

The First Constitutional Convention in 1863 produced a document that was not ratified by the voters of Nevada Territory and in fact, was not authorized by the U.S. Congress. In February 1864 Senator James Rood Doolittle of Wisconsin introduced a Nevada statehood bill in the U.S. Senate that was passed by both houses and signed by President Abraham Lincoln on March 21, 1864. Instructions in the Enabling Act, reflective of the influences of the Civil War, specified that the new constitution be republican in nature and not repugnant to the Federal Constitution or the Declaration of Independence; that there be no slavery or involuntary servitude other than for punishment of crimes, without the consent of the U.S. and the people of Nevada; that the Constitutional Convention disclaim all rights to unappropriated federal lands in Nevada; and that there be no taxation of federal property by the state. The Enabling Act also stipulated that once the constitution was ratified by the people of Nevada and inspected by President Lincoln, the president could declare Nevada a state with no further action on the part of Congress.

Delegates for the second Constitutional Convention were elected in June 1864 and ranged in age from 26 to 64 years of age. Three were foreign-born, eleven were lawyers, thirty-three had come to Nevada from California, and all but one were registered as Unionists. The president of the convention was J. Neely Johnson, a former California governor and a future justice of the Nevada Supreme Court.

The delegates met on July 4 to draw up a constitution that was very similar to the one that had been turned down by voters in 1863. The two most significant changes regarded taxation of mines and mining claims and election of state officials. The 1863 Constitution provided for taxation of all mines and mining claims, whether producing or not, and supplied a list of candidates for state offices. The 1864 document specified that only the proceeds of mines and claims could be taxed and omitted listing candidates for state offices. With these issues modified, the proposed constitution passed and President Lincoln declared Nevada a state on October 31, 1864.*

The citizens of Nevada Territory approved the constitution but the president did not receive either of the two copies sent overland and by sea.

Nevada Territory: Second Constitutional Convention, 1864

Source: Thompson & West's *History of Nevada*, 1881, page 86.

CONSTITUTIONAL CONVENTION THAT WAS ELECTED JUNE 6TH, AND ASSEMBLED JULY 4, 1864.
AT CARSON CITY.

NAME	Roll Number	County	Profession	Age	State in Life	Place of Nativity	Whence to Pacific Coast	What Year	Whence to Nevada	What Year	Present Politics	Favored in 1860
Ball, Nathaniel A. H.	666	Storey	Banker	37	Single	New Hampshire	Massachusetts	1849	California	1862	Union	Douglas
Banks, James A.	161	Humboldt	Mining Sup't	36	Single	Pennsylvania	New York	1853	California	1863	Union	Lincoln
Balden, W. W.	116	Washoe	Lumber dealer	30	Married	Vermont	Wisconsin	1850	Wisconsin	1859	Union	Lincoln
Bradley, H. B.	108	Washoe	Mechanic	28	Single	Connecticut	New York	1850	California	1863	Union	Douglas
Brosnan, Cornelius	1224	Storey	Lawyer	49	Married	Ireland	Massachusetts	1850	California	1860	Union	Lincoln
Chapin, Samuel A.	1137	Storey	Miner	52	Married	Massachusetts	Massachusetts	1850	California	1860	Union	Lincoln
Collins, John A.	1129	Storey	Miner	50	Married	Vermont	Ohio	1849	California	1860	Union	Lincoln
Crawford, Israel	.....	Ormsby	Editor	42	Married	New York	New York	1852	California	1863	Union	Lincoln
Croaman, J. S.	157	Lyon	Miner	44	Married	New York	Michigan	1852	California	1863	Union	Lincoln
DeLong, Charles E.	1121	Storey	Lawyer	32	Married	New York	New York	1850	California	1863	Union	Douglas
Dunne, E. F.	160	Humboldt	Lawyer	28	Single	New York	Ohio	1859	California	1863	Union	Douglas
Earl, Josiah	689	Storey	Lumber dealer	42	Married	Ohio	Alabama	1849	California	1864	Union	Douglas
Fitch, Thomas	1208	Storey	Lawyer	29	Married	New York	Wisconsin	1860	California	1863	Union	Lincoln
Frizzell, Lloyd	1200	Storey	Attorney	40	Single	Ohio	Illinois	1852	California	1859	Union	Douglas
Folsom, Gilman N.	103	Washoe	Lumberman	35	Married	Maine	Maine	1856	California	1861	Union	Lincoln
Gibson, George L.	.....	Ormsby	Merchant	40	Married	Maine	Massachusetts	1849	California	1859	Union	Bell
Haines, J. W.	163	Douglas	Farmer	39	Married	Lower Canada	Ohio	1849	California	1859	Union	Bell
Hawley, Albert T.	90	Douglas	Lawyer	33	Single	Kentucky	Tennessee	1853	California	1861	Union	Breckinridge
Hovey, Almon	633	Storey	Merchant	45	Married	New York	New York	1849	California	1859	Union	Douglas
Hudson, George A.	184	Lyon	Mill owner	54	Single	Massachusetts	Pennsylvania	1849	California	1861	Union	Lincoln
Johnson, J. Neely	.....	Ormsby	Lawyer	38	Married	Indiana	Iowa	1849	California	1860	Union	Bell
Jones, William Henry	158	Humboldt	(did not attend)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kennedy, Francis H.	186	Lyon	Lawyer	25	Single	Pennsylvania	Pennsylvania	1857	California	1861	Union	Douglas
Kimrad, J. H.	.....	Ormsby	Merchant	37	Married	Pennsylvania	Missouri	1849	California	1860	Union	Bell
Lockwood, A. J.	.....	Ormsby	Mechanic	30	Single	New York	Ohio	1854	California	1860	Union	Douglas
Mason, R. S.	714	Esmeralda	Physician	47	Widower	New York	Illinois	1852	California	1860	Union	Douglas
McClinton, J. G.	318	Esmeralda	Editor	29	Single	Illinois	Illinois	1859	California	1861	Union	Lincoln
Morse, E. A.	338	Lander	(did not attend)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Murdoch, Nelson K.	36	Churchill	Millwright	64	Single	New York	New York	1850	California	1860	Union	Douglas
Nourse, George A.	104	Washoe	Lawyer	39	Married	Maine	Maine	1853	Minnesota	1858	Union	Lincoln
Parker, H. G.	186	Lyon	Mining Sup't	38	Married	Vermont	Vermont	1852	California	1864	Union	Douglas
Proctor, Francis M.	118	Nye	Lawyer	36	Married	Kentucky	Kentucky	1849	California	1858	Democrat	Bell
Sturtevant, James H.	102	Washoe	Farmer	36	Married	New York	New York	1850	California	1857	Union	Douglas
Tagliabue, Francis	133	Nye	Surveyor	31	Single	England	New York	1851	California	1859	Union	Lincoln
Tozer, Charles W.	1227	Storey	Mining & Milling	32	Single	New York	Michigan	1850	California	1860	Union	Breckinridge
Warwick, J. H.	321	Lander	Lawyer	38	Married	Connecticut	New York	1854	California	1863	Union	Lincoln
Wellington, D.	235	Esmeralda	(did not attend)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wetherill, William	221	Esmeralda	Mining	44	Single	Pennsylvania	New Jersey	1849	California	1861	Union	Bell
Williams, R. H.	330	Lander	(did not attend)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson, J. Neely, President	.....	Ormsby	Lawyer	38	Married	Indiana	Iowa	1849	California	1860	Union	Bell
Gilbespie, Wm. M., Secretary	.....	Storey	Clerk	36	Single	Albany, N. Y.	New York	1851	New York	1861	Union	Lincoln
Whitford, And'w. Ass't Sec'y	.....	Storey	Clerk	32	Single	Rhode Island	New York	1854	California	1863	Union	Breckinridge
Marsh, A. J., Official Reporter	.....	California	Reporter	38	Married	New York	New York	1860	California	1864	Union	Lincoln
Carson, T. M., Berg't-at-Arms	.....	Ormsby	Saloon keeper	38	Single	Massachusetts	Alabama	1848	California	1861	Union	Douglas
Skeene, Wm. E., Doorkeeper	.....	Ormsby	Laborer	36	Married	Indiana	Ohio	1850	Kansas	1862	Union	Breckinridge
Richards, George, Page	.....	Ormsby	.....	12	Single	California	.....	.....	California	1859	Union	.....