by Guy Rocha, former Nevada State Archivist

Visit Dayton's well-manicured cemetery overlooking the town and Carson River, and you will find the grave of James "Old Virginny" Finney. Legend has it that the mining town of Virginia City, at the head of Six-Mile Canyon, was named by the hard-drinking prospector who, it is said, discovered that portion of the Comstock Lode in June 1859.

The *Territorial Enterprise* saw it differently. "And the name 'Virginia' city is warranted only by this fact, that James Finney, or 'Old Virginny,' had worked the surface diggings at that place since 1853," argued the *Enterprise* of December 24, 1859. "He had sold out and gone to Gold Hill at the time the quartz was struck. So much for the 'bob-tailed horse'." Despite the newspaper's on-the-spot myth-busting, the apocryphal story that has Finney selling his interest in the Comstock Lode "for an old horse, a pair of blankets, and a bottle of whisky" still makes the rounds.

A whiskey bottle is also critical to the many tall-tale versions of Virginia City's naming. "[O]ne midnight Old Virginia, going home with the boys and a bottle of whiskey," wrote Charles Howard Shinn in *The Story of The Mine* (1896), "after an unusually protracted revel, fell down when he reached his cabin, broke the bottle, and rising to his knees, with the bottle-neck is his hand, hiccoughed, 'I baptize this ground Virginia Town!'" Ron James, in *The Roar And The Silence* (1998), pointed out the earliest source for the story is Dan DeQuille (William Wright) in his work

The Big Bonanza
(1876). "Whether this happened or not," James noted, "evidence clearly indicates that local miners decided in a meeting to name the community Virginia City."

So where did this colorful character come from? Some accounts, including that of Mormon Station founder John Reese in 1884, have Finney residing in what is now Nevada as early as 1850, placer mining and operating a trading post in Gold Canyon. Dan DeQuille claimed, "He came [to Gold Canyon in 1851] from the Kern River country, California, where he had a 'difficulty' with a man and, believing he had killed him, took a little walk over the Sierra Nevada Mountains, dropping the name of Fennimore and calling himself James Finney." Myron Angel's *History of Nevada*
(1881) presents another story: "When the Reese party reached western Utah [in June 1851], not over six miners were at work in Gold Canon; but some twelve of those accompanying him joined the six, among them were two of the teamsters, named Joseph Webb and James Fenimore, the latter known as 'Old Virginia'."

Myth, misspellings of his name, and misinformation in abundance surround Finney's obscure life. We may never know the truth about his early years and arrival to Gold Canyon. William Hickman Dolman met "Old Virginia" in Johntown, some four miles up Gold Canyon, in the winter of 1857-58. Dolman described Finney in his memoirs (ca. 1900) as a "frontier hunter, and miner, a man of more than ordinary ability in his class, a buffoon and practical joker; a hard drinker when he could get the liquor, and an indifferent worker at anything." What is known for sure is the colorful, Virginia native, age 43 in the U.S. Census for Gold Hill, Utah Territory, on August 22, 1860, died in 1861, and not 1865 as was once engraved on his gravestone.

Charles H. Lincoln, in a *San Francisco Call* article republished in the *Lyon County Times* of March 12, 1881, wrote from Santa Cruz, California:

I see some inquiries are being made as to the death and burial of "Old Virginny," in Dayton, Nevada. About the 26th of April, 1861, I went on horseback from Virginia City to Dayton. I went up to an old adobe hotel kept by a man named Tyler, at Dayton, to get dinner, and tied my horse outside. While at dinner "Old Virginny" untied my horse, got on him, and was thrown off before he had ridden over 100 yards. He died the next day from the injuries received by being thrown from the horse, and on the following day was buried on the hill to the west of Dayton, south of the road as it then ran. I could easily find it now.

Eliot Lord wrote in his work, *Comstock Mining and Miners* (1883), that Finney lost "his life, at length, June 20, 1861, by falling from his horse and fracturing his skull." Lord's source was the Territorial Enterprise for April 19, 1863, which reproduced a sketch published in 1861.

Grant H. Smith in his monograph, *The History of the Comstock Lode* (1943), also places Finney's death after being thrown from a horse, on June 20, 1861. Smith's evidence was a story from the *Territorial Enterprise* reprinted in the Sacramento Union on July 8, 1861.

Dan DeQuille stated that Finney died in Dayton in July 1861, "by being thrown from a bucking' mustang that he was trying to ride while a good deal under the influence of liquor." August Koneman, as executor of Finney's estate, had begun proceedings in the probate court of Carson County, Nevada Territory, by August 26, 1861 according to records in the State Archives.

Lincoln's letter was prompted by an effort to relocate Finney's body from its original burial site to the Dayton cemetery. The old acquaintance suggested raising $150 for the move. Lincoln also mentioned that if there was any question about the right body being relocated, "[t]his doubt could be easily removed by exhuming the body said to be 'Old Virginny's,' as he had iron gray hair, . . ." The other body relocated a few years before, and presumed to be the brother of former Nevada legislator William H. Claggett, had red hair Lincoln insisted.

In the end, James "Old Virginny" Finney, Virginia City's namesake and probably Nevada's oldest pioneer settler, has found a final resting place in the Dayton cemetery. A new gravestone reflecting the actual date of Finney's death was unveiled in 2001 befitting Finney's contribution to Nevada's mining history.

Vandals broke the gravestone and bent the supports some time during New Year's weekend 2009. Fortunately, the Comstock Cemetery Society came to the rescue and repaired the marker.

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