualified success if these things had not happened, but it is certain that death, sickness, injury, and brushes with the law aggravated the difficulties that settlers faced, and often made the challenges that went with homesteading too steep to overcome.

The most critical problem, however, was an insufficient amount of water for the settlers' crops. In an area where precipitation is low and adequate amounts of ground water were beyond reach, access to water from streams was essential. Every homestead occupied before the end of 1910 was situated on a creek or very close to one. In wet years such as 1912 there was more than enough water for everyone. But ordinarily this was not the case, and fields deliberately laid out in the best places to receive surface flow often remained dry during the entire farming season. With water in such short supply, it is not surprising that disputes erupted over even the smallest amounts, as the conflict between Joseph B. McDaniel and Ernest C. Wood clearly illustrated. In the end, there was not enough water to go around, which meant that if Wood used the water crossing his land, there was little if any for McDaniel, that if Munson dammed The Slough above George E. Wickizer's homestead, then Wickizer was out of luck, and if the O'Neil brothers, successors to Munson along the upper reaches of The Slough, secured rights to the water crossing their property, then the plans of Jack Churchfield, whose property lay near the other end of The Slough, could never get off the ground. Without water, farming failed, and while some homesteaders were able to support their families for years by working away, the majority concluded that if they could not raise crops with any degree of consistency, it made no sense to carry on against such heavy odds.

The ideal homesteader for Tobar Flat would have been someone who had reasonably good access to water, was energetic and possessed a strong work ethic, could obtain steady off-homestead work, and had people at home who were able to run the farm effectively while he was away. No one completely met all of these requirements, but Joseph B. McDaniel was probably the closest match. McDaniel was a hard worker, had marketable skills as a blacksmith, and was energetic enough to cut thousands of cedar fence posts for sale to his fellow settlers. His father could do much of the farm work, and when the older man's strength ebbed, some of the children were able to look after the sheep

that became an important part of the family's economic life in the 1920s. McDaniel also had access to water from the mountains, but it was a small amount, and as his dispute with Wood showed, it was not always available, and it was on this impediment that his farming operations hit a snag.

At the other extreme, the homesteader with the least chance of success would have been a person who had little prospect of obtaining water, would not or could not do the required work, was unable to find an off-homestead job, and had no one to help him develop his farm. No individual who occupied a Tobar Flat homestead was saddled with all of these deficiencies, but Jim Waldo came close. Waldo claimed land astride a small and unreliable distributary of The Slough on behalf of someone else, showed little interest in converting this property into a viable farm, suffered an injury that prevented him from working the land even if he had been so inclined, and as a single man had no one to help him. Waldo kept afloat by working for a local ranch and at times as a mechanic in Utah, but this was not nearly enough, and it came as no surprise that his homestead was an utter failure.

Joseph B. McDaniel and his family stayed on Tobar Flat for twenty years. Jim Waldo was on his claim for a total of about nine months. If McDaniel was the best homesteader and Waldo the worst, the contrasts between them could easily be measured in the differences between their respective lengths of residence. But these contrasts cannot obscure the painful truth that whether a person was a good homesteader or a poor one, and whether he had access to a moderate amount of water or almost none, every settler eventually gave up and left. Tobar Flat is a harsh place, and the experiences of its first settlers, from Joseph B. McDaniel at one end of the spectrum to Jim Waldo at the other, contain lessons that should not go unheeded.

ⁱ Statement of John C. Munson, 8 March 1911, HPA 208931, NA; *Nevada State Herald*, 10 March 1911; Elko County tax assessments, 1911. ECCH. The assessor may have counted cultivated land on all of Munson's properties, which would have been close to 300 acres, and listed it under the contract land, but this is not certain. Doubt about all ditches cited by Munson being on his homestead is raised by evidence that two years after he filed the proof papers there were only 2275 feet of ditching on this property. Another 3555 feet of ditches delivered water to this land from other locations, and a ditch of 865 feet brought water to a natural watercourse that entered a field on the homestead. Still, these amounted to fewer than 7,000 feet of ditches relating directly or indirectly to the homestead property, so Munson must have been counting some work done on his contract land, which would have nearly two miles of ditches by 1913.

ⁱⁱ Map Showing System of Irrigation, Permit No. 1202, 11 February 1913, File 1201-1202, NDWR. This map was prepared at the request of James P. and William T. O'Neil, who had taken over the Munson property, but because little work would have taken place on this land since the O'Neils acquired it in January, it undoubtedly represents what Munson had accomplished through late 1912.