

Nevada Historical Society's "This was Nevada" series

Montello Robbery of 1883

By Phillip I. Earl

In connection with the upcoming 1985 Rendezvous of the National Association for Outlaw and Lawman History at John Ascuaga's Nugget from July 25 through July 27, we turn our attention to the dark side of the organization's research interest, outlaws.

This aspect of the American West has been so overemphasized in popular literature that it lacks academic credibility, but there were indeed real outlaws hereabouts once upon a time and there is still something which can be said about them.

Among those Westerners who took a fling at the wild side of life a century ago was a young Mormon lad by the name of Sylvester Henry Earl, nineteen years of age at the time he entered upon a term of penal servitude at the Nevada State Prison in March, 1883.

As the reader may have surmised by this time, there is a family connection here. Sylvester Earl was this writer's grandfather.

With at least four other men, one of whom was Ornis Nay, his brother-in-law, young Earl halted and attempted to rob an Overland Express train at Montello, Nevada, a small town 106 miles east of Elko, at 1:30 a.m., January 22, 1883.

The men did not figure on encountering Aaron Y. Ross, the



ANCESTOR OUTLAW--Sylvester Earl, the author's grandfather, about 1889, two years after he was released from the Nevada State Prison where he had been incarcerated for his part in the Montello Robbery of 1883.

NEVADA HISTORICAL SOCIETY PHOTOGRAPH

intrepid Wells Fargo messenger, however.

Ross refused to open the express car, firing from inside and seriously wounding Nay and Frank Hawley. Ross himself was also wounded when the would-be robbers tried to kill him by stationing themselves at the corners of the car and firing through the walls.

They finally gave up after an unsuccessful attempt to burn the sturdy piece of rolling stock and went through the passenger compartments, taking only \$10 from a conductor since the occupants were either fast asleep or pretended to be.

Word of the robbery reached Elko within the hour and Sheriff Henry Taber organized a posse later in the morning.

Following the arrival of railroad detective Samuel Deal, Central Pacific Railroad officials announced that a reward of \$500 would be paid for the arrest and conviction of each of the men involved.

Wells Fargo officials put up a like amount and the State of Nevada had a standing reward of \$250 each for train robbers.

Information on the direction taken by the robbers came the next day when some sheepherders reported that they were robbed by seven armed men at their camp twenty miles southeast of Montello.

Sheriff Taber surmised that the men were heading across the salt flats for Utah and set out with his men on January 24, facing a blizzard and below-zero temperatures all the way.

After arriving at Provo on January 26, they were joined by other company detectives and a group of Utah lawmen.

Proceeding on to the community of Deseret the next day, they apprehended Ornis Nay and Frank Hawley in the mountains to the north.

The captured men directed the posse to a cabin where Earl, Erastus Anderson and Frank Francis were taken without a fight.

The men waived extradition back to Nevada and were brought before an Elko County grand jury on February 10.

Two indictments were handed down, one for assault with intent to commit murder and a second for assault with intent to commit robbery.

At a trial held on March 1, all five pleaded guilty to the lesser charge.

Earl and Anderson, both nineteen, were sentenced to a term of twelve years at the Nevada State Prison and the others received fourteen apiece.

Earl and Anderson served four years and four months for their part in the robbery, being released in July, 1887.

Ornis Nay was paroled in July, 1891, and Francis and Hawley got out in January, 1893.

Aaron Ross, the expressman who stood off the robbers, recovered from his wounds, but was afflicted with a nervous disorder for the remainder of his life.

He gave up express work and became a company deliveryman in Ogden, Utah.

Retiring in 1916, he died in November, 1922.

Frank Francis later became the editor of the Ogden Standard and was elected Mayor of the city in 1919.

As to Frank Hawley, he later attained some prominence as a mine developer in the Rhyolite area and at Emigrant Springs in Death Valley.

Liquor got the best of him, however, and he was working as an ordinary miner at the time of his suicide at Round Mountain in June, 1910.

Ornis Nay had mining interests in the Tonopah area for many years and became a resident of Las Vegas about 1910.

He died in southern Utah in the early 1930's.

Sylvester Earl became a rancher and a farmer in Virgin, Utah, served as the Mormon bishop of the community for many years and raised a large family.

He was also a promoter of the oil fields in the vicinity and

edited a newspaper for a time, the Virgin Valley Enterprise.

According to an autobiographical account he wrote in the 1920's, he and Anderson were not involved in the robbery, but were arrested when one of the robbers told authorities that they were part of the gang.

At the time of their capture, however, the cabin was filled with loot from other robberies, stolen weapons and masks. The whole bunch were "railroaded" through the courts in Elko, he maintained, and did not get a fair chance before the bar of justice.

Family tradition has it that Ornis Nay, married to his older sister, had involved him in the robbery, but there was never any later bitterness between the two over the incident.

My grandfather died in 1945 at the age of eighty-two, never having told his own children of the wild days of his youth and his stretch at the Nevada State Prison.

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In a sermon titled, "The person who fears God will avoid all extremes," Pastor Joel Rivers will speak on how to handle the "extremes" of life this Sunday at 9:30 a.m.
He will be speaking in the Davis' Paradise Valley Chapel 6200 S. Eastern Avenue, 1 1/2 miles south of Tropicana Avenue.
All are invited to come and participate in this worship service.
Clarenda Busch of Phoenix will be on hand to sing and lead the singing.
Fred Autenrieth will be leading the prayer at the Lord's table and will be assisted in the service by Ron Gordon, Ron Gambelin, Bobby Tynes and Dr. Hiram Hunt.

Auditions for 'P.S. Your Cat is dead' Sunday, Monday
Las Vegas Little Theater will be conducting open auditions for "P.S. Your Cat is Dead" by James Kirkwood at the Allied Arts Council, 3207 1/2 Las Vegas Blvd. South behind the Santa Anita Racebook, Sunday, July 21 and Monday, July 22 at 7:30 p.m.
Ray Saenz will direct the two-act play with three men and one woman.
For additional information call 734-6971.

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