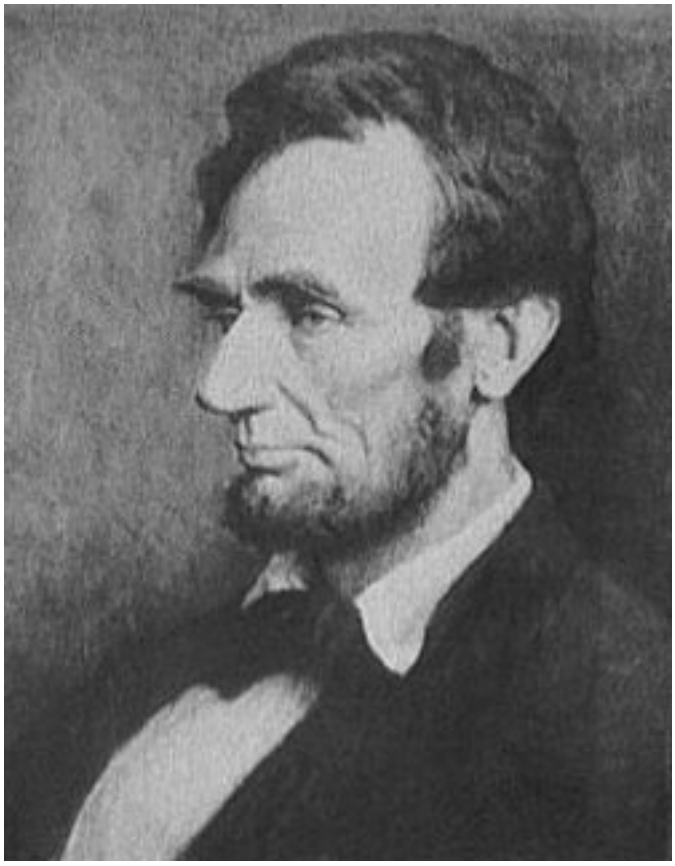
by Guy Rocha, former Nevada State Archivist



Who hasn't heard ad nauseam that our state was admitted to the Union on October 31, 1864 because its silver and gold production were needed to help finance the Civil War? Anyone who has attended Nevada's schools has heard the story from a teacher or read it in a textbook. It's a wonderful tale, but nothing could be farther from the truth. Our state's history has too often been embellished and transposed into myth, and the claim of Nevada's mineral wealth triggering statehood ranks as one of the most pervasive fictional stories in the annals of the Silver State. The reasons for Nevada's statehood were political, not economic. Earlier writers were so caught up in romanticizing Nevada's role in the Civil War they decided to re-invent history.

FACT: Nevada Territory was a federal territory, a part of the Union, and President Abraham Lincoln appointed Governor James Warren Nye, a former Police Commissioner in New York City, to ensure that it stayed that way. Governor Nye put down any demonstration in support of the Confederacy, and there were some. What federal taxes there were at the time that could be effectively collected went into Union coffers. Therefore, Nevada's creation as a TERRITORY on

March 2, 1861 by the United States Congress ensured that its mineral riches would help the Union and not the Confederate cause.

FACT: By the time Congress approved an Enabling Act for Nevada on March 21, 1864, the Civil War was winding down. The Union had won decisive victories at Gettysburg and Vicksburg, and President Lincoln had issued a Proclamation of Amnesty and Reconstruction. Lincoln sought reelection and faced a three-way race against General John C. Fremont, the radical Republican candidate, who had run for the presidency and lost to James Buchanan in 1856, and General George B. McClellan, a Democrat--he had earlier in the war relieved both generals of their commands. If the election went to the House of Representatives as it had in 1825 in a four-way race, Lincoln supporters including Representative James M. Ashley of Ohio, the author of the Nevada Enabling Act, believed Nevada's lone Congressman would support the incumbent president.

FACT: In addition, new states, and their popular and electoral vote, were needed to reelect Lincoln in support of his moderate, reconstruction policies for the South. The moderate Republicans believed that Confederate states were in need of reconstruction and many conditions would have to be met before a rebel state could rejoin the Union. Most important, if Nevada were a state, it could ratify the proposed 13th Amendment abolishing slavery and help in the passage of the landmark humanitarian legislation.

Fremont and the radical Republicans, however, wanted to harshly punish the South, conducting war crime trials and executing convicted Confederate political and military leaders. Questions were raised if these former Union states had forfeited their sovereignty by withdrawing from the United States.

McClellan and the Democrats, on the other hand, wanted to readmit Confederate states back into the Union with virtually no conditions.

FICTION: Nevada was singled out to help save the Union. Actually Enabling Acts for three territories, Colorado, Nebraska, and Nevada, were passed by Congress in March 1864. Nebraska's constitutional convention voted against statehood, while Colorado Territory's voters did not approve the proposed state constitution. Thus, Nevada Territory was the only territory to come to the support of President Lincoln. Ironically, after Nevadans voted overwhelmingly in support of the state constitution, General Fremont withdrew from the presidential race on September 21, and Nevada was no longer critical to a Lincoln win. President Lincoln proclaimed

Nevada a state on October 31, a week before the national election, and then went on to carry Nevada in a relatively easy win over General McClellan. Only two of Nevada's three presidential electors voted for Lincoln. A.S. Peck, found himself snowbound in Aurora and no law provided for a replacement because the first state legislature had not met yet.

FICTION: Despite the scenario depicted in an episode of the "Bonanza" TV series entitled "The War Comes to Washoe" (first aired November 4, 1962), the delegates at the constitutional convention held in Carson City in July 1864 debated over whether or not Nevada would remain a territory or become a state in the Union and not whether it would leave the Union and join the Confederacy as a state. This episode has shaped the thinking of many Americans and helped confuse an already confusing story of why Nevada became a state in the Union.

FACT: Nevada was actually the second "Battle Born" state because of its entrance into the Union during the Civil War. "Battle Born" West Virginia was admitted to the Union on June 20, 1863.

FICTION: While it is true that Nevadans gave the beleaguered president three Republican members of Congress to help rebuild the nation, ironically our two U.S. Senators James W. Nye and William M. Stewart arrived in Washington, D.C. too late to vote on the 13th Amendment. Congressman Henry G. Worthington did vote on the amendment, and it was ratified by Nevada on February 16, 1865, two months prior to Lincoln's assassination. Senator Stewart would prove to be a key player in the drafting of the 15th Amendment giving African-American males the right to vote.

Historians today recognize that the discovery of the Comstock Lode in 1859 was a critical factor influencing Nevada's territorial status. However, making the leap to statehood because wealth from Nevada's mines was desperately needed to save the Union during the Civil War keeps stubbornly recurring as perhaps our state's #1 legend.

The Exhibit Gallery of the Nevada State Library and Archives in Carson City, where the original State Constitution is displayed, has an informative video entitled "Battle Born" which creatively captures the reasons for granting Nevada statehood in 1864.

For an excellent, detailed account of Nevada's statehood efforts, see "Union Made" by

Professor Jerome Edwards in the October 1989 issue of *Nevada Magazine*.

Photo: Library of Congress

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