

The Supreme Court of the Territory of Nevada was created by the Act of Congress Organizing the Territory, section 9. This Act, signed by President James Buchanan, became effective March 2, 1861 (U.S. Statutes at Large, 1863 , v 12, pp. 209-214), and provided that the judicial power of the Territory was vested in a supreme court, district courts, probate courts, and justices of the peace. The supreme court consisted of a chief justice and two associate justices, any two of whom constituted a quorum. They were appointed by the President of the United States and held their offices for four years. They were directed to hold a term at the seat of government of the Territory annually. The Territory was divided into three judicial districts, and each justice held district court in his respective district at such time and place as prescribed by law. The supreme and district courts had the same jurisdiction as vested in U.S. civil and district courts in all cases arising under the constitution of laws of the United States, as well as the constitution or laws of Nevada Territory affecting persons or property.

On March 27, 1861, President Lincoln appointed three justices to the Territorial Supreme Court; on July 17, 1861, Territorial Governor Nye assigned each to a judicial district to serve also as a circuit court judge. The Territorial Supreme Court rendered 88 decisions, which were never formally reported. Former Chief Justice George Turner was commissioned by the legislature to have them published, but the bill was vetoed by Governor Blasdel; Turner took the majority of opinions with him when he left the state and they are considered lost.

### Justices of the Supreme Court, Nevada Territory

Biographical information is available in the Russ McDonald biographies for all Territorial Justices except Powhatan B. Locke. Information about Locke is available in the Russ McDonald Papers at the Nevada Historical Society.

#### **Name, Years in Office:**

- Mott, Gordon Newell, associate justice; 1861-1863. Resigned, August 11, 1863.
- Turner, George Enoch, chief justice; 1861-1864. Resigned, August 22, 1864.
- Jones, Horatio McClean; 1861-1863. Resigned July 30 or August 1, 1863.
- North, John Wesley; temporarily appointed to Mott's vacancy August 20, 1863. 1863-1864. Resigned August 22, 1864 .
- Locke, Powhatan B.; temporarily appointed to Jones' vacancy August 31, 1863; 1863-1864. Resigned August 22, 1864.

## Records of the Supreme Court of Nevada Territory

The records of the territorial Supreme Court are of two types: bound volumes labeled "Record and Judgments," which are, in effect, a minute book and its index; and original case files documenting actions and decisions of suits brought before the Supreme Court. The minute volume is arranged chronologically and begins with a list of attorneys authorized to practice law in the territory. Cases 1-29 heard before the court are summarized. This volume is indexed in a separate book. The case files, which are incomplete, contain documents submitted to the court and are arranged by case numbers ranging from #1 to #88. The case files have been microfilmed – the film is available in the Nevada State Library.

Item: TSUPCT-0001 to 0012    Dates: 1862-1864

Old #:

Type: Case Files

Remarks: Files of cases held before the territorial Supreme Court, numbered cases 1-88. Cases 87 and 88 were held over to the Nevada State Supreme Court.

Agency: Territory, Nevada

Division: Supreme Court

Item: TERR-0005                      Date: 1862

Old #:

Type: Volume

Remarks: Record and Judgments, Index to Volume A

Agency: Territory, Nevada

Division: Supreme Court

Item: TERR-0006                      Date: 1862

Old #: NT/V/A1/11

Type: Volume

Remarks: Record and Judgments, Volume A

Agency: Territory, Nevada

Division: Supreme Court

[Territorial Supreme Court Case files](#)