

# Critique of the Counterfactual Essay on the 1861 Lake Tahoe Campsites and Timber Claim of Sam Clemens

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## Introduction

On August 9, 2014, Robert E. Stewart published an essay addressing the location of Sam Clemens' Lake Tahoe campsites and timber claim. The document, "A Narrative Commentary about, and Digital Scans of Original primary documents relative to the 1861 John Nye & Co. Timber Claim on the Ormsby County (now Carson City) shoreline of Lake Bigler (Lake Tahoe), and Sam Clemens' September, 1861 Timber Claim campsite." Stewart authored the document over a number of years leading up to its 2014 publication and copyright. Stewart invited review and comment on the essay (Stewart, Mark Twain Forum, 2014).

In this critique, we review and comment on certain statements and assertions that attempt to locate the campsites and timber claim described in Mark Twain's 1871 memoir *Roughing It*; book promotion lectures, and relevant 1861-era letters authored by Sam Clemens. At the end of each section, we cite the relevant logical fallacies (Bennett, 2015; Wheeler L. K., 2015) used as cognitive devices to influence the reader towards a predetermined conclusion.

Insofar as the subject document contains much extraneous and unrelated information, we focus only on the relevant aspects. We caution the reader not to confuse the depth of the document narrative as any indication of the veracity of its findings and conclusions. In our view, the document contains inaccuracies that are not relevant to its hypothesis, and we have covered only the questionable aspects that we view as relevant.

Logical fallacy: Argument by multiplication, argument by verbosity

## 1. Counterfactual Construction and Use of Invalid Reasoning

In historical research, reconstructions that do not follow known facts and circumstances are hypothetical, and therefore, fall within the area of counterfactual speculation ((Wikipedia Foundation, 2015). The writer simply constructs one of an infinite number of alternative scenarios that could have played out if the instant facts and circumstantial reality were not true. The result is an essay founded on speculation, hypothesis, and in this case, fallacious thinking that is presented as though it was proven truth.

The subject document ignores much of the location information presented in *Roughing It* and elsewhere. In that book, Twain provides location details on his whereabouts that are descriptively specific and geographically unique. For example, he locates the region of his



campsites and claim as “on the north shore [of Lake Tahoe]” and offers explicit descriptions of his surroundings in such areas as forest, geology, limnology, topography and geography (Twain, *Roughing It*, The Authoritive Text, 1993).

Although Twain was not a scientist, he held exceptional powers of observation and interpretation of his surroundings. He fused these talents with his uncanny ability to translate these observations into accurate, understandable and vivid prose. For example, he said the colors of the boulders on the lake bottom were gray and white. There is only one location in Lake Tahoe where gray andesite (volcanic rock) makes contact with white granite – the North Shore of Lake Tahoe near Stateline Point (Saucedo, 2004), the site of his first night’s encampment. This pinpoints his location as no other possibility exists within the northeastern quadrant of the Tahoe Basin and Twain could not have made up such a specific description without seeing it firsthand.

For reasons unexplained in the essay, the author omits any use or mention of the unique characteristics and landmarks described by Twain. Instead, he relies on interpretation of selected fragments of ancillary historical records as justification to support the assertion that the campsites and timber claim were on the East Shore of Lake Tahoe. In this way, the writer constructs a hypothetical narrative by ignoring empirical evidence from *Roughing It*; Clemens’ letters and Twain’s lectures. In past statements and writings, the writer of the essay has asserted, but never proven, that the descriptively specific and geographically unique clues to Clemens’ locations are not valid and relevant evidence.

Logical fallacies: Suppression of evidence (cherry picking), appeal by dismissal, argument by use of spin

## **2. Cover Photo and Caption Are Misrepresentations of Actual Conditions in 1861**

The beach and flat rock portrayed in the cover photo and explained in the accompanying caption are a misrepresentation of conditions at that site in 1861.

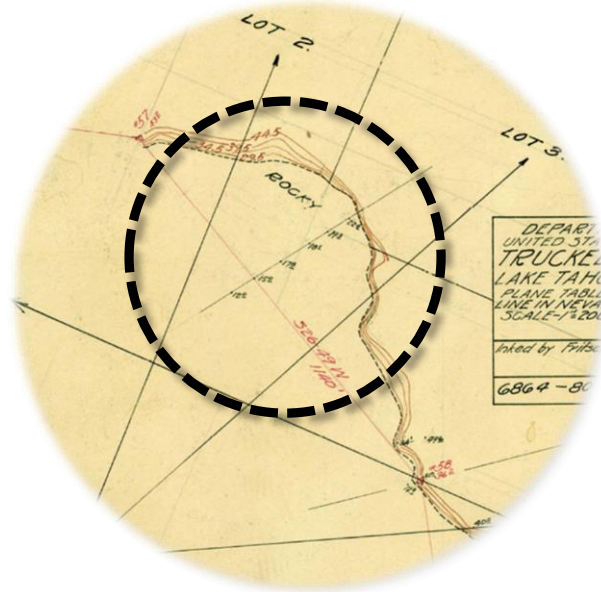
For the essay’s scenario to be true, one must find a sandy beach setting at the timber claim campsite, as Twain recounted (Twain, *Roughing It*, The Authoritive Text, 1993). This key characteristic is undisputed among researchers. However, the absence of a sandy beach at this site in 1861 is a fatal flaw in the essay’s scenario that makes it a physical impossibility for the scenario to be valid.

The US Bureau of Reclamation dammed Lake Tahoe 1913 to impound water resulting in higher than natural water levels that caused extensive shoreline erosion. In 1918, the Bureau conducted detailed land and bathymetric surveys to document the condition of the shoreline while still in its natural condition. The 1918 survey that covers the area identified in the essay as Clemens’ timber claim beach campsite appears as Figure 1 (Antonucci, Clemens Cove Shoreline



Analysis, 2014). This figure clearly shows that no beach existed then and was instead a boulder-lined shore as the surveyor's map notes (United States Reclamation Service, 1918). Research professors from the Department of Geological Sciences of the University of Southern California confirmed this assessment in 1985 (Osborne, Edelman, Gaynor, & Waldron, 1985).

No known littoral processes are capable of creating a beach in 1861, replacing the beach with large boulders by 1918, and then recreating the beach in the 21st century exactly as it was in 1861. The US Geological Survey agrees with this conclusion (Howle, 2014). This finding alone makes it physically impossible for the essay's scenario to be true since camping on a sandy beach was an essential and undisputed fact in the Clemens and Twain accounts. The essay is silent on this point though its author was made aware of the physical inconsistency in 2012 (Stewart & Antonucci, Mark Twain Tahoe Mystery Public Festivity, 2012).



*Figure 1. Segment of 1918 shoreline survey map showing a rocky and steep shoreline at the location where the essay supposes Clemens camped on a sandy beach. Narrowly spaced contour lines indicate steep terrain (United States Reclamation Service, 1918).*

Logical Fallacies: False premise (factual error), suppression of evidence

### **3. Cover Photo and Caption Misrepresent the September 1861 Lake Tahoe Water Level**

If we suspend reality and incorrectly assume Clemens camped on a nonexistent beach, then what about the flat rock shown in the cover photo? Here, the issue of the relationship of the flat rock to the nearby lake presents itself.

The flat rock sits on the beach at an elevation of 6224.1 ft. LTD. LTD stands for Lake Tahoe Datum, a unique reference elevation for Lake Tahoe, similar to sea level. In litigation encompassing the natural or pre-dam water level of Lake Tahoe, testimony before the court established the average low water at 6224.4 ft. LTD (Burns, 1979; Charles F. Fogerty, et al v. State of California, et al, 1979).

No weather records exist for Lake Tahoe in 1860-61. However, researchers have reconstructed historical precipitation patterns from tree ring analysis. These analyses describe the



precipitation in Northern California for the water years, October of the preceding year to September of the following year, 1860-61 as average to slightly above average (Columbia University Earth Institute, 2015; Meko, Woodhouse, & Touchan, 2014). Historical records of Lake Tahoe water levels show that the lake reached its annual low level by early October (United States Geological Survey, 2015). Since Clemens camped in mid-September of 1861, the lake would have been at a higher than the natural average low water level (6224.4 ft. LTD). This means that Clemens and his companion would have been sitting in nearly a foot of standing water surrounding the flat rock, unlike the portrayal in the cover photo. This situation discredits further the technical veracity of the essay's account and adds to the physical impossibility of the essay's authenticity.

Logical fallacies: False premise (factual error), hypothesis contrary to fact

#### 4. Cover Photo and Caption Misrepresent the Location of the Flat Rock Used by Clemens

The essay's account places the location of the flat rock at the second in a sequence of two campsites, the site of the timber claim. This is an error in interpretation of Clemens' and Twain's written accounts. Below is a phrase-by-phrase comparative analysis of the language in Clemens' letters and *Roughing It* that arrives at a logical sequence of campsites for the first two days of the trip (Antonucci, Fairest Picture -- Mark Twain at Lake Tahoe, 2011-2014).

##### Day 1

***Roughing It:*** 'We found the small skiff belonging to the Brigade boys, and without loss of time set out across a deep bend of the lake toward the landmarks that signified the locality of the camp. A three-mile pull brought us to the camp just as the night fell ... In a "cache" among the rocks we found the provisions and the cooking utensils...'

***Letter:*** Any relevant text was either lost or not mentioned.

***Interpretation:*** Both men are at the food and supplies cache site at the end of the first day.

##### Day 1, Continued

***Roughing It:*** "In due time we spread our blankets in the warm sand between two large boulders and soon feel asleep..."

***Letter:*** Any relevant text was either lost or not mentioned.

***Interpretation:*** Both men camped overnight at the food and supplies cache site on a sandy beach with large boulders.

## Day 2

**Roughing It:** “I superintended again, and as soon as we had eaten breakfast we got in the boat and skirted along the lake shore about three miles and disembarked. We liked the appearance of the place, and so we claimed some three hundred acres of it and stuck our "notices" on a tree.”

**Letter:** “On the second day we started to go by land to the lower camp, a distance of three miles, over the mountains, each carrying an axe.”

**Interpretation:** Both traveled on foot from the food and supplies cache site to the “lower camp” location that is the same location as the timber claim site. Here, the letter is the controlling evidence on mode of travel. This is because it is a chronological construction written at the time of event.

## Day 2, Continued

**Roughing It:** No relevant text appears.

**Letter:** “So we set out for the only house on this side of the Lake--three miles from there, down the shore. We found the way without any trouble, reached there before sundown, played three games of cribbage, borrowed a dug-out and pulled back six miles to the upper camp.”

**Interpretation:** Both men continued travel on foot for another three miles, found an empty cabin, played card games, and paddled a dugout canoe six miles back to the food and supplies cache site that Clemens characterized as “upper camp.”

## Day 2, Continued

**Roughing It:** No relevant text appears.

**Letter:** “After supper we got out our pipes--built a rousing camp fire in the open air--established a faro bank (an institution of this country,) on our huge flat granite dining table, and bet white beans till one o'clock, when John went to bed.”

**Interpretation:** Back at the cache site (upper camp), both men dined, played a card game on a flat granite rock and slept overnight.

In the above analysis, the two men follow a logical sequence: Go to sleep at the first night’s campsite (“upper camp”), awake and travel to the second campsite (“lower camp” and timber claim location) the next day. They return the same day to the first night’s campsite (“lower camp”) where they dine and play Faro on a flat granite rock. This establishes the flat granite rock at the first night’s campsite (“upper camp”), not the second campsite (“lower camp” and timber claim camp) and contrary to what the essay suggests.

In developing the logical analysis of campsite sequence, the reasoning adheres to the principle that the simplest most straightforward interpretation is most likely the accurate impression in the absence of any further defining information. Another way to say this is, "don't multiply the agents in a theory beyond what's necessary," often referred to as Occam's Razor (Wheeler L. K., 2015).

In contrast to the above analysis, the essay's scenario unfolds with the two men going to sleep at the first night's camp but inexplicably waking the following morning at the second night's camp. Figure 2 illustrates the contradiction in the essay about sequence of campsites and location of the flat granite rock.

The mislocated flat granite rock assertion appears again in the first three full paragraphs on page iv, page 1.

Logical fallacies: False premise (factual error), least plausible hypothesis, magical thinking

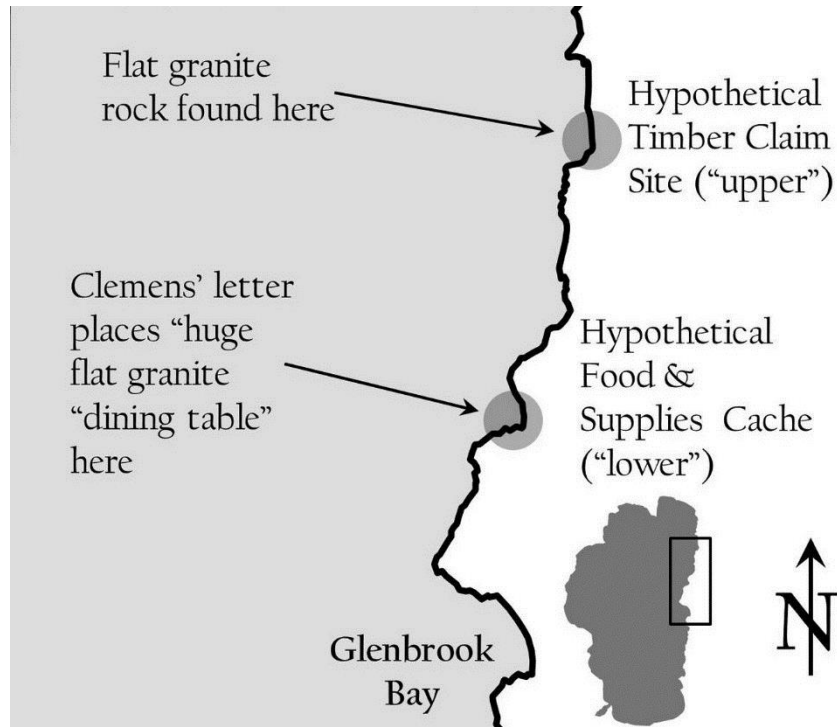


Figure 2. Clemens' letter places the flat granite rock at the same location as the first night's campsite, not at the timber claim as hypothesized in the essay.

## 5. Clemens Timber Claim Geographically Mislocated

On page i, lines 8-9, the essay asserts Clemens wrote that his claim adjoined the claim of his friends at the boarding house, presumably the Irish Brigade. There is no information in either the Clemens letters or *Roughing It* that locates the claim next to the assumed boarding house residents' claim. At best, Twain geographically locates the claim generally in *Roughing It*, "We were on the north shore (,)" not the East Shore of Lake Tahoe, as the essay would have us believe (Twain, *Roughing It*, The Authoritative Text, 1993). The essay neither presents the specific text, nor even gives a specific reference in support of this assertion because no such information exists. Figure 3 shows how the geographical identity applies to Lake Tahoe based on its shape of two well-defined linear and parallel shorelines (West and East Shores) and curved shorelines at either end (North and South Shores)

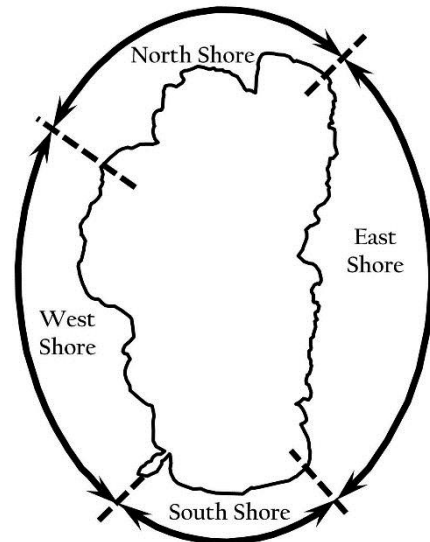


Figure 3. Natural reference for the common geographical regions of Lake Tahoe.

Logical fallacy: False premise (factual error), argument from ignorance

## 6. Irish Brigade Conflated with Partners in James Nye & Co.

The essay conflates (page ii, line 7-8) the entire Irish Brigade with "[t]hree or four members of the Brigade" involved in a separate partnership agreement among Governor James Nye and others involving a timber claim on the East Shore of Lake Tahoe. This essay argues that the Brigade's claim mentioned by Twain in *Roughing It* is one, and the same as the claim covered by the partnership. It does this solely on speculation and without a cited rationale or quoted reference. The reasoning follows this fact pattern and over-reaching conclusion,

1. Mark Twain said 3-4 members of the Irish Brigade owned a timber claim at Lake Tahoe.
2. Some brigade members' names are on a timber claim.
3. Therefore, Mark Twain said this timber claim is the only Irish Brigade's claim at Lake Tahoe.

This type of faulty reasoning is a deductive fallacy. An analogous line of this defective reasoning would be,

1. Mark Twain said some black dogs live in Iowa.
2. Some black dogs are in Iowa.
3. Therefore, Mark Twain said these are the only black dogs in Iowa.

In his autobiography, Mark Twain tells us the members of the “governor’s menagerie” accompanied Territorial Governor James Nye to the territory (Twain, *Autobiography of Mark Twain*, Volume 2, 2013). Yet the names listed on the timber claim agreement include men already established in the region well before the arrival of the governor and his entourage. In an endnote to the autobiography, the editors identify the “governor’s menagerie” as the “Irish Brigade” mentioned in *Roughing It* (Twain, *Autobiography of Mark Twain*, Volume 2, 2013).

In *Mark Twain in Nevada*, the author lists the actual names of those in the Irish Brigade (Mack, 1947) and it differs significantly from the listed names on the East Shore claim partnership agreement. In *Sage Brush Falstaff: A Biographical Sketch of James Warren Nye*, the author concludes that the Irish Brigade was the “sundry office-seeking freeloaders” arriving aboard the ship *Ariel* with the territorial governor (Samon, 1979).

At best, what we see is a few members of the Irish Brigade were involved in a partnership with the territorial governor and some locals for a timber claim. This is far from declaring or proving this timber claim the same as the same location of the cache of food and supplies that Twain wrote about in *Roughing It*. This is especially troubling since Twain’s descriptions of his surroundings near the cache site do not fit the characteristics of the site of the territorial governor’s partnership claim on the East Shore of Lake Tahoe (see Introduction and Section 19).

Logical fallacies: Paralogism (faulty deductive reasoning), false premise (factual error), argument from ignorance

## 7. Cache Site and Sawmill Location Mislocated

On page iv, second paragraph, the essay asserts that the cache site, characterized in the essay as the Brigade timber claim site, was only two miles from a sawmill. In *Roughing It*, the sawmill was a misremembered detail added at three miles distance, not two (Twain, *Roughing It*, The Authoritative Text, 1993). In the letter to his mother 9-10 years earlier, Clemens cited the need to convince a sawmill owner by the name of Mr. Jones to relocate his mill to Lake Tahoe. Why would Clemens state the need for a sawmill if one already existed nearby? The way a mill owner procured timber at Lake Tahoe was for the mill owner to buy existing claims and remove the timber there (Murphy, 2000) and Clemens could have sold his timberland to that mill, if it actually existed. The purchase of land owned by others was necessary because law restricted the amount of public land that any one person could preempt (claim) from available government lands (Act of May 20, 1862, Public Law 37-64, 1862).

The essay would have us accept that the sawmill at Glenbrook was the “sawmill and workmen” that Twain mentioned. Twain’s description implies it was a working sawmill by referring to “workmen” there (Twain, *Roughing It*, The Authoritative Text, 1993). Yet, this was a water-powered mill reliant on active surface flow in Glenbrook Creek. Recent historical flow records from Glenbrook Creek show that the creek was unusable by mid-May and dry by late July





resulting in insufficient flow to power the sawmill (United States Geological Survey, 2015; Volunteers in Technical Assistance, 1980).

The contradictory information and uncertainties make it impossible to use Twain's mention of a sawmill in *Roughing It* as a defining factor in establishing Clemens' specific location. More likely, the mention is a fragment of an unrelated memory that Clemens incorrectly recalled along with other misremembered or fictional aspects in the *Roughing It* book (Rasmussen, 2008).

The second to last paragraph on page 23 repeats this unproven assertion that the sawmill mentioned in *Roughing It* was three miles away from the first night's campsite.

Logical fallacy: Hypothesis contrary to fact

## 8. Route to Lake Tahoe Does Not Fit the Written Description

The last four paragraphs on page v present a hypothetical rationale and route to Lake Tahoe that Clemens could have followed. It is from this hypothetical route that the essay attempts to connect selected narrative in *Roughing It* and the relevant letters. It is critical to the essay that it hypothesizes an alternative route since adhering to the *Roughing It* version would negate the balance of the conjecture that follows.

Because they knew each other briefly, speculation fuels the statement in the essay that land surveyor Wagner probably told Clemens how to get to Lake Tahoe and therefore, take a longer, more grueling route. There is no evidence of any kind that Wagner gave any directions to Clemens. Twain only relates ambiguously that they were "told" the distance was 11 miles. While this seems to confirm that some unidentified person gave Clemens a distance for travel, the route that the essay proposes is actually closer to 15 miles. The essay omits this critical fact. If Wagner was the source, why would a man whose livelihood depended on accurate measurements of distance gives erroneous mileage for a route with which he was ostensibly familiar? Further, this route has no opportunity to view the lake from a high elevation as Twain recalled (Twain, *Roughing It*, The Authoritative Text, 1993).

This whole assertion is particularly troubling when one considers that there is a route of 11.7 miles meeting Twain's description. The route that would take him by the shortest travel distance from Carson City to Lake Tahoe by way of Ash Canyon and the Washoe Trail (see Figure 5). This route is consistent with the *Roughing It* version, as it places him in a location consistent with his specific and geographically unique descriptions of his environmental surroundings that follow in the book.

We must reject the 15-mile Johnson's Cutoff route in the essay and therefore, the hypothetical sequence of locations that follow. Twain's descriptions in *Roughing It* include submerged boulder colors and sizes, distance to the blue water line, topographical differences, species-specific tree diameters, high-elevation view of the lake, and North Shore location, among other

defining locale characteristics. These fully contradict the assertion that Clemens followed a route that brought him out on the East Shore at Glenbrook. None of these environmental characteristics occurs on the East Shore between Glenbrook and the James Nye and Co. claim location that is central to the geographical assumptions of the essay.

In the first paragraph on page 2, the essay repeats the speculative and unproven scenario of Wagner giving specific directions to Clemens.

Logical fallacies: Questionable cause, suppressing evidence, affirming the consequent

### **9. House Visited by Clemens is Mislocated**

In the third through fifth full paragraphs on page vi, the essay geographically mislocates the house that Clemens visited and speculates on the status of occupancy. The reader should refer to Sections 4 and 5 for the analyses on the incorrect location of the claim and therefore, the “house” on the East Shore. The term “house” describes its use and not its construction; it was a log cabin (Lekisch, 2003). The essay attempts to argue that no mention of occupants in the house does not preclude the possibility of occupants being present. Historical accounts from that same era confirm the occupancy of the subject house at the site of the busy Glenbrook over-water receiving station. (Lekisch, 2003) This documentation places house occupancy at just six weeks before Clemens’ appearance at the lake.

In developing any hypothesis, one should adopt the simplest interpretation of the available information, as it is likely the most accurate (Wheeler L. K., 2015). In this case, the simplest interpretation of the absence of any mention of house occupants in Clemens’ letter is that the house was unoccupied and thus ruling out its eligibility as the house mentioned in Clemens’ letter.

Consider that Clemens letters from that era mentioned other persons he encountered in the territory, and he was a keen observer and commentator on human nature (Branch, Frank, & Sanderson, 1988; Twain, *Roughing It, The Authoritative Text*, 1993). Add to this that it is unlikely that Clemens would have omitted mention of occupants who refused him and his companion the food they had hoped to find. This refusal would have been a deep transgression of traditional Western hospitality and behavior by the hosts exactly opposite of that documented on two visits by an earlier visitor (Lekisch, 2003). Certainly, Clemens would have mentioned this negative event in his letter or in *Roughing It*, a book inhabited by interesting characters behaving in unusual and sometimes comical ways (Twain, *Roughing It, The Authoritative Text*, 1993).

The writer of the essay suggests that Clemens’ failure to use scare-quotes (to connote a meaning other than expected) around the word “borrow” in a letter about the visit to the house has some special significance. He contends that Clemens’ failure to use scare-quotes

about an otherwise obvious unauthorized appropriation of a dugout canoe meant that he truly borrowed the craft. The strained logic is that if he truly borrowed the canoe, then there must have been an owner there who could grant permission to borrow the craft. There is a significant factual flaw here. According to the online Oxford Dictionary, (Oxford University Press, 2013) the first use of scare-quotes to connote a meaning other than expected did not occur until 1956, while Twain wrote *Roughing It* in the 19<sup>th</sup> century.

The discussion in paragraphs two and three on page 23 repeat the errors in logic addressed above. Here again, the essay relies on its erroneous assumption that the timber claim trips only occurred on the East Shore of Lake Tahoe and the circular logic that if they started there, they therefore, were aware of the house.

Logical fallacies: Argument from ignorance, least plausible hypothesis, suppression of evidence, hypothesis contrary to fact, circular reasoning

#### **10. Franktown Creek Misidentified as Ophir Creek**

The first paragraph on page 14 confuses the identity of two creeks draining the eastern slope of the Carson Range and the North Tahoe Volcanic Edifice, a string of extinct volcanoes that link the Sierra Nevada and Carson Ranges. The effect of this geographical error is to influence the reader away from believing that Clemens used the 11.7 -mile Ash Canyon to Washoe Trail route that delivered him to the North Shore of Lake Tahoe. The Washoe Trail connected the Washoe Valley in the Nevada Territory with the Gold Rush town of Auburn in the Mother Lode region of California. The route followed Franktown Creek, not Ophir Creek, upstream from the Washoe Valley and over a low pass leading to the North Shore of Lake Tahoe, where it trended west through valleys and river gorges to the western slope of the Sierra Nevada. (Thompson & West, 1882; Stangroom, 1860; Young, 1856).

No historical records exist that mention any east to west “well-used trail” following the alignment of Ophir Creek to the Truckee route, as the essay seems to assert.

Logical fallacies: Red herring, false premise (factual error)

#### **11. Huge Granite Boulder is Not Independent Proof**

The last paragraph on page 22 suggests that a flat granite boulder found at the site of the mid-20<sup>th</sup> century eroded beach was the same flat rock “dining table” that Clemens wrote about in a letter. Granite is composed of tightly packed crystals that fracture along straight joints that form flat surfaces when exposed. (Pinder, 2006) Rocks with one or more flat surfaces are a common site along the Lake Tahoe shoreline where granitic geology occurs. As such, no flat granite rock is of itself conclusive as to a specific location of Clemens’ campsite. Figure 4 shows



*Figure 4. Example of a flat surface granite rock specimen at Clemens' "upper camp" site on the sandy beach at Stateline Point (Antonucci, Fairest Picture -- Mark Twain at Lake Tahoe, 2011-2014)*

a flat surface granite specimen found at Clemens' "upper camp" located on Stateline Point on the North Shore of Lake Tahoe (Antonucci, Fairest Picture -- Mark Twain at Lake Tahoe, 2011-2014).

Aside from the lack of geographic uniqueness for the rock, Sections 2 and 3 above, explain how the essay places it in an inaccurate geographical location and in an illogical

sequence of campsites.

Logical fallacies: Hypothesis contrary to fact, hasty generalization

## **12. Reference to Jones Sawmill Does Not Imply a Specific Travel Route**

The first paragraph on page 29 states that Clemens' mere mention of the Jones sawmill in a letter proves he must have passed by it. When one reads the passage in the letter, there is no indication of any kind that Clemens was talking about a sawmill he had seen on the way to Lake Tahoe or even seen under other circumstances. The face value meaning of the phrase is that Clemens was simply aware of the existence of the sawmill and its owner, knowledge he could have acquired in a number of ways other than an in-person observation or from a previous visit to the mill. Here again, the writer has superimposed a more complex and thus, favorable interpretation onto a relatively vague phrase.

Logical Fallacies: Argument from ignorance, least plausible hypothesis

## **13. Misrepresentation of Bancroft Map Relevance to Mileage Discrepancy**

The latter half of the second to last paragraph on p. 39 attempts to explain away the significant discrepancy in the mileage to Lake Tahoe using the Johnson Cutoff route (14.5 miles) compared to the mileage (11 miles) cited by Twain (Twain, *Roughing It*, The Authoritative Text, 1993). This

argument puts forward that Twain was “told” the erroneous mileage (11 miles) because of inaccuracies in measuring overland distance using such techniques as counting revolutions of a wheel of known circumference. The only information offered to support this generalized proclamation is the narrow example of Bancroft’s 1862 Map of the Washoe Silver Region (H.H. Bancroft & Co., 1862) which states the mileage between Carson City and Lake Tahoe along the Walton Road is 14 miles, which the essay implies is highly inaccurate. However, the actual mileage measured on the 1861-65 Public Land Survey plat that traces the Walton Road calculates the actual mileage as 14.5 miles (General Land Office, 1861-1927). Bancroft’s map is quite accurate in this regard and thus, contradicts the assertion in the essay that knowledge of mileage over well-traveled routes was highly inaccurate. This negates the argument in the essay that the excess and contradicting mileage are irrelevant, and therefore, would not preclude the likelihood that Clemens followed a route significantly longer than 11 miles.

Logical fallacies: Hypothesis contrary to fact; hasty generalization, exception that proves the rule

#### **14. Misrepresentation of Pray’s Sawmill in Operation in September 1861**

The title to the sidebar at the bottom of page 39 attempts to take advantage of probable misremembered or exaggerated narrative in *Roughing It* wherein Twain noted, “Three miles away was a saw-mill and some workmen...” (Twain, *Roughing It*, The Authoritative Text, 1993). The use of the word “workmen” strongly implies a fully functioning mill in production. However, his October 25 letter to his sister mentions the need to have a sawmill relocated to Tahoe to service the timber claim (Branch, Frank, & Sanderson, 1988), suggesting he was not aware of any nearby sawmill at the time of writing.

In an attempt to make the sawmill mentioned in *Roughing It* seem credible; the essay attempts and fails to prove that the Pray sawmill at Glenbrook was in operation in September 1861. This is done by drawing from the quoted content in the sidebar as though it proved the Pray sawmill was in active operation by confirming the “workmen” aspect of the statement in *Roughing It*. However, the content in the sidebar does not actually address the issue of whether the sawmill was in active production in September 1861. What the sidebar does say is that the Pray sawmill relied on waterpower in 1861, obviously from Glenbrook Creek, the only watercourse in the area. Recent historical flow records from Glenbrook Creek show that the creek was unusable by mid-May and dry by late July resulting in insufficient flow to power the sawmill (United States Geological Survey, 2015; Volunteers in Technical Assistance, 1980). The content in the sidebar states that Pray converted to more reliable steam power three years later, presumably because of inadequate flow in Glenbrook Creek.

Logical fallacy: Hypothesis contrary to fact, argument by use of spin

## 15. Misrepresentation of Ash Canyon to Washoe Trail Route as Infeasible

Statements in the essay found in the last paragraph of text on page 44 and the first paragraph of text on page 45 assert that Clemens could not have used the Ash Canyon to Washoe Trail route to Lake Tahoe. The essay makes two claims: A news report of a Carson City resident's experience of getting lost and the absence of a mapped road in Ash Canyon would have discouraged and prevented Clemens from using this route.

As far as the story of the lost resident, Clemens makes no recorded note of this, and its influence is only speculative. As a new arrival in the territory, we must conclude Clemens had no specific knowledge of the terrain and relied on directions given to him that included the 11-mile distance. As an experienced riverboat pilot (Twain, *Life on the Mississippi*, 1906), he was very familiar with navigation and the importance of closely following directions for an unfamiliar route. Way finding would have been simple. He needs only to follow a well-defined drainage from Carson City, cross over its watershed divide, and follow and ford a small stream. Here, he encounters an existing and well-used trail and follows it westward leading only to Lake Tahoe. In addition, logging and mining workers populated the Ash Canyon and Washoe Trail areas (Wilson, 1992) and could provide additional directions and aid. Twain cites an encounter with such a group of Asian workers, probably loggers or wood scavengers (Chung, 2003), between the first and second high points on the route (Twain, *Roughing It, The Authoritative Text*, 1993).

In *Roughing It*, Twain neither names, nor describes the type of path he followed. He only gives us the distance and a description of the topography and scenery (Twain, *Roughing It, The Authoritative Text*, 1993). This leaves us with the two controlling constraints for the route: It was passable in less than one day by two men on foot and Twain's perceptive observations along the way.

The Ash Canyon to Washoe Trail route is the only route with the unique characteristics that meet every aspect of Twain's description (Twain, *Roughing It, The Authoritative Text*, 1993).

- The route is 11.7 miles long; Twain cites 11 miles.
- Preceded by relatively flat ground west of Carson City, as Twain recalls.
- Two rigorous climbs and descents with a valley between, as Twain writes.
- Inability to view Lake Tahoe from either of the route high points, as Twain recounts.
- Unexpected and high elevation view of the lake exhibiting a surface reflection near the end of the trip, as Twain so vividly remembers.

The Johnson's Cutoff route cited in the essay at 15 miles length does not meet the distance criteria, nor does it provide a high elevation view of Lake Tahoe from any point because of topography and the dense canopy of the aboriginal forest (Murphy, 2000).

The topography of the Ash Canyon to Washoe Trail route did not contain insurmountable barriers to foot travel such as steep cliffs or fording hazards such as a deep fast running watercourse or swamp (National Geographic Holdings, 2009; General Land Office, 1861-1927).

The density of virgin vegetation cover on arid hillsides in the Great Basin was low and well-spaced because of ecological requirements, principally competition for scarce moisture (Mozingo, 1987). Twain highlighted this ecological principle when he stated in a lecture, "... the sage brushes stand from three to six feet apart." (Fatout, 1976). The trees were well spaced with little understory (National Park Service, 2001). These vegetation cover conditions allowed for easy passage by humans on foot.

The proof of the ability to traverse the route lies in the oral and archeological history of the Washoe Tribe. Tribal members created pathways as they followed migratory deer herds on game trails through the canyon. Artifacts of their occupancy attest to the presence of Washoe in Ash Canyon before intrusion by Euro-Americans (Nixon, 2015). Furthermore, General Land Office surveyors were able to penetrate the area on foot in 1861 and thereafter to lay out ground controls for future land surveys (General Land Office, 1861-1927).

In 1861, there were two sawmills and a mine operating in Ash Canyon (Thompson & West, 1881). Bancroft's map (H.H. Bancroft & Co., 1862) shows the Ash sawmill about 2½ miles upstream from Carson City on Ash Creek. The logging method in the 1860s was to fell the tree and limb it by hand. Teams of draught animals would drag the log on a skid trail to a temporary haul road. Here, the team would continue along the road to the mill or the log would be loaded onto a wagon or suspended from a set of "high wells" for transport to the mill (Wilson, 1992). As logs were extremely heavy, the cutting took place in the watershed above the mill to take advantage of a gravity assist in transporting the heavy log to the lower elevation mill. Animal drawn wagons hauled the finished product to the point of sale (Wilson, 1992). The temporary skid trails and haul roads would have provided easy passage for two men on foot for all or a major part of the trip.

In assessing the accessibility of Ash Canyon in 1861, the essay ignores the abundant and relevant industrial and cultural history of Ash Canyon.

Logical fallacies: Questionable cause, hypothesis contrary to fact, suppressing evidence, argument from undoability

## **16. Repeated Rejection of Sam Clemens Cove Naming Proposal**

On September 14, 2010, the Nevada Board on Geographical Names voted to name a random inlet on the East Shore after Sam Clemens. Their flawed reasoning was that Mark Twain was in the general region around Lake Tahoe anyway, and the board was not interested in settling a historical dispute over the location of his campsites. However, in their application they



continued to assert this was the location of the Clemens' campsite and timber claim (Stewart, Domestic Geographic Name Report, 2010).

In the aftermath of the naming action, news stories and photographs inaccurately identified the inlet as the actual site of Clemens' timber claim and wildfire and cited the board's action as a reference. Consequently, the local myth of Mark Twain's East Shore timber claim found renewed life through repetition in mainstream media. However, on May 12, 2011, the United States Board on Geographical Names rejected the proposed naming for two reasons: United States Forest Service opposition to the naming and "reasonable doubt regarding the location of Samuel Clemens' campsite" (United States Board on Geographical Names, 2011).

The Nevada Board on Geographical Names initiated a second attempt to name the cove in December 2013 under the cover of the Nevada Statehood Sesquicentennial Celebration. This time the board tacitly acknowledged its inability to prove the accuracy of the location. They simply said they were naming the same cove after Clemens, but were not asserting that he actually camped there. Statements by the Nevada Board on Geographical Names representative and naming proponent laid bare this pretense as he asserted to the Associated Press this was the actual campsite (Griffith, 2013). To shield the proposal from factual dispute, the board suppressed public participation and expert opinion by limiting testimony the public to five minutes. (Nevada Board on Geographical Names, 2014). However, public opposition nonetheless caused the board to table the proposal indefinitely by a near unanimous vote. This came after vehement opposition by the Washoe Tribe of Native Americans, documentation of racist writings by Twain, and scientific evidence that the beach where Clemens allegedly camped did not exist until the mid-20th century (Antonucci, Clemens Cove Shoreline Analysis, 2014). Washoe Tribal members resented the naming because of unrepentant racist views toward Native Americans expressed by Mark Twain throughout his lifetime (Associated Press, 2014).

Logical fallacy: Composition fallacy, moving the goalposts

### **19. Descriptively Specific and Geographically Unique Information and Empirical Evidence Establishes Accurate Campsites and Timber Claim Locations (Partial List)**

The table below summarizes the important clues that provide a geographic fix for Sam Clemens' route, campsite and timber claim locations using available sources (Branch, Frank, & Sanderson, 1988; Twain, *Roughing It*, The Authoritative Text, 1993; Fatout, 1976; James, *California, Romantic and Beautiful*, 1914). Figure 5 shows the location of these clues using the corresponding Map Location ID in the table below.





Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
"...distance was eleven miles." "...ten miles from Carson City."	<i>Roughing It</i> , lectures	Distance estimated using unsophisticated overland measurement technique	Yes	1
"We tramped a long time on level ground..."	<i>Roughing It</i>	Refers to the gently sloping irrigated agricultural land west of Carson City (General Land Office, 1861-1927)		2
"...toiled laboriously up a mountain about a thousand miles high and looked over. No lake there."	<i>Roughing It</i>	Lake not visible from a high point on the route due to topography		3
"We descended on the other side, crossed the valley..."	<i>Roughing It</i>	Followed and crossed the narrow valley of Franktown Creek		4
"...toiled up another mountain three or four thousand miles high, apparently, and looked over again. No lake yet."	<i>Roughing It</i>	Lake not visible from a second high point on the route due to topography		5
"...at last the Lake burst upon us... It was a vast oval... shadows of the mountains brilliantly photographed upon its still surface..."	<i>Roughing It</i>	Initially obscured by the canopy of the old-growth forest and topography; an unobstructed high-elevation overview suddenly appears	Yes	6
"We found the small skiff belonging to the Brigade boys..."	<i>Roughing It</i>	Documents sandy shoreline conditions suitable for beaching of a boat (United States Reclamation Service, 1918)		7

Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
"...set out across a deep bend of the lake..."	<i>Roughing It</i>	Refers to the wide and deep bend of Crystal Bay that was rowed across	Yes	8
"...toward the landmarks that signified the locality of the camp."	<i>Roughing It</i>	Requires that landmarks (distinctive profile of Stateline Point) had to be visible from skiff launching site	Yes	9
"A three-mile pull brought us to the camp..."	<i>Roughing It</i>	Actual distance of 3.2 miles across Crystal Bay	Yes	10
'In a "cache" among the rocks we found the provisions and the cooking utensils...'	<i>Roughing It</i>	Large boulders with significant voids for storage from elements. The use of quotes around the term "cache" probably indicates use of a non-English word that printers could not italicize in the original typeface.		11
"Three miles away was a saw-mill and some workmen,"	<i>Roughing It</i> , letter	Considered to be misremembered or embellished information that contradicts a statement in an 1861 letter (Antonucci, Fairest Picture -- Mark Twain at Lake Tahoe, 2011-2014)		
"...spread our blankets in the warm sand between two large boulders..."	<i>Roughing It</i>	Beach verified here in 1861 (United States Reclamation Service, 1918)		12
"On the second day we started to go by land to the lower camp, a distance of three	Letter, <i>Roughing It</i>	Hiked above and generally parallel to the shoreline	Yes	13

Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
miles, over the mountains, each carrying an axe." "We liked the appearance of the place, and so we claimed some three hundred acres of it..."				
"...we wandered four hours over the steepest, rockiest and most dangerous piece of country in the world."	Letter	Describes the rough boulder-studded shoreline, dense riparian vegetation growing near the water's edge, and driftwood tree debris on the beaches characteristic of the natural condition of Lake Tahoe (Antonucci, Fairest Picture -- Mark Twain at Lake Tahoe, 2011-2014)		14
"...yellow pine timber land--a dense forest of trees a hundred feet high and from one to five feet through at the butt."	<i>Roughing It</i>	Yellow pines, lay person jargon for Jeffrey and ponderosa pines, in the old growth forest were up to 5 ft. in diameter (Murphy, 2000; Lindstrom & Wechter, 1996)	Yes	15
"So we set out for the only house on this side of the Lake--three miles from there, down the shore. We found the way without any trouble, reached there before sundown, played three games of	Letter	Refers to a squatter's small log cabin near the present-day community of Carnelian Bay. The earliest mapping of the area in 1865 shows a structure in this location; no earlier records have been located that would	?	16



Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
cribbage, borrowed a dug-out and pulled back six miles to the upper camp.”		indicate whether a cabin was there or not in 1861. (General Land Office, 1865-1929)		
“...built a rousing camp fire in the open air-established a faro bank (an institution of this country,) on our huge flat granite dining table,”	Letter	Describes the first night’s campsite on sandy beach verified to exist in 1861 and where large flat surface granite rocks are found today (United States Reclamation Service, 1918)	Yes	17
“...we slept in the sand close to the water's edge, between two protecting boulders...”	<i>Roughing It</i>	At the timber claim site; presence of 1861 sandy beach and nearby boulders verified (United States Reclamation Service, 1918)	Yes	18
“We were on the north shore.”	<i>Roughing It</i>	Uses the east-west tending shoreline on the north boundary of the lake as a unique geographical reference where no place or feature names yet existed. It is geographically distinct from the north-south tending linear shorelines of the east and west shorelines.	Yes	19
“The shore all along was indented with deep, curved bays and coves, bordered by narrow sand-beaches;	<i>Roughing It</i>	Describes the 1861 condition of the shoreline nearby and north of the found skiff location and along the	Yes	20

Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
and where the sand ended, the steep mountain-sides rose right up aloft into space--rose up like a vast wall a little out of the perpendicular, and thickly wooded with tall pines."		north shore (United States Reclamation Service, 1918; General Land Office, 1861-1927; Osborne, Edelman, Gaynor, & Waldron, 1985)		
"There, the rocks on the bottom are sometimes gray, sometimes white."	<i>Roughing It</i>	Describes the geographically unique north shore location where volcanic andesite (gray) makes contact with granite (white) above and below the water line (Saucedo, 2004)	Yes	21
"Often, as we lay on our faces, a granite boulder, as large as a village church, would start out of the bottom apparently,"	<i>Roughing It</i>	Specifies the geographically unique location where massive submerged boulders are found today off-shore of present-day Stateline Point (Antonucci, Fairest Picture -- Mark Twain at Lake Tahoe, 2011-2014)	Yes	22
"Sometimes we rowed out to the "blue water," a mile or two from shore."	<i>Roughing It</i>	Describes the unique 19 <sup>th</sup> century property of Lake Tahoe where the bottom is no longer visible and backscattered blue light predominates at about the 100 ft. depth bathymetric contour (Wheeler G. M., 1877;	Yes	23



Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
		Smith, Stone, Rowe, & Gardner, 1999)		
<p>“It went surging up adjacent ridges-- surmounted them and disappeared in the canons beyond--burst into view upon higher and farther ridges,”</p> <p>“Our blankets were on our usual sand-bed, however, and so we lay down and went to sleep.” “...we felt pretty safe as far as the fire was concerned, and then we turned in, with many misgivings. When we got up in the morning, we found that the fire had burned small pieces of drift wood within six feet of our boat,”</p>	<i>Roughing It</i> , letter	Documents a distant ridge visible from the sandy beach where the two slept and waited for the fire to burn itself out (National Geographic Holdings, 2009)	Yes	24
<p>“...and had made its way to within 4 or 5 steps of us on the South side.”</p>	Letter	Indicates a wildfire burning down slope (southward) back onto itself by following the direction of sinking cold and dense night air (Murphy, 2000)	Yes	25
<p>“You can hunt there a year and never find anything – except mountain sheep; but you can’t get near</p>	Lecture	Confirms the sighting of Sierra bighorn sheep; the area of Mt. Baldy is the only Sierra bighorn sheep habitat in the	Yes	26

Descriptively Specific and Geographically Unique Information				
Quoted Location Indication	Sources	Comment	Geographically Unique to North Shore Timber Claim Location	Map Location ID
enough to shoot one. You can see plenty of them with a spyglass. ...inhabiting the roughest mountain fastness, so exceedingly wild that it is impossible to get within rifle-shot of it.”		vicinity and can be seen with a telescope only from the North Shore (Barton, 2011)		
George Wharton James personally interviewed Twain about his time in the West and later wrote Twain was, “His [Twain’s] chief stopping-place was not far from what is now known as Carnelian Bay.” (James, California, Romantic and Beautiful, 1914; James, Letter to Mark Twain, 1906; James, Mark Twain: An Appreciation of His Pioneer Writings on Fasting and Health, 1919)	California, Romantic and Beautiful	In 1906, James interviewed Twain personally in New York about his years in the West, a subject James was researching for a book and lecture series. James subsequently published an article recounting his Twain interview and identified the location of Twain’s timber claim in a 1914 book. Carnelian Bay was the only nearby established community in 1914 (James, Lake of the Sky, 1915).	Yes	27



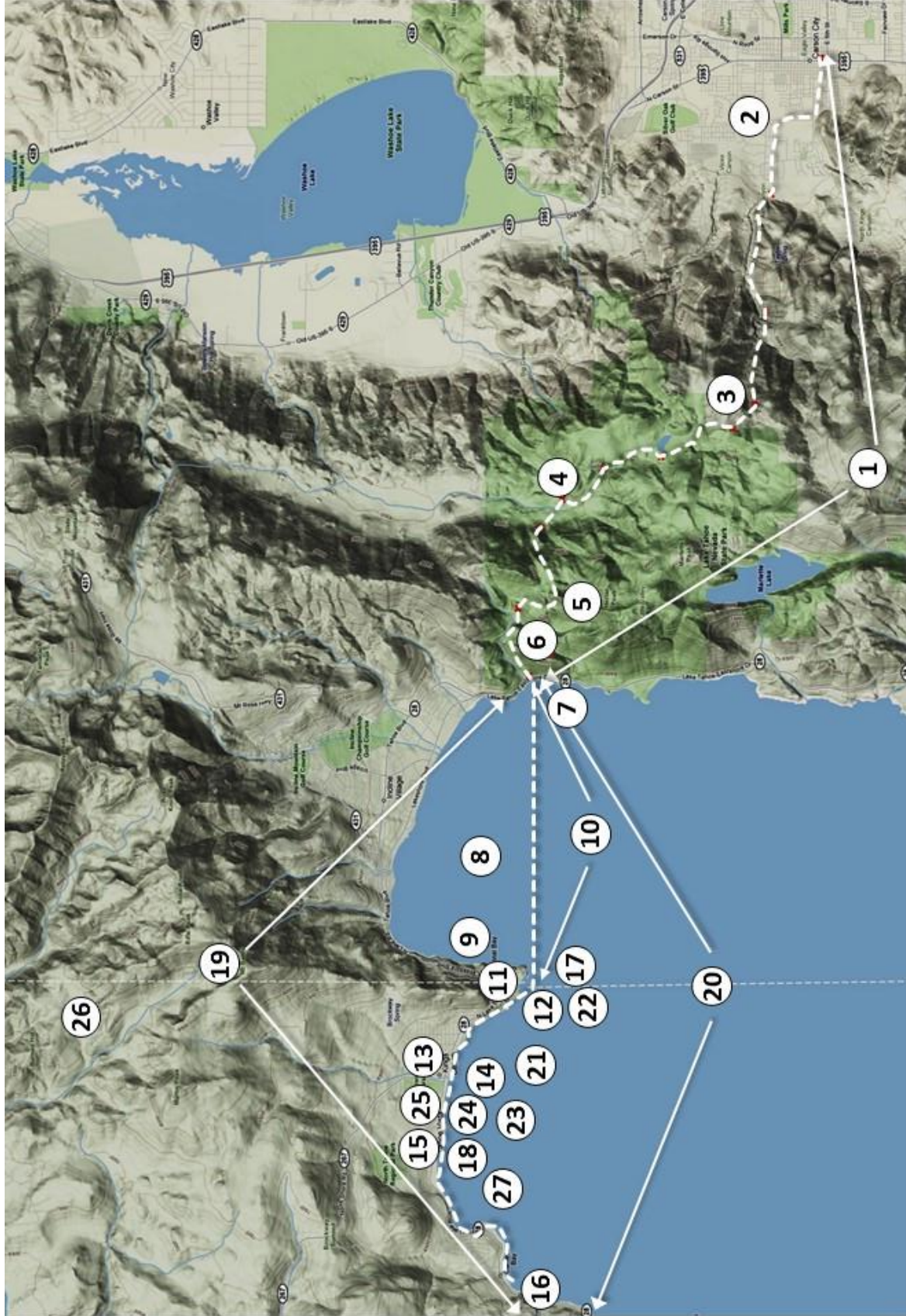


Figure 5. North Shore of Lake Tahoe location map





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