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It Took a War: The End of Slavery in West Virginia

A thesis submitted in partial fulfillment of the requirements for the degree of
Bachelor of Arts in History from the College of William and Mary

by

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Accepted for _____
(Honors, High Honors, Highest Honors)

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April 14, 2011

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Introduction

For many of Waitman Willey's constituents, the urgency was palpable. As frustration in the first year of the Civil War turned Northern opinion toward more drastic war measures, Virginians west of the Allegheny Mountains saw an opportunity to free themselves from a government in Richmond dominated by eastern slaveholders. In the spring of 1862, Willey, a 52-year-old Morgantown lawyer serving as U.S. Senator for the loyal "Restored Government of Virginia" based in Wheeling, received word of the enthusiasm in the northwestern part of the state. Henry Dering, Willey's frequent correspondent and confidante, also of Morgantown, gauged the public mood in a June letter to the Senator. "The people of this region consider the necessity of a new state as paramount to all other considerations whatever," Dering reported. "They are for speedy admission this session if possible."¹

Not only did Willey's circle of correspondents embrace statehood, but most also accepted and even celebrated a vision of a new state free of slavery. One Wheeling native shared his hopes: "Our mountains and vallies [sic], our cities and towns are full of gradual Emancipationists, and I hope to see the day that the new state will be a free state."² Another citizen, Daniel Lamb, struck a similar note, saying, "I am no emancipationist or abolitionist, but West Virginia is intended by nature for free territory and I wish her to be so."³ James C. Clark assured his senator that constituents would accept a gradual emancipation provision in the new

¹ Henry Dering to Waitman Willey, June 18, 1862, West Virginia and Regional History Collection, West Virginia University (hereafter WVRHC).

² Thomas Johnston to Willey, April 22, 1862, WVRHC.

³ Daniel Lamb to Willey, June 26, 1862, WVRHC.

state constitution, insisting that “the people will go to the emancipation clause with a rush.”⁴

Such expressions of consensus support for ending slavery mesh well with traditional accounts of West Virginia history, which see abolition as a nearly inevitable consequence of a half-century of gravitation toward free labor.

But other West Virginians hadn’t been eager to see slavery go. When the abolitionist Methodist minister Gordon Battelle proposed an amendment to a draft of the state constitution on December 14, 1861, the reaction he provoked left an impression on Granville Parker. “I discovered on that occasion,” Parker remembered 14 years later, “as I never had before, the mysterious and over-powering influence ‘the peculiar institution’ had on men otherwise sane and reliable. Why, when Mr. Battelle submitted his resolutions, a kind of tremor – a holy horror, was visible throughout the house!”⁵ No less vocal an advocate of separate statehood than John S. Carlile, who led the first moves toward statehood in the Clarksburg Resolutions of April 22, 1861, a full month before Virginia’s secession, effectively reversed his stance once gradual emancipation became statehood’s clear companion. Throughout the process, abolition meant political trouble.

As Willey, Battelle, and their colleagues debated issues as technical as the constitutionally correct path to statehood and as profound as slavery’s future, more than 18,000 men, women, and children became free people. Second Lieutenant Russell Hastings witnessed a modest piece of this phenomenon in the camp of his regiment, the 23rd Ohio Infantry, outside Fayetteville. Only three days after the West Virginia Constitutional Convention had risen up

⁴ James C. Clark to Willey, June 28, 1862, WVRHC.

⁵ Granville Parker, *The Formation of the State of West Virginia, and Other Incidents of the Late War* (Wellsburg, WV, 1875), 78.

against Gordon Battelle's modest proposal, Hastings reported simply, "the Sergeant says, 'five slaves left Camp Union for Ohio.' We began the freeing of slaves long before President Lincoln."⁶ Two weeks later, exactly one year before the Lincoln administration would carefully exclude West Virginia from the Emancipation Proclamation, Hastings' sergeant repeated the theme. "The only entry of the Sergeant is – 'Eleven contrabands came into camp and went on their way rejoicing towards Ohio and freedom.'"⁷

Why examine emancipation in the West Virginia? Even a passing familiarity with Virginia's antebellum regional divides seems to point away from the trans-Allegheny region as a promising area of inquiry into slavery's wartime demise. On the eve of war in 1860, the counties of soon-to-be West Virginia contained 18,371 black slaves, which represented less than one half of one percent of the nearly four million slaves nationwide.⁸ Based on a random sample of farms from the 1860 Census of Agriculture, Wilma Dunaway has concluded that only a minority of West Virginia's farms (20.5%) ever used any slave labor, a far cry from conditions elsewhere in the slaveholding South.⁹ One future West Virginia county, McDowell, earned the interesting

⁶ Russell Hastings, *The Civil War Memoirs of Russell Hastings*, December 17, 1861, Rutherford B. Hayes Presidential Center, <www.rbhayes.org/hayes/onlinetexts/> (14 February 2011).

⁷ *Ibid.*, January 1, 1862.

⁸ United States Census Bureau, *1860 Census of Housing and Population* (Washington: Government Printing Office: 1864).

⁹ Wilma Dunaway, *The First American Frontier: Transition to Capitalism in Southern Appalachia, 1700-1860* (Chapel Hill: The University of North Carolina Press, 1996), 89.

distinction of being the only county in the slaveholding South east of the Mississippi River without a single black inhabitant in 1860, slave or free.¹⁰

On the surface, West Virginia's unusual military and political experience might also understandably discourage scholars of emancipation from seeking out any broad insights from West Virginia. Union victories in the summer of 1861 secured Virginia's northwesternmost counties for its Unionist inhabitants, who set about navigating a constitutionally complicated path to statehood. As a predominantly Unionist region behind Union lines, West Virginia received different treatment than Confederate slaveholding regions. The argument widely advanced for emancipation, that freeing slaves could deprive the Confederacy of valuable manpower, gained less traction in an area that was, after all, not part of the Confederacy. Fearful of losing inhabitants' loyalties, a succession of military leaders insisted that their troops refrain from confiscating the property, including slaves, of loyal West Virginians, and unlike most of the South, West Virginia received an exemption from Abraham Lincoln's Emancipation Proclamation of January 1, 1863.

Not surprisingly, slavery's demise in this unusual corner of the South has largely escaped notice in major historical works on emancipation. With the exception of a single letter and a brief mention in an introduction, a work of no less monumental scope and importance than Ira Berlin's *Freedom: A Documentary History of Emancipation* entirely omits any mention of West Virginia's experience with emancipation.¹¹

¹⁰ United States Census Bureau, "Population of the United States in 1860," (Washington: Government Printing Office, 1864), 517.

¹¹ Martha Wells to Assistant Adjutant General T.W. Taggart, December 24, 1866, in Ira Berlin, ed., *Freedom: A Documentary History of Emancipation, 1861-1867, Series II: The Black*

This thesis will investigate the possibility that an exceptional case like West Virginia may shed light on the broader process of emancipation. Was West Virginia, as its apparent free labor leanings in the antebellum period might lead us to believe, socially and politically poised to abandon slavery at the first opportunity? If not, what led to the West Virginia legislature's February 3, 1865, decisions to ratify the 13th Amendment and formally abolish slavery? How important was the political process in actually ending slavery there? To what extent did West Virginia become a free state along the idiosyncratic lines that its wartime political history suggests? To what extent did emancipation there resemble emancipation elsewhere in the South?

The first historians to examine the West Virginia statehood movement often explained the movement, and its eventual embrace of abolition, through the lens of regional conflicts dividing eastern and western Virginia since the American Revolution.¹² According to these writers, western Virginia's antebellum development, which produced a region dominated by patriotic small farmers allied in interests with the free labor north and not particularly wedded to slavery, meant that West Virginia's move toward statehood after Virginia's secession almost necessarily involved abolition. In this view, Virginia's antebellum history appeared as a story of ever-escalating conflicts between east and west over representation, public funding for internal

Military Experience (New York: Cambridge University Press, 1982), 675-676; Ira Berlin, Steven F. Miller, Joseph P. Reidy, and Leslie Rowland, eds., *Freedom: A Documentary History of Emancipation, 1861-1867: Series I, Volume II: The Wartime Genesis of Free Labor: The Upper South* (New York: Cambridge University Press, 1993), 73.

¹² The following overview of the historiography of West Virginia statehood relies heavily on Richard O. Curry, *A House Divided: A Study of Statehood Politics and the Copperhead Movement in West Virginia* (Pittsburgh: University of Pittsburgh Press, 1964), 3-6.

improvements, and slavery. The contentious state constitutional conventions of 1830 and 1850, the General Assembly's debate over slavery after Nat Turner's 1831 rebellion, Henry Ruffner's controversial antislavery "Address to the People of West Virginia" in 1847, and legislative wrangling over the James River and Kanawha Canal and the Baltimore and Ohio Railroad form the most important acts in this drama, while statehood and abolition seem like mere formalities.¹³

Historians of West Virginia came to know this group as the "pro-Union" school. Their name reflected their partisan loyalties, and they sought, sometimes by their own admission, to justify and even glorify West Virginia's dubiously legal wartime origins. Even after the U.S. Supreme Court implicitly acknowledged that West Virginia's existence passed constitutional muster in its 1871 ruling in *Virginia v. West Virginia*, many observers agreed with ex-Virginia Governor Henry A. Wise, who characterized the 35th state as "the bastard child of a political rape."¹⁴ Unsurprisingly, West Virginia's early pro-Union chroniclers, several of them participants in the statehood movement themselves, made it their task to dispel impressions of constitutional chicanery by statehood leaders and lend an air of nobility to the loyal mountaineers. Granville D. Hall, a former secretary to Unionist Virginia Governor Francis H. Pierpont, provided a telling paean to the new state's past and future in his influential 1902 account, *The Rending of Virginia*:

¹³ The most concise summary of the "sectional conflict" identified by early historians of West Virginia appears in Chapter XII of Charles H. Ambler, *A History of West Virginia* (New York: Prentice Hall, 1933), 229-249.

¹⁴ Curry, 136.

If West Virginia shall be true to the high purposes of her founders – to the protection of her citizenship, to the preservation of public faith – she ought to be henceforth one of the most inviting fields in the world for capital and energy. She has had her great political reaction; has risen from the slough; has shaken off the Circean spell of slavery, and should henceforward advance along wiser and broader ways to an imperial destiny.¹⁵

A similarly celebratory tone pervades the Morgantown politician and later West Virginia Congressman John Marshall Hagans's *Brief Sketch of the Erection and Formation of the State of West Virginia from the Territory of Virginia*, originally published in 1866.¹⁶ A later West Virginia apologist, Union veteran Theodore F. Lang, made explicit the postwar tenor of debate when he described his aim: "to impartially record the facts, believing that sufficient time has passed since the events occurred for just criticism to take the place of partisan abuse."¹⁷

By the early twentieth century, historical inquiry on West Virginia had largely abandoned its polemical origins and assumed a more critical, detached tone. James Morton Callahan, the first professional historian to give West Virginia serious attention, added a measure of nuance to the pro-Union narrative, largely because his attempt to exhaustively document the

¹⁵ Granville Davisson Hall, *The Rending of Virginia: A History* (Chicago: Miller and Mayer, 1902), 621.

¹⁶ John Marshall Hagans, *Brief Sketch of the Erection and Formation of the State of West Virginia from the Territory of Virginia* (Charleston, WV: Butler Printing Company, 1891).

¹⁷ Theodore F. Lang, *Loyal West Virginia from 1861 to 1865* (Baltimore: The Deutsch Publishing Company, 1895), iv. Lang revealingly acknowledged Hagans and former Senator and statehood leader Waitman T. Willey for their guidance.

Mountain State's past in his 1923 *History of West Virginia* inevitably turned up evidence of slavery's establishment in the region and internal dissension during the Civil War.¹⁸ Charles H. Ambler, a student of both Callahan and Frederick Jackson Turner, authored the most influential works on West Virginia statehood, which largely upheld pro-Union interpretations. The title of Ambler's 1910 work, *Sectionalism in Virginia from 1776 to 1861*, reflected the importance he ascribed to the political and economic conflicts of that period to understanding the behavior of statehood leaders.¹⁹ Like Callahan, Ambler injected slavery into his history with greater nuance than his predecessors, and the influence *Sectionalism* and his 1933 *History of West Virginia* still have on West Virginia history reflects the thoroughness of Ambler's scholarship.²⁰ Nonetheless, Ambler's interpretation still follows a pro-Union trajectory, although West Virginians now appear as the individualistic frontiersmen of Turner's imagination, and their struggle with the east a conflict of economic interests compatible with Charles and Mary Beard's conception of a "Second American Revolution."²¹ Slavery plays a minor role.

¹⁸ James Morton Callahan, *History of West Virginia, Old and New* (Chicago: American Historical Society, 1923), Vol. 1.

¹⁹ Charles H. Ambler, *Sectionalism in Virginia from 1776 to 1861* (Chicago: University of Chicago Press, 1910).

²⁰ Barbara Rasmussen, "Charles Ambler's *Sectionalism in Virginia*: An Appreciation," *West Virginia History* 3, no. 1 (Spring 2009), 1-35.

²¹ In fact, Beard relied heavily on Ambler's *Sectionalism* for his description of economic divisions in Virginia society at the time of the Constitutional Convention in Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* (New York: Macmillan, 1913), 282-287.

The most recent major scholarly work to interpret Civil War West Virginia appeared in 1964. Richard O. Curry's *A House Divided: A Study of Statehood Politics and the Copperhead Movement in West Virginia* sought to complicate the dominant image of overwhelmingly Unionist and antislavery West Virginians breaking their bonds with both the Old Dominion and slavery with relative unanimity. Curry did not abandon the political focus of previous historians; if anything, *A House Divided* actually contained less social history than Ambler's 1933 *History of West Virginia*. He nonetheless described a much messier situation. According to Curry, pro-Union historians' choice of sources blinded them to a large minority of secessionists, as well as a significant number of conservative Unionists who opposed both secession and abolition. Because so much of the new state lay beyond the control of statehood leaders in Wheeling, Curry argued, this group spoke only for a minority of West Virginia's population, and the Democratic Party's 1870 takeover of the state government revealed the strength of the Conservative-Secessionist alliance.²²

This thesis aims to build on Curry's portrayal of slavery's wartime demise in West Virginia as a messy, non-inevitable process by addressing the question "How did slavery end in West Virginia?" on a somewhat broader front. Curry sought the answer to this question in its formal, legal sense, and the following chapters will both expand on his work in a similar political vein and suggest other avenues of inquiry that complicate his politics-based timeline of emancipation.

Chapter One will examine the state of slavery in West Virginia on the eve of war. Specifically, it aims to challenge the pro-Union view that West Virginia's antebellum development made it ripe for abolition at the outbreak of the Civil War. While the pro-Union

²² Curry, *A House Divided*, 9-12.

historians correctly characterize slavery as less important west of the mountains, and correctly identify points of conflict between east and west over slavery, they underestimate the influence the peculiar institution had in the nascent Mountain State. Though a tiny minority of the white population owned slaves, slaveholders' interests still carried social and political weight. Building on recent scholarship on Appalachian slavery, this chapter will present evidence that West Virginia slavery, though probably declining in 1860, could not be discarded lightly.

Chapter Two will address the political process that led to the formal abolition of slavery in West Virginia on February 3, 1865. In examining the secessionist movement west of the Alleghenies and divisions within the statehood movement, this chapter will cover some of the same ground as *A House Divided*. At the same time, however, it will argue for expanding the list of causal political factors contributing to abolition from the handful Curry proposed.

Specifically, Curry depicts a relatively static set of political interests, understating the extent to which political leaders could become radicalized as the war intensified and casualties mounted. The chapter will also include a discussion of the outside pressure brought to bear on the statehood movement by Lincoln and Congressional Radicals, which played a decisive role in ending West Virginia slavery. In total, I will propose four major political factors driving abolitionist tendencies: federal pressure, the radicalization of statehood leaders, the exclusion of Confederates, and the marginalization of proslavery Unionists.

Whereas the second chapter will largely remain within the political framework that Curry studied, the third will seek to complicate his assumption that the story of abolition in West Virginia is best confined to the state house. Relying largely on soldiers' diaries and military correspondence, but whenever possible on the recollections of slaves themselves, it will suggest that the most meaningful process of emancipation, that which actually freed slaves, occurred at a

pace that had little or nothing to do with political deliberations over statehood. Despite official pronouncements meant to limit war aims to preserving the Union and upholding its devotees in West Virginia, the Union army acted a central role in ending slavery, almost from the moment it crossed the Ohio River.

In my view, all three approaches support the argument that the Civil War provided a necessary catalyst to ending slavery in West Virginia, and that abolition in the new state was not the easy formality that emerges from pro-Union works. The war marginalized the substantial proslavery community in the new state, introduced outside antislavery pressures, radicalized Unionists, or introduced armies capable of undermining the power of masters. In short, it took a war to end slavery in West Virginia.

Chapter I “It Takes But a Very Few Slaves”

On July 1, 1862, Ohio Senator Benjamin Wade offered Congress a keen insight on the significance of West Virginia’s impending acceptance of emancipation. “I know very well,” Wade explained, “it takes but a very few slaves, as we have experienced here, to give color to the views of men, and their political sentiments seem to be entirely changed by a very little slavery.”²³ Historians of the antebellum political friction between eastern and western Virginia generally see these rifts, accurately, as conflicts between two divergent societies: one a slave society, the other approximating a Northern free labor society. Wade’s remarks, however, remind us that slavery’s persistent existence in the west, though on a smaller scale than elsewhere, must qualify this interpretation. Only by understanding the extent to which slavery did to some extent stretch its tentacles into the trans-Allegheny west can we fully appreciate why removing it there proved so contentious.

If ever a place offered a glimpse of western Virginia’s growing alliance with the free labor economies of Ohio and Pennsylvania, Wheeling fit the bill. Located in Virginia’s narrow northern panhandle, the city lay immediately across the Ohio River from Ohio on the west, and only twelve miles from Pennsylvania on the east. Remote from the Virginia Tidewater and Piedmont, Wheeling became more tightly enmeshed in the economic life of lower North as national transportation networks began to improve in the 1810s. In 1817, Henry M. Shreve’s Wheeling-built steamship, the *Washington*, ascended the Ohio from New Orleans to Louisville in only 25 days, provoking a court case that ended a monopoly that the heirs of Robert Fulton and Robert Livingston had enjoyed on steamship transportation in Louisiana. Within ten years,

²³ *Congressional Globe*, July 1, 1862.

steamboat traffic on the Ohio and its tributaries, the Kanawha and the Monongahela, which together drained nearly all of trans-Allegheny Virginia, had begun to contribute significantly to the growth of Wheeling, Charleston, and Morgantown.²⁴

Wheeling's drift into a northern orbit continued in 1818, the year after Shreve's voyage, when the National Road arrived in Wheeling from Cumberland, Maryland. The road, which stretched into central Illinois by the late 1830s, made Wheeling a common stopping point for westward migrants resettling in the new free states of the Old Northwest. The road became such an important part of the national transportation network that the directors of the Wheeling and Belmont Bridge Company invested in one of the major engineering accomplishments of pre-Civil War America in 1847, a stone suspension bridge that briefly held the title for longest suspension bridge in the world.²⁵ The Baltimore and Ohio Railroad, which arrived at its Ohio River terminus in Wheeling on New Year's Day, 1853, did not yet stretch into any free state, but nonetheless drove a sharper wedge between Wheeling and Richmond. In the midst of an intense urban rivalry between Wheeling and Pittsburgh, the Virginia General Assembly offered only lukewarm support for the railroad, and only offered formal legal permission after Philadelphia business interests defeated plans for extending the Baltimore line to Pittsburgh.²⁶ Not only did

²⁴ Charles H. Ambler, *West Virginia: The Mountain State* (New York: Prentice Hall, 1940), 214-216.

²⁵ Emory L. Kemp, "Wheeling Suspension Bridge," National Register of Historic Places Nomination Form, 1975.

²⁶ L. Diane Barnes, "Urban Rivalry in the Upper Ohio Valley: Wheeling and Pittsburgh in the Nineteenth Century," *The Pennsylvania Magazine of History and Biography*, Vol. 123, No. 3 (Jul., 1999), 201-226.

the contest over the B&O highlight what many western Virginians already saw as apathy on the part of Richmond toward their interests, but the new line also made Baltimore, not Richmond, Wheeling's primary commercial partner. By 1860, the lists of commodity prices and news from Baltimore, Cumberland, Pittsburgh, Columbus, and Cincinnati that filled the pages of Wheeling's newspapers testified to the city's firm ties to these cities, and its relative isolation from eastern Virginia.

As new lines of transportation bound the city to ever larger markets, Wheeling became an important manufacturing center. The city's iron industry quickly grew quickly, beginning with the Top Mill, which Pittsburgh manufacturers Peter Schoenberger and David Agnew founded in 1832, to include several large factories producing iron products, especially nails and spikes. By the mid-1850s, the output of the largest nail mills, the Missouri Iron Works, the Virginia Mills, the Belmont Mills, and the LaBelle Mills, all established between 1847 and 1853, made Wheeling the nation's leading nail manufacturing city. Although the Panic of 1857 put several mills out of business, by time the time of the Civil War "the Nail City" boasted seven of Virginia's twelve rolling mills.²⁷ The wealth generated in part through the iron industry, but also by significant and growing glass and tobacco businesses, and a desire among its leaders for municipal "improvement" provoked a spurt of institutional growth in the city. The period between 1848 and 1850 alone saw the establishment of a free public school system, a municipal gas works, the Wheeling Female Seminary, the Wheeling Athenaeum, Wheeling Hospital, the

²⁷ Margaret B. Downs, "Industrial Structure and pattern of the Wheeling District: Its Evolution and Development, 1840-1950. PhD. Thesis, University of Maryland (1957), 107-110. Four of the remaining five rolling mills operated in Richmond.

McLure Hotel, and the Mount de Chantal Academy, as well as widespread cobblestone street paving.²⁸

Though in no way a racially enlightened city, Wheeling did show unusually strong antislavery tendencies for a city in a slave state. In the presidential election of 1860, which involved almost complete suppression of the Republican vote in the South, Wheeling and its environs provided a surprisingly strong turnout for Abraham Lincoln. In Ohio County, home to Wheeling itself, the Republican ticket received 771 votes, a third place finish that nonetheless put Lincoln more than 60 votes above Stephen Douglas, a candidate much more in tune with the slaveholding South. Two other panhandle counties showed even more striking results. Immediately north of Wheeling, Lincoln tied Constitutional Union Party candidate John Bell for second place, and farther north, Republicans came within 8 votes of making Lincoln the winner in Hancock County.²⁹

As much as Wheeling may have had in common with other expanding cities in Western Pennsylvania and Ohio, one facet of Wheeling society set it apart: slavery. Enslaved blacks had been a part of Wheeling since the town's founder Ebenezer Zane founded a permanent settlement there in 1769 and used his slaves to help repel later attacks from Indians and British troops.³⁰

²⁸ Charles A. Wingerter, *History of Greater Wheeling and Vicinity* (New York: The Lewis Publishing Company, 1912), 166.

²⁹ West Virginia Archives and History, "The 1860 Presidential Vote in Virginia," *A State of Convenience: The Creation of West Virginia*. (online exhibit)
<http://www.wvculture.org/history/statehood/1860presidentialvote.html> (7 March 2011).

³⁰ J. Reuben Sheeler, "The Negro on the Virginia Frontier," *The Journal of Negro History* Vol. 43, No. 4 (Oct., 1958), 287-288.

Although the 1860 census recorded only 100 enslaved inhabitants in Ohio County, slavery influenced Wheeling's social and economic life. Describing the antebellum life of his native city around 1878, Joseph Wilde wrote,

The society of the period was quite refined, and marked of a character of the old Virginia style. Although in the extreme northern part of the State of Virginia, and very far north of many of the cities of the free States, general sentiment was as essentially Southern as in many other localities of a similar size hundreds of miles south of Wheeling. The term Yankee was not by any means considered a very high recommendation of any person coming to Wheeling to better his fortunes...³¹

The list of socially prominent Wheeling families that Wilde lists beginning around 1837 indeed shows substantial overlap between the “great proprietary families” and the slaveowners listed on the 1850 census slave schedule for Ohio County. Six of these ten families – the Chaplins, the Caldwells, the Jacobs, the Mitchells, the Paulls, and the Paxtons – owned slaves.³² Although slaveholders represented a smaller percentage of Wheeling's elite than they did in more representative cities of the slave South, the ratio remains striking in a city located north of Philadelphia, Indianapolis, and Springfield, Illinois.

As Wilma Dunaway has pointed out, statistics showing low rates of slave ownership in western Virginia understate the importance of the institution there. Her observation rings

³¹ Joseph L. Wilde, *History of Wheeling During the Past Forty Years* (N.p., 1878), 16.

³² *Ibid*, 17; United States. Census Office. 7th census, 1850. United States Census (Slave Schedule), 1850.

especially true of Wheeling, which derived economic benefits from the institution far in excess of what the 1860 census count of slaves might suggest from the interstate slave trade. As Maryland and Virginia became net exporters of slaves, Wheeling's location at the junction of the Baltimore and Ohio Railroad and the Ohio River made it an important transshipment point for slaveowners selling their property to the lower Mississippi River basin. In the years prior to the Civil War, slave auctions occurred on a weekly basis in Wheeling.³³ Far from an invisible corner of Wheeling society, the Wheeling slave market made quite an impression on a young Quaker saddlemaker's apprentice named Benjamin Lundy. In *The Genius of Universal Emancipation*, an abolitionist newspaper he later founded, Lundy remembered "droves of a dozen or twenty ragged men, chained together and driven through the streets, bare-headed and bare-footed, in mud and snow, by the remorseless 'SOUL SELLERS,' with horsewhips and bludgeons in their hands!"³⁴

In the winter of 1860-1861, an incident involving a fugitive slave thrust the institution into the center of attention in Wheeling. In what would become the last case of an escaped slave returned to the South under the provisions of the Fugitive Slave Act, William Goshorn of Wheeling travelled to Cleveland in January, 1861, to secure the return of his escaped slave, Lucy Bagby. Wheeling authorities had arrested a free black man, Philip Herbert, on November 26, 1860, whom neighbors suspected of helping Lucy to freedom when he traveled to Pittsburgh

³³ Wilma A. Dunaway, *The African American Family in Slavery and Emancipation* (Chapel Hill: University of North Carolina Press, 2003), 21, 37.

³⁴ Quoted in Merton L. Dillon, *Benjamin Lundy and the Struggle for Negro Freedom* (Urbana, IL: University of Illinois Press, 1966), 6.

earlier that year.³⁵ Although the 31 members of the city's black community whom the Sheriff's Office questioned proved tight-lipped, Goshorn caught up with Lucy in Cleveland and had her arrested on January 19.³⁶ Abolitionists in Cleveland, a city that had not experienced a slave recapture in nineteen years, made the event a national cause célèbre, and the story eventually became front-page news on William Lloyd Garrison's *The Liberator* under the title, "A HUMAN SACRIFICE!"³⁷ Local blacks and their white abolitionist allies seem to have attempted to rescue Lucy from jail, but Goshorn left Cleveland a week later with Lucy in tow.³⁸

As Lucy Bagby's plight became an abolitionist lightning rod, the Nail City produced only muted responses. The *Wheeling Daily Intelligencer*, the leading antislavery organ in Wheeling, had not shied away from controversy in 1860, and had aroused ire throughout the region and the state for formally endorsing Abraham Lincoln for President. In April 1861, the paper's main conservative rival, the *Wheeling Daily Union*, spoke for many *Intelligencer* detractors when it charged that "the *Intelligencer* was purchased in the first instance by a club or association of abolition politicians, and by such sustained in order to gain a foothold for this detestable party in Virginia," and that its ostensibly mild antislavery views had "gangrened into detestation of the

³⁵ *Wheeling Daily Intelligencer*, November 28, 1860.

³⁶ *Wheeling Daily Intelligencer*, December 10, 1860; *Wheeling Daily Intelligencer*, January 22, 1861.

³⁷ John E. Vacha, "The Case of Sarah Lucy Bagby: A Late Gesture," *Ohio History* 76 (Autumn 1967) No. 4, 222-231.

³⁸ *Wheeling Daily Intelligencer*, January 26, 1861.

South and into sympathy with John Brown raids and servile commotions and rebellions.”³⁹ The *Intelligencer*’s editor, Archibald Campbell, however, adopted a restrained, even conservative line on the Bagby controversy. His newspaper’s reports on the matter never voiced any criticism of the Fugitive Slave Act itself, but expressed a degree of relief that law and order had won the day. To that end, Campbell reprinted remarks made by Goshorn’s lawyer in a Cleveland courthouse:

...the course of his friend Judge Spalding was patriotic. The right of slavery, or the Constitutionality of the fugitive slaw law, is not involved here. The latter question has been decided. The duty of the Court is to give effect to the law. In justice to the claimants, I must say they are actuated by no mercenary motives. Neither do they come to wake the prejudices of the North. Virginia now stands in a commanding position, and wishes to show the Southern people that the Northern people will execute the laws, and be faithful to the Union. The citizens of Cleveland have come up to their duty manfully; no man has laid a straw in the way of the enforcement of the law, and for my friend I thank them.⁴⁰

Comforting its readers while also misleading them, the *Intelligencer* also proclaimed that “the excitement [in Cleveland] was almost entirely confined to the colored population, for though there was a large number of white people on the ground, the universal sentiment was that the

³⁹ Quoted in Anna Traubert, “Abolition of Negro Slavery in West Virginia,” M.A. Thesis, Columbia University (1932), 24.

⁴⁰ *Wheeling Daily Intelligencer*, January 26, 1861.

affair must be left to the law.”⁴¹ While Clevelanders in reality had shown bitter divisions over the case, with significant and vocal white support for Lucy Bagby, even the most antislavery readers in Wheeling seem to have desired news of calm adherence to the legal status quo on slavery.⁴²

No one in Wheeling doubted that the *Intelligencer* and its political allies genuinely objected to slavery in principle. On the eve of war however, Campbell, and many other antislavery Western Virginians, framed their beliefs in a way that not only rejected the aggressive proslavery of their fellow southerners, but also decried nearly any proactive, direct action against slavery itself. For Western Virginians of this stripe, who nearly always labeled themselves as “conservatives,” John Brown and Edmund Ruffin were two sides of the same coin; both pursued their goals with a knee-jerk fanaticism that blinded them to the danger they created for the Constitution and the Union. The *Intelligencer* itself provided an excellent summary of this ideological orientation in 1857:

So far as regards the abstract question of slavery – that is, slavery per se, morally viewed, we are safe in saying that there is a decided preponderance against it; and in this particular, the Pan-handle is Northern in sentiment. Yet this preponderant sentiment by no means runs to abolitionism. On the contrary, it is directly opposed to all such fanaticism. The balance of opinion is also against slavery upon various other grounds, upon which it is most frequently objected to; as, for example, because it is antagonistic to the interests of the poorer free-laboring classes, because it is the fruitful parent of vice and slothfulness, and is an incubus upon the energy and enterprise of the fairest portion of

⁴¹ *Wheeling Daily Intelligencer*, January 23, 1861.

⁴² Vacha, 224, 226, 228.

our wide country. There is still, notwithstanding the over-balance of anti-slave sentiment, a pervading sentiment of purest conservatism regarding the “peculiar institution.” We would make no unjust attacks upon our brethren of the Old Dominion, or of our brethren of the entire South, but, for the sake of ourselves, of our children, and of humanity, we would ask that the aggressive march of slavery be now stayed.⁴³

This conservative brand of antislavery could cut two ways. When a regime of slaveholders which they felt had marginalized them and deliberately instigated a national crisis over slavery pressured them to cut ties with their neighbors and their government despite Lincoln’s adherence to his promises of non-intervention on slavery, most West Virginians balked. The same impulse to resist the provocation of radicals that underpinned Unionism in the region, however, could also motivate resistance to tampering with slavery, as Willey and others would discover.

The *Intelligencer*’s measured views represented the opinions of only a portion of Wheeling voters, however, and a sizable minority subscribed to stridently proslavery and even secessionist views. A report from the *Wheeling Argus*, one of the *Daily Union*’s conservative predecessors, during the presidential campaign of 1856 suggests the resistance that antislavery politics could face in a slave state. Referring to Wheeling Republicans in unabashedly partisan terms as “Shriekers for Freedom,” the *Argus* recounted the results of one of their public meetings in August, 1856:

⁴³ Quoted in George Ellis Moore, “Slavery as a Factor in the Formation of West Virginia,” *West Virginia History* Vol. 18 No. 1 (October, 1956), 66-67.

About 8 ½ o'clock the "shriekers" were prepared to hear a speech, and called upon a vagrant doctor by the name of SMITH. He is a man of notoriously bad character, a fact well known here and elsewhere, and a fact which increased the excitement which before prevailed in the hall. As he proceeded, the excitement ran higher and higher until the obtuse perceptibilities of the factionists led them to the conclusion that they would undoubtedly be pretty roughly handled in a short time. Consequently, many of them thought prudence the better part of valor and made their exit. After the harangue was concluded, not half of the original number of "shriekers" was to be seen, and the hall was pretty well filled with other persons. At the adjournment the citizens retired in an orderly manner to the street, and awaited the appearance of SMITH. When he came out he was greeted by the jeers and groans of the citizens, receiving occasionally a practical demonstration of the affection they had for him in the way of sundry kicks and knocks.

The tense situation ended in a violent altercation in which one member of the crowd received a serious stabbing, and Mr. Smith only escaped the mob when police arrested him. "If [the crowd] could have then got Smith in their power," the *Argus* supposed, "he would have had the full benefit of Judge Lynch's law." Satisfied with the fruits of popular pressure, the paper's editors predicted that, "after what occurred last night, we think it will be a long time before the shriekers will find another man with hardihood enough to make another public speech in this community, and that their aspirations for rendering themselves ridiculous are fully satisfied."⁴⁴ Even the

⁴⁴ "Black Republicans Put Down," *Wheeling Argus*, August 16, 1856, quoted in *New York Times*, August 21, 1856.

Intelligencer, not yet Republican-affiliated, hoped after the incident “that we will hear no more of Fremont in Virginia.”⁴⁵

Events like these led another conservative organ in Wheeling, the *Wheeling Daily Times*, an opponent of the *Intelligencer*, to partially echo the *Intelligencer*'s assessment of public opinion as conservative but antislavery, this time with emphasis on “conservative” rather than “antislavery”:

We know there are many men in our midst who think Slavery an evil, more on account of the white man than the negro, and favor a system of wise, peaceable, and gradual emancipation. Such men are to be found in abundance in the South. But this Association [the Republican Party] proposes nothing of the kind, and we are constrained to believe that this latter class of men did not and will not cooperate with any Association, gotten up at a time of dangerous excitement, with all the odor of well-known Abolition intermeddlers clinging to its garments... Whatever Virginia may do in the future, she is not now prepared for Fremont Associations, with all the old abolition elements and champions, and all the old heresies and exploded fanaticisms, rag, tag, and bob-tail, mustered until his banners. The gradual emancipationists, and the opponents of the Kansas-Nebraska bill – even the opponents of more Slave territory – don't wish anything to do with Fremont congregations, and there is an overwhelming sentiment in the State which will put them down, wherever they are attempted.⁴⁶

⁴⁵ *Wheeling Daily Intelligencer*, August 18, 1856.

⁴⁶ *Wheeling Daily Times*, August 18, 1856, quoted in *New York Times*, August 21, 1856.

Whichever paper best summarized popular preferences in Wheeling, the city hardly seemed poised to accept immediate emancipation before the war.

If Wheeling and the Northern Panhandle, arguably the most staunchly Unionist and most antislavery-leaning region in the state, had a complicated relationship with slavery, whites in the rest of future West Virginia embraced an even greater range of relationships with and opinions about the institution. For the most part, Western Virginia fit the mold of what Ira Berlin has called a “society with slaves,” a society with slaves present but not central to the social order, rather than a “slave society,” one reliant on slave labor in which the master-slave relationship provided a model for all social interaction, although some exceptions existed.⁴⁷

Although every West Virginia county except one contained slaves, slave populations and the economic importance of slavery varied a great deal along regional lines. On one hand, many of the sparsely populated, rugged counties of the Allegheny Plateau embodied the image of the yeoman-dominated, nearly slave-free highlands that historians have tended, not entirely incorrectly, to ascribe to the West as a whole. The hilly areas along the Ohio River north of the Kanawha River averaged well below 100 slaves per county in 1860. The most overwhelmingly white counties in this region, Calhoun, Pleasants, Tyler, and Wetzel, had fewer than twenty slaves each.⁴⁸ Throughout the northwestern portion of the state, livestock raising and small farms dominated the economic life of most communities. Although some masters owned a slave or two

⁴⁷ This distinction appears in Ira Berlin, *Many Thousands Gone: The First Two Centuries of Slavery in North America* (Cambridge, MA: Harvard University Press, 1998), 8.

⁴⁸ United States Census Bureau, “Population of the United States in 1860,” (Washington: Government Printing Office, 1864), 516-518.

to work alongside them, slavery had a relatively tangential importance to the agricultural life of the region.

Farther east, the wider valleys and larger farms of the ridge-and-valley Appalachians made slaves a more common part of the agricultural workforce. Among future West Virginia counties, none had a higher proportion of slaves in its population than Jefferson County, site of John Brown's raid, whose 3,960 slaves constituted 28.2% of the population in 1860, the second-highest proportion of slaves of any county in the Shenandoah Valley. Neighboring Berkeley County's 1,650 slaves accounted for 13.5% of that county's population, and slaves represented on average about 10% of the population of other counties along what would become the Virginia-West Virginia border, such as Hampshire, Hardy, Pocahontas, Greenbrier, and Monroe.⁴⁹

Slavery also had economic significance in the valley of the Kanawha River. Natural salt deposits in the Kanawha Valley around the newly established village of Charleston attracted investment as early as 1797, when Elisha Brooks founded the first salt works at Great Buffalo Lick, but the industry became nationally important after 1810, thanks to Joseph Ruffner and his sons' establishment of the first commercially successful furnace at the site, near what later became the town of Malden.⁵⁰ Since salt making required dangerous and demanding work and a stable workforce, salt works owners found slave labor the cheapest and most reliable labor

⁴⁹ Ibid, 516-518.

⁵⁰ John E. Stealey, III, "Slavery in the Kanawha Salt Industry," in *Appalachians and Race: The Mountain South from Slavery to Segregation* (Lexington, KY: University of Kentucky Press, 2005), 50-51;

source available, especially given the paucity of free white labor in western Virginia.⁵¹ Cost-effective though it was for salt makers, slave labor could also earn above-average returns for masters willing to assume the higher risks of the injury or escape of their slaves. In 1838, the year the Virginia General Assembly chartered the Kanawha Slave Insurance Company to encourage hiring in the region, slaves that masters could lease in eastern Virginia for an annual rate of \$90 could earn their owners \$150 in Kanawha County.⁵²

As in Wheeling, the interstate slave trade represented a significant part of the economic life of western Virginia. Slave traders operated in the region in part to buy up slaves no longer needed by masters – by one estimate, western Virginia’s slave population was more than 18% lower than what it would have been based on slave fertility rates for the period thanks to exportation – but also to transport slaves from Virginia and Maryland to the cotton states via the Ohio River.⁵³ From time to time, slave coffles passing through the mountains reminded onlookers of this profitable commerce. In 1830, the *Kanawha Register* of Charleston reported that “the roads passing through Charleston have been crowded with travel of every sort... [T]he demon in human form, the dealer in human form, the dealer in bones and sinew, driving hundreds... clanking the chains of their servitude, through the free air of our valley, and destined to send back to us from the banks of the Mississippi the sugar and the cotton of that soil

⁵¹ Ibid, 68-69.

⁵² Ibid, 65; *Richmond Enquirer*, April 5, 1836.

⁵³ Wilma A. Dunaway. "Slavery and Emancipation in the Mountain South: Sources, Evidence and Methods," Virginia Tech, Online Archives, Table 5.5.

http://scholar.lib.vt.edu/faculty_archives/mountain_slavery/ (21 March 2011).

moistened with sweat and blood.”⁵⁴ According to Wilma Dunaway’s estimates, western Virginians made \$1 off the slave trade for every \$2 worth of agricultural output, or \$1 in trading slaves for every \$6 made from manufacturing and extractive industry.⁵⁵ By her estimates, the total value of local and interstate slave sales in future West Virginia in 1860 amounted to roughly \$1,570,000.⁵⁶ Even as slavery declined as an institution numerically, it could still command hefty profits.

If voting patterns in the presidential election of 1860 are any indicator of voter opinion on slavery in western Virginia, the region looks anything but antislavery. While Wheeling and the northern panhandle did lend significant support to the Lincoln-Hamlin ticket, essentially no other part of the future state did. Of the fifty counties that would join West Virginia by 1865, only seven recorded any votes at all for Lincoln, and 85% of Republican votes came from the northern panhandle. In this respect, western Virginia resembled the rest of the South politically; whether by community pressure, the absence of Republicans on the ballot, or genuine resentment of the Republican Party, voting for the party of Lincoln almost never occurred. In a more surprising development, John Bell, the nominee for the conservative, unionist Constitutional Union Party, which sought to downplay sectional conflict to unite the country, won Virginia as a whole but lost future West Virginia to the most stridently proslavery candidate, Democrat John C. Breckinridge.⁵⁷ While this result probably reflected antebellum partisan loyalties more than it represented a referendum on public support for slavery, it seems highly unlikely that the

⁵⁴ *Kanawha Register*, February 5, 1830, quoted in Dunaway, *African-American Family*, 34-35.

⁵⁵ Dunaway, *African-American Family*, 49.

⁵⁶ Dunaway, “Sources, Evidence, and Methods,” Table 5.16.

⁵⁷ West Virginia Archives and History, “The 1860 Presidential Vote in Virginia.”

candidate of proslavery extremist Fire-Eaters would win among an electorate especially eager to remove slavery from their midst.

Some evidence suggests that animosity toward antislavery proselytizing sometimes motivated official censorship of antislavery correspondence in western Virginia. Local postmasters, possibly anxiously remembering the American Anti-Slavery Society's 1835 campaign to flood the South with abolitionist literature through the postal service, seem to have sometimes taken it upon themselves to censor the mail.⁵⁸ Even in Gilmer County, a sparsely populated, mountainous area with only 42 slaves in 1850, the postmaster, a Mr. Herndon, refused in 1853 to deliver a minor Ohio newspaper, the *Religious Telescope*, because of its antislavery views.⁵⁹ W.G. Boreman of Tyler County hinted at the scale of the problem in an April 1861 letter to Francis Pierpont. Boreman abruptly ended his letter in midst of a discussion of slavery, saying "I would write further to you but I don't know your postmaster or the agents on the rout [sic]. Our post-master is safe he will disturb nobodys affirs [sic]."⁶⁰ A more formal example of censorship occurred in Harrison County, where a judge ordered against the reading of Horace Greeley's abolitionist *New York Tribune* in 1855, and a grand jury in the county indicted Greeley in abstentia on felony charges of inciting slave insurrection.⁶¹

⁵⁸ Bertram Wyatt-Brown, "The Abolitionists' Postal Campaign of 1835," *The Journal of Negro History* Vol. 50, No. 4 (Oct., 1965), 227-238.

⁵⁹ Cited in Traubert, 26.

⁶⁰ W.G. Boreman to F.H. Pierpont, April 25, 1861, WVRHC.

⁶¹ Donovan H. Bond, "How the Wheeling Intelligencer Became a Republican Organ," *West Virginia History* Vol. XI, No. 3 (April, 1950), 162.

Fears of slave rebellion seemed somewhat well-founded after a high-profile event that thrust western Virginia into the national spotlight in 1859. Hoping to ignite a slave insurrection by seizing the federal armory at Harper's Ferry in Jefferson County, John Brown and fifteen of his followers attacked the town on October 16, only to meet defeat at the hands of Marines commanded by Robert E. Lee. Brown and his men, mostly northern whites, never posed a serious threat to slavery, but the white South responded with deadly seriousness. Western Virginia was no exception. Predictably, the *Shepherdstown Register*, a newspaper published only twelve miles from the site of the raid, saw dire precedents:

Verily, it seems as if the "irrepressible conflict," spoken by Northern fanatics, has already begun. The very confession of Brown himself behooves the men of the South to be on the alert and prepare a defence against these infernal abolitionists, whose aim and object is, to liberate the slaves. "No one knows what a day may bring forth." Whilst the citizens of Harper's Ferry were slumbering in peaceful sleep, unconscious of impending danger, their town was invaded, the United States Arsenal possessed, and quiet and respectable citizens shot and taken prisoner by a band of abolitionists and desperadoes, who had come hither secretly, and in the darkness of night, to steal and carry away the slaves of our citizens. But alas! for them, how did this first attempt terminate? All their band, save four, were either killed or taken prisoners, a warning for the people of the North, that any future and similar attempt against the rights of the South, will be followed with like disastrous results to them. The people of the South will never submit to such outrages as has been perpetrated at Harper's Ferry. The slaves which they possess, they own

lawfully, they provide and treat them kindly, and they will, to the last gasp, protect and defend them from the hands of lawless miscreants and abolitionists of the North.⁶²

Fearful reactions, especially among slaveholders, appeared much farther from the epicenter of the failed uprising. At a slaveholder-dominated meeting in Kanawha County on December 19, participants drafted resolved that the county stood “ready and willing at all times to perform our part in carrying into effect any measures that Virginia and her sister Southern States may deem proper and expedient to adopt for the purpose of protecting and defending the Rights, Persons, Property and Honor of Slave-holding States.”⁶³ At least three new militia companies, the Charleston Sharpshooters, the Coal River Rifles, and the Kanawha Rifleman, emerged from Kanawha County high society soon after Brown’s raid. While the Kanawha County militia units, like their counterparts throughout the country, had only negligible military skills and served largely as social clubs, the timing of their creation suggests that Kanawha slaveholders felt compelled to take some kind of public position, however symbolic, in defense of slavery.⁶⁴

The aftermath of Harper’s Ferry, however, showed that West Virginia society, with its more tenuous connection to slavery than Eastern Virginia, left some room for opinion that deviated from hard-line proslavery. Unsurprisingly, one such unorthodox reaction to Brown came from the *Wheeling Intelligencer*. True to form, Archibald Campbell used the occasion to

⁶² *The Register* (Shepherdstown, WV), November 5, 1859.

⁶³ Cited in Scott A. Mackenzie, “The Slaveholder’s War: The Secession Crisis in Kanawha County, Western Virginia, 1860-1861,” *West Virginia History: A Journal of Regional Studies* (New Series), Vol. 3, No. 2 (Fall 2009), 38.

⁶⁴ *Ibid*, 38-40.

scold radicals on both sides of the issue. To be sure, he reserved harsh words for the abolitionists who had fomented violence:

The investigations which have been, and are being made, into the secret history of the recent terrible and remarkable outbreak, will, we hope and believe, be productive of good influences upon the popular mind in both sections of the Union. It has two lessons, which, it seems to us, that it may very appropriately teach. The first of these is, the lesson which it will convey to the North, teaching them to look even with more than their wide spread aversions on the principles and teachings of those visionary fanatics among them, who, like Garrison & Co., claim that the Constitution of our country “is a covenant with hell,” and that the duty of slaves is to rise in the night and free themselves from thralldom by cutting the throats of their masters, and helping themselves to the property accumulated by their unrequited toil. It will we say, teach the Northern people when these fanatical abolitionists go about through their cities and towns, holding their periodical Saturnalia, to look upon their principles in the proper light, and will inspire in their minds more of a deep-seated hostility to their wicked and disorganizing ravings. In this way the results of these investigations will affect the Northern mind for good.

Campbell also saw valuable lessons for his fellow white southerners, however, if they failed to consider the risks of their situation:

On the South it ought likewise make a deep impression. Here, in this Harper’s Ferry riot, we have an illustration which both precept and example have before told us, is altogether

a possible contingency in a country in whose midst there exists a large and degraded class of humanity. We cannot take fire in our bosoms and not be burned, the Scripture and our own experience has taught us. Neither can we have in our midst four million of serfs, whose color, whose intellect, whose habits, whose everything is different from the ruling element, without liabilities to the same dangers that have always attended society in every country where such a large servile element has existed. San Domingo has taught this lesson to the world. Southampton has taught the people of this country and this State. Scarcely more insecure are those people who work by day and sleep the night underneath the craters of Vesuvius and Aetna, and who are liable to an irruption [sic] at any moment of burning lava, than many communities in our Southern States where the slaves number two or three to one of the whites.⁶⁵

Even in the wake of as polarizing and provocative an event as John Brown's raid, slavery's incomplete grip on public life in western Virginia meant that even as some communities demanded public unity against abolitionist invaders, dissenters could still have a voice.

The most outstanding characteristic of western Virginia's relationship to slavery, then, was neither its staunch commitment to the institution nor its universal readiness to discard it. Within the region, a casual observer in 1860 would have no difficulty identifying the full spectrum of opinions that existed in the United States regarding slavery, and to an extent, the diversity of opinion reflected a diversity of economic relationships across regions. Abolitionists,

⁶⁵ *Wheeling Daily Intelligencer*, October 21, 1859, cited in West Virginia Archives and History, "His Soul Goes Marching On: The Life and Legacy of John Brown" (online exhibit) (28 March 2011).

more moderate or conservative opponents of slavery, proslavery ideologues, and people altogether indifferent to the issue all existed in noticeable numbers in the counties west of the Allegheny Mountains. Though they offer historians an opportunity to paint eastern and western Virginia as diametrically at odds over slavery, the dislike of slavery large numbers of western Virginians may have entertained did not command a consensus. Interpretations of the region's history that paint it as monolithically slave-free and antislavery area primed for emancipation on the eve of the Civil War miss half the story.

Before anything approaching a consensus could develop to change the status of slavery in western Virginia, some changes needed to occur. First, no proposals for emancipation in the region had a remote chance of success unless they happened in a political framework that excluded easterners. Even within the west, however, white opinion needed to shift. Advocates of emancipation would need either to change enough minds or exclude enough opponents to produce the needed majority for a free state. The Civil War, which provoked the requisite political separation, would also come to transform the politics of slavery in West Virginia.

Chapter II A House Divided, Pressured, and Radicalized

The “Secession Winter” of 1860-1861 thrust questions of how best to protect slavery into the attention of politicians and voters everywhere in the South. Reactions from western Virginia leaders showed genuine interest in upholding the state’s domestic institutions. By February 1865, however, the new state’s legislature had ratified the thirteenth amendment, which abolished slavery in the United States, and passed a separate measure ending the institution within West Virginia. What caused this political shift? West Virginia experienced a battery of political pressures implausible outside of a wartime context. The federal scrutiny that came with a statehood application, changing opinions among large segments of West Virginia Unionists, and the exclusion or marginalization of Confederates and conservative Unionists made abolition a possibility in ways unlikely in 1860.

Like Unionists elsewhere in the South, western Virginia Unionists sometimes argued against secession not because they opposed slavery, but because they saw preserving the Union as its surest safeguard.⁶⁶ George W. Summers, a Kanawha County judge, asked his colleagues in the Virginia Secession Convention to put passion aside and think carefully about what precisely slaveowners might gain or lose by leaving the Union on March 11:

What are we to gain by secession, what can we gain by separate action on the part of this Commonwealth? In regard to any one of the questions embraced in the whole scope of

⁶⁶ A discussion of the rhetorical strategies employed by Upper South Unionists appears in Daniel Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill: University of North Carolina Press, 1989), 104-129.

our difficulties, what do we gain by such a step? What do you gain on the territorial question? The entire abandonment of all connection with and control over them. It is interesting to our people now only as a question of right—more so in that aspect than as a practical question of value; but as a question of right I would settle it fairly, justly and forever. On that question are you determined to lose everything?

He echoed this conservative position again later in the speech:

On the question of our absconding slave population, what do you gain? You exchange the constitutional provision which requires the rendition of fugitives from service, the laws of Congress to enforce it, and the amendment now proposed for the payment in full of unreclaimed and lost slaves – you exchange all these provisions and guarantees securing you in your rights, for the mere chance of treaty stipulations, after we shall have divided on the slave line, and after sovereign and independent nations shall have taken the place of Confederate States. How are you to treat with them upon the question? Can you treat with England? Have you ever been able to open to the English mind the conception of an arrangement for the rendition of fugitives from Canada? Not at all... And what do you gain in any particular as to this institution, in which we are so much concerned – the institution of slavery, which is, and ought to be, a great and vital interest in this Commonwealth – an institution which, I am prepared to say, is founded not only in social and economic expediency, but is the best of all positions for the African himself – an

institution morally, socially, and politically right – what do you gain for that institution, I say, by sundering this connection?⁶⁷

Read in context, Summers's remarks might provoke skepticism. With a secession convention as his audience, any ambivalence toward Lincoln or slavery on Summers's part might have earned him the derisive label "submissionist" from secessionists challenging his personal honor; any argument aimed at winning broad support in the convention would need to at least pay lip service to the peculiar institution. The resigned tone of a private letter that Summers sent to Waitman Willey in April 1862, however, seems to indicate that he genuinely regretted slavery's passing:

When warned that secession was war, bloody civil war, the administration was drowned in the cry of "abolitionist" "traitor to the South" "submissionist." Secession was to be the only salvation of the institution of the South. They now see what we told them in advance, that it was blind and suicidal folly to withdraw slavery from its only protection, the Union and the Constitution, and bring it into conflict with the war-power of the nation.

It is not difficult to see the end which must sooner or later come and if the termination of slavery shall be the ultimate result, posterity will have no difficulty, in the light of history, to assign the true cause.

⁶⁷ George W. Summers, "Speech for Hon. George W. Summers, on Federal Relations in the Virginia Convention, delivered March 11, 1861," (Richmond: Whig Book and Job Office, 1861), New York Historical Society Library.

Summers went on to bemoan Congress's tendency "to meddle mischievously with the question of emancipation," and praised Willey for his "wise and conservative course, in the midst of the tinkering experimenters of the day."⁶⁸

Even western delegates who would prove less doggedly committed to slavery than Summers voiced no overt challenges to the institution during the convention. For his part, Willey, the future namesake of West Virginia's emancipation agreement, echoed Summers' themes in a March 4, 1861 speech, claiming that secession would mean "John Brown raids every month, and, perhaps, every week, all along our borders."⁶⁹ On April 5, Chapman Stuart of Doddridge County, an area with almost no slaves, reminded the convention of his earlier assurances that

...my constituents were ready and willing to stand up in defence of the rights and institutions of the people of the Eastern portion of the State. In saying so, I did not wish to be understood as meaning that the people of the West were willing to take the course pressed by those whom we call the ultra men of the Eastern portion of the State, but that the people of the West are sound on the question of slavery, and are willing, at all hazards, to demand and have secured to you your rights...

⁶⁸ George W. Summers to Waitman T. Willey, April 13, 1862, Waitman Willey Papers, WVRHC.

⁶⁹ Quoted in William W. Freehling and Craig Simpson, eds., *Showdown in Virginia: The 1861 Convention and the Fate of the Union* (Charlottesville: University of Virginia Press, 2010), 16-17.

If any sincerity underlay comments like these, a shift needed to occur in the politics of slavery in the west to produce the free state that existed there by 1865.

The West Virginia statehood movement occupied one of the more arcane corners of Civil War Era politics, and it deserves a brief summary. Most respected political voices in western Virginia spoke out against secession before Virginia even seceded. After Abraham Lincoln responded to South Carolinians' attack on Fort Sumter in mid-April with a proclamation calling for all states to provide volunteers to suppress the rebellion, a Virginia secession convention passed an ordinance of secession on April 17, 1861, that would take effect as soon as it gained approval in a popular referendum. Between May 13 and May 15, alarmed western Unionists met in Wheeling to express their objections. The resolutions they adopted declared the ordinance "unconstitutional, null, and void" and condemned preparations for making war on the Union, but stopped short of calling for a separate state.⁷⁰

After Virginia formally seceded on May 23, the westerners took more aggressive steps. A new convention met in Wheeling on June 11, in which many delegates expressed an urgent desire for a separate state. At Harrison County delegate John Carlile's urging, however, the convention instead passed a "Declaration of the People of Virginia" on June 13, which declared that officials of the preexisting state government in Richmond had effectively forfeited their legitimacy and vacated their offices by supporting the Confederacy, and announced that westerners would "reorganize" the government of Virginia. Carlile explained this move as a constitutional prerequisite to statehood; since Article IV, Section III of the U.S. Constitution held that "no new States shall be formed or erected within the Jurisdiction of any other State...without the Consent of the Legislatures of the States concerned," western Virginians

⁷⁰ "Proceedings of the First Wheeling Convention," May 15, 1861, in *A State of Convenience*.

needed a state government that would approve separation. A week later, the convention created that government, the “Reorganized Government of Virginia,” with Francis H. Pierpont of Fairmont as Governor.⁷¹

Unsurprisingly, the Reorganized Government made a referendum on western statehood a priority, and the vote, held on October 24, returned an overwhelming majority for separation. A constitutional convention, which convened on November 26, agreed on “West Virginia” as a name and rejected emancipation proposals, as we shall see. The constitutional convention adjourned on February 18, 1862, and the combination of popular ratification on April 3 and the Reorganized Government’s formal approval of statehood on May 13 made federal authorization the final hurdle for West Virginia. Congress approved a statehood bill on December 10, 1862, with the understanding that the new state’s constitution would include a provision for gradual emancipation, an unusual instance of Congress granting approval to a new state constitution conditional on its revision. President Lincoln signed it into law on December 31. After West Virginia voters approved the changes regarding slavery, the state gained admission on June 20, 1863 with Arthur Ingram Boreman of Parkersburg as Governor.⁷²

This political narrative appears frequently enough in Civil War historiography, but the extent to which abolishing slavery in West Virginia began as a contentious third rail in the statehood movement often escapes mention. West Virginia’s eventual embrace of emancipation hardly looked inevitable at the outbreak of war, however, and slavery ceased to exist in the new state’s laws only after significant political tumult.

⁷¹ “A Declaration of the People of Virginia,” June 13, 1861, “Proceedings of the Second Wheeling Convention,” June 20, 1861, in *A State of Convenience*.

⁷² “The New State of West Virginia” in *A State of Convenience*.

If any political leader in the statehood movement offered historians a litmus test for gauging the progress of the nascent state's leadership toward emancipation, Gordon Battelle provided it, beginning at the Constitutional Convention on December 14, 1861. A native of Ohio and graduate of Allegheny College in Meadville, Pennsylvania, Battelle had come to West Virginia as a teacher, but his devout religious beliefs inspired him to follow a calling as a Methodist minister in 1847 and to embrace the abolitionist movement in 1859. Battelle offered a simple amendment which banned all slave imports, abolished slavery at a yet to be determined future date, and empowered the legislature "to make such just and humane provisions as may be needful for the better regulation and security for the marriage and family relatives between Slaves; for their proper instruction; and for the gradual and equitable removal of Slavery from the State."⁷³ The provisions went beyond opposition to slavery and showed a legitimate concern with the welfare of emancipated slaves.

Battelle's proposal did not gain support. After the convention refused to consider the Battelle plan, Convention President John Hall spoke for a majority of delegates when he remarked concerning abolition proposals, "Everybody seems to have made up their minds. The object of the Convention is to avoid discussion as far as possible."⁷⁴ Apparently undaunted by his colleague's resistance, Battelle introduced a new emancipation amendment on January 27, 1862 that gutted the humanitarian content of his earlier proposal. Instead, Battelle made a bid for the support of antislavery delegates who had no more sympathy for slaves than they did for slaveholders, and those opposed to any immediate emancipation. In addition to prohibiting additional slave imports, he called for a gradual system of emancipation that would free the

⁷³ Traubert, 66.

⁷⁴ Hall, *The Rending of Virginia*, 427.

children of slaves born after July 4, 1865. Aware that most delegates looked apprehensively at the prospect of a substantial community of free blacks in the new state, Battelle explicitly proposed empowering, without requiring, the legislature to institute a system of forced apprenticeship of free black youths and colonization.⁷⁵

Again, the Convention showed no interest. Battelle, however, remained convinced that public opinion would sustain him, and he proposed a new amendment for passage in a popular referendum. This third proposal, introduced on February 12, 1862, continued his previous efforts to gradually moderate the form of his amendments in order to placate more conservative delegates. For the first time, Battelle made his amendment exclude both slaves and free people of color from entering West Virginia, making it as much about racial homogeneity as abolition. As in his second attempt, Battelle also greatly lengthened the period of time over which emancipation would occur. This provision would have only freed those slaves born after 1870, and those only upon reaching their 28th birthday (in the case of males) or their 18th birthday (for females). The most radical voice on slavery in West Virginia politics, then, came to the conclusion that 1888 was the soonest a majority of his colleagues would consent to abolish slavery. Immediately after Battelle introduced his amendments, Ephraim Hall of Fairmont moved to prevent debate by motioning to table them. Though Battelle pleaded that “no such gag

⁷⁵ Traubert, 67. The relevant section of Battelle’s second amendment read, “And the Legislature may provide by general laws for the apprenticeship of such children during their minority, and for their subsequent colonization.”

rule will be instituted here in this Convention,” the members voted for Hall’s motion, 24-23.⁷⁶ Tellingly, the Convention approved Battelle’s first provision, which banned slave imports and free black immigration, by a 48-1 vote the very next day.⁷⁷

Hall and others opposed Battelle’s initiatives in part because they feared that abolition might undermine the spirit of consensus that had made statehood seem attainable. In fact, James H. Brown of Kanawha County had earlier moved “that it is unwise and impolitic to introduce the discussion of the slavery question into the deliberations of this Convention” in response to a more provocative resolution than Battelle’s, introduced by Robert Hagar of Boone County, that declared that “Negro slavery is the origin and foundation of our national troubles, and the cause of the terrible rebellion in our midst, that is seeking to overthrow our government... slavery is incompatible with the Word of God, and detrimental to the interests of a free people, as well as a wrong to the slaves themselves.”⁷⁸ Henry Dering echoed concerns about injecting divisive controversy over slavery into the statehood process in an April 1862 letter to Waitman Willey. “I must say,” Dering advised, “the whole series of Niger bills [sic] which are being introduced into Congress are all wrong, untimely and calculated to do mischief.” The consequences of an emancipation agenda, Dering warned, could be serious: “it will palsey the arm of many a Union

⁷⁶ Ibid, 68; West Virginia Archives and History, *Debates and Proceedings of the First Constitutional Convention of West Virginia*, February 12, 1862, in *A State of Convenience: The Creation of West Virginia*.

⁷⁷ Ibid, February 13, 1862.

⁷⁸ Ibid, November 30, 1861.

soldier and silence many an advocate, who has heretofore stood up for the Government and the war.”⁷⁹

By the same time the next year, however, the politics of slavery in West Virginia had changed tremendously. Waitman Willey, a moderate U.S. Senator from Monongalia County, had determined that accepting Congressional Republicans’ demands for emancipation as a condition of statehood best served his constituents’ interests. The so-called “Willey Amendment” that resulted passed a special committee of statehood leaders unanimously, and West Virginia voters approved it on March 26, 1862, by a margin of 28,321 to 572.⁸⁰ Such a dramatic revolution in opinion demands explanation.

The most important catalyst for abolition came from outside the new state. Because West Virginia undertook an application for statehood, Congress had much greater influence over West Virginia’s internal laws through its power to accept or reject proposed state constitutions than it could have anywhere else inside an existing state. Article IV, Section III of the U.S. Constitution, which described the statehood process, left Congress with very wide discretion to approve new states as it saw fit. Since past Congresses had used a wide variety of procedures to admit states under different circumstances, no clear precedent existed for West Virginia’s case.⁸¹

Congress had significant interests in West Virginia’s statehood unconnected to slavery. Few railroads had the same strategic significance to the Union as the Baltimore and Ohio, which

⁷⁹ Henry Dering to Waitman T. Willey, April 29, 1862, Waitman Willey Papers, WVRHC.

⁸⁰ “West Virginians Approve the Willey Amendment,” in *A State of Convenience*.

⁸¹ A detailed description of the variety of legal procedures Congress has used to admit new states, written by a researcher with the Congressional Research Service, appears in Garrine P. Laney, *Statehood Process of the Fifty States* (Hauppauge, NY: Novinka Books, 2002).

crossed the northern portion of the proposed state. As the main artery connecting Washington with northern states east of the Appalachian Mountains, the Railroad had carried Abraham Lincoln to his inauguration. Destruction by campaigning Confederate armies meant B&O officials had to devote constant attention to reconstruction work, especially in the vicinity of Harper's Ferry and Martinsburg. Since the B&O formed one of only three rail connections between the states of the Old Northwest and the east coast, along with the Pennsylvania and New York Central Railroads, such disruptions drove the government to consider any possible means for protecting it, including placing it in friendlier political hands.⁸² With an eye towards removing the line from Virginia entirely, the West Virginia Constitution provided a mechanism by which the railroad counties of Jefferson and Berkeley could opt to join the new state after statehood. Both did so late in 1863, extending the eastern panhandle to the Shenandoah River.⁸³

From a moral and political perspective, statehood also seemed a just reward for Unionists' support for the war effort and a necessary step to sustaining Unionist morale. Benjamin Wade of Ohio opined on July 14, 1862, that "the people of Western Virginia are entitled to what they ask; they have earned it by their loyalty, by their privations, and by their perils; and they are entitled to the good will and good fellowship of this Senate, to endeavor to do for them that which they have fairly earned."⁸⁴ Influential voices in the Lincoln administration shared this view, and Salmon Chase advised Lincoln that

⁸² John F. Stover, *History of the Baltimore and Ohio Railroad* (West Lafayette, IN: Purdue University Press, 1987), 99-117.

⁸³ Ambler, *A History of West Virginia*, 341-342.

⁸⁴ *Congressional Globe*, July 14, 1862.

Much – very much – is due to the desires and convictions of the loyal people of West Virginia. To them, admission is an object of intense interest; and their conviction is strongly expressed that the veto of the Act and its consequent failure would result in the profound discouragement of all loyal men and the proportionate elation and joy of every sympathizer with rebellion... The case of West Virginia will form no evil precedent. Far otherwise. It will encourage the loyal by the assurance it will give of national recognition and support...⁸⁵

Granting statehood looked like the right thing to do, and there was no compelling reason not to.

Congressional pressure meant that the bill for West Virginia statehood, before it even left committee, had lost the token antislavery provisions of the proposed state constitution in favor of stronger measures. The Committee on Territories effectively resurrected Gordon Battelle's second proposed amendment by inserting a provision that "from and after the 4th day of July, 1863, the children of all slaves born within the limits of the State shall be free."⁸⁶ With this policy as the starting point for debate, Congressional deliberations now revolved around what precise contours the emancipation process might take. Charles Sumner of Massachusetts immediately proposed amending the provision to require immediate emancipation of all slaves effective July 4, 1863.⁸⁷ Senator Willey tried to preserve as much of the conservative approach

⁸⁵ Reprinted in Isaiah A. Woodward, "Opinions of President Lincoln and His Cabinet on Statehood for Western Virginia, 1862-1863," *West Virginia History* Vol. XXI, No. 3 (April, 1960), 179.

⁸⁶ *Congressional Globe*, June 26, 1862.

⁸⁷ *Ibid*, June 26, 1862.

of the constitutional convention as he could, but recognized in the end that his ultimate goal of statehood meant acceding to some antislavery demands.

Although he approached the issue much more cautiously than Congressional radicals, Abraham Lincoln also played a significant role by acquiescing to both West Virginians' demands for statehood and Congress's demands for gradual emancipation.⁸⁸ Lincoln showed enormous reluctance to see Virginia split, and asked each member of his cabinet for a written opinion on both the constitutionality and the expediency of statehood, with mixed responses. When the President finally did sign the statehood bill into law on December 31, 1862, Lincoln's opinion included a clear disclaimer that "the division of a State is dreaded as a precedent. But a measure made expedient by a war, is no precedent for times of peace." However carefully Lincoln framed the constitutionality of his action, the President's official opinion also included a fairly radical statement of administration policy. In the broader context of the war, Lincoln explained, "the admission of the new state, turns that much slave soil to free; and thus, is a certain, and irrevocable encroachment upon the cause of the rebellion."⁸⁹ Emancipation had taken a place among the President's official war policies, and Lincoln's signature of the statehood bill provided a fitting prelude to his official enactment of the Emancipation Proclamation, which exempted West Virginia, the next day.

⁸⁸ A summary of Lincoln's approach to the statehood question appears in Michael P. Riccards, "Lincoln and the Political Question: The Creation of the State of West Virginia," *Presidential Studies Quarterly* Vol. 27, No. 3, The Presidency in the World (Summer, 1997), 549-564.

⁸⁹ Abraham Lincoln, Opinion on West Virginia Statehood, December 31, 1862, in *Abraham Lincoln Papers at the Library of Congress*,

<<http://memory.loc.gov/ammem/alhtml/malhome.html>> (1 April 2011).

As much as many West Virginians might have liked, all other things equal, to see slavery's continued existence, many also came to prioritize defeating the Confederacy over preserving slavery. After Abraham Lincoln proposed to border state congressmen that their states consider enacting gradual emancipation laws in July 1862, Waitman Willey and two western Virginia congressmen, Jacob Blair and William G. Brown, reacted favorably. The three, with a handful of other border state congressmen, signed a response that explained their position:

We believe that the whole power of the Government, upheld and sustained by all the influences and means of all loyal men in all sections, and of all parties, is essentially necessary to put down the rebellion and preserve the Union and the Constitution. We understand your appeal to us to have been made for the purpose of securing the result. A very large portion of the people in the Northern States believe that slavery is the "lever power of the rebellion."

While defending their conservative approach, these congressmen concluded that "if they [the white South] can give up slavery to destroy the Union; We can surely ask our people to consider the question of Emancipation to save the Union."⁹⁰

Their people, it seems, had already begun to warm to sacrificing slavery for victory. E.C. Bunker informed Senator Willey in April 1862 that public opinion in Morgantown had outpaced Willey's gradualism:

⁹⁰ Border State Congressmen to Abraham Lincoln, Tuesday, July 15, 1862 (Minority response to Lincoln's proposal for compensated emancipation) in *Abraham Lincoln Papers at the Library of Congress*.

...here in West Va. our people are making rapid strides to abolition. Many persons here and in Wheeling are endeavoring to injure your popularity and reputation simply because you have pursued a conservative constitutional course. I fear friend Willey that the day of Constitutional Liberty in this Country has passed, that the Bird of Freedom has gone never to return.⁹¹

A West Virginian named J. Drummond also saw public opinion shifting in June. “The sentiment in favor of making the State free so far as I can judge mingling with the people on my former District and on this one,” Drummond reported, “has grown with astonishing rapidity.”⁹²

If radicalization in the electorate created an environment more conducive to ending slavery, so did the complete withdrawal of Confederate sympathizers from the political process. The secession crisis provided ample evidence that western Virginians did not rally unanimously to the Union cause. Even in the far northwestern part of the state, the secessionist *Wheeling Daily Union* recorded substantial mass meetings in support of secession in the spring of 1861. On April 9 and April 10 alone, the *Daily Union* reported that such meetings occurred in Marshall, Wetzel, Monongalia, Marion, and Harrison Counties.⁹³ All these counties returned strong majorities against the secession ordinance in the May 23 ratification vote, but the county vote totals showed striking secessionist power in future West Virginia. Of the fifty counties that

⁹¹ E.C. Bunker to Waitman T. Willey, April 19, 1862, Waitman Willey Papers, WVRHC.

⁹² J. Drummond to Waitman T. Willey, June 27, 1862, Waitman Willey Papers, WVRHC.

⁹³ *Wheeling Daily Union*, April 9, 1861, April 10, 1861.

would come to comprise the new state, 24 voted in favor of seceding.⁹⁴ More than 19,000 voters backed secession, and at most 4,000 voters opposed it outside of the northwestern base of the statehood movement.⁹⁵ While historians have long recognized that intimidation and fraud marred secession referenda, the guerilla warfare that plagued many western counties after the war started meant that the secession vote in West Virginia probably provided a more accurate reading of public opinion than any wartime vote.

The strength of pro-Confederate feelings among some segments of the West Virginia population ironically served to push West Virginia closer to emancipation because these people tended not to participate in the new state's politics. According to the most recent estimates of Confederate military recruitment west of the Alleghenies, it appears that between 16,000 and 18,000 West Virginians joined the Confederate Army, compared with the about 32,000 who fought for the Union.⁹⁶ Assuming that a large majority of these Confederate soldiers consisted of eligible voters who disproportionately supported preserving slavery, this group's participation West Virginia's elections might have seriously hindered would-be emancipators in Wheeling.

As large a group as Confederate enlistment withdrew from the political equation, many more secessionists remained civilians while refusing to recognize the Unionist government. Secessionists became such a nuisance in certain areas that Arthur Boreman complained to Francis Pierpont in February 1863 that "After you get a short distance below the 'Pan Handle' it is not safe for a loyal man to go into the interior out of sight of the Ohio River... Some think it a

⁹⁴ Curry, 49.

⁹⁵ Ibid, 7.

⁹⁶ Jack L. Dickinson, *Tattered Uniforms and Bright Bayonets: West Virginia's Confederate Troops* (Huntington, WV: Marshall University Foundation, 1995).

good occasion to go over and even yet be regarded as Southern men (God help them).”⁹⁷ Even in the village of Nicholas Wells on the Ohio itself, one of Pierpont’s correspondents reported in 1861 that

we were treated with the utmost disdain [a local] said he did not recognize your Government and ordered us from his premises and used the most insulting and obscene language on reference to you Phil Wells at his house farther on said he had no gun but if he had he would give us the contents of it in short this whole Bottom is almost entirely filled up with the most pestilent set of Traitors I ever saw they boast without reserve of being secessionists.⁹⁸

While a hostile population could loosen Union authority and hinder the war effort, it also meant that the West Virginians most hostile to emancipation probably self-selected out of deliberative politics.

A less extreme, but still significant form of political exclusion weakened the influence of proslavery voices among West Virginia Unionists. The most dramatic and important instance of this occurred against John S. Carlile, a key early leader of the statehood movement from Harrison County. Carlile assumed a leadership role in Virginia’s secession convention, where he blasted disunion as a “wicked effort to destroy the fairest and freest government on the earth” and “an insult to all reasonable living humanity, and a crime against God.”⁹⁹ Having led other

⁹⁷ Arthur Boreman to Francis H. Pierpont, February 27, 1863, Pierpont Papers, WVRHC.

⁹⁸ A. Charlton to Francis H. Pierpont, August 12, 1861, Pierpont Papers, WVRHC.

⁹⁹ Quoted in Freehling and Simpson, 30.

western delegates out of the convention in protest of Virginia's impending secession, Carlile dominated the Wheeling Conventions and drafted the "Declaration of the People of Western Virginia," which legitimized the new Reorganized Government of Virginia, after moderating his early demands for immediate statehood. The legislature of the Reorganized Government recognized his work on July 9, 1861, by unanimously electing him to a seat in the U.S. Senate.¹⁰⁰

Within a year, Carlile had become a pariah. When the Senate's Committee on Territories reported the West Virginia statehood bill, Congress and West Virginia found one more surprise in addition to its emancipation clause. In committee, Carlile had amended the bill's preamble to expand the state considerably, incorporating not only the present-day state of West Virginia, but also 13 additional Virginia counties, including the entire Shenandoah Valley. When the chamber rejected this addition, Carlile first insisted on West Virginia's admission without preconditions, then called for postponement on the statehood vote, but failing in both of these proposals, he voted against statehood on July 14. Benjamin Wade called Carlile's change of heart "greater than that of Saint Paul."¹⁰¹

The shortage of surviving correspondence from Carlile during this period makes any explanations of his behavior somewhat speculative, but it seems that unlike Willey, Carlile valued slavery above statehood. In the secession convention the previous year, Carlile had boasted of his proslavery credentials:

I have been a slaveholder from the time that I have been able to buy a slave. I have been a slaveholder, not by inheritance, but by purchase; and I believe that slavery is a social,

¹⁰⁰ Curry, 69-73.

¹⁰¹ Ibid, 100-105; *Congressional Globe*, July 14, 1862.

political and religious blessing, and I so believed when...a boy, but seventeen years of age in the city of Philadelphia, I took the ground that slavery was right in itself. That day no man [in the] South took that ground in defense of the institution. The agitation of this question...has brought every man South of Mason and Dixon's line upon one common platform, and no man to-day denies the assertion I have made, that African slavery is right in itself. Believing that the institution of slavery is essential to the preservation of our liberties, I desire above all things to continue it.¹⁰²

By redefining the boundaries of West Virginia to either include new regions that he knew would not consent to abolition and that most West Virginians did not want in their state, Carlile could potentially derail the entire project. Henry Dering saw the implications and warned Waitman Willey:

I am sorry the question of extending our boundaries to the Blue Ridge has entered the mind of Congress. The people of the Valley have been educated to believe that slavery is a divine a sacred institution and that it is exclusively their own matter, with which no one has a right to interfere. Their sympathies and connections of every kind are all with East Virginia and their prejudices all against West Va. As to how the people of the S. Western Counties would be, I confess I have my fears that they would unite with the valley counties against us and in probability vote us down.¹⁰³

¹⁰² Quoted in Freehling and Simpson, 26.

¹⁰³ Henry Dering to Waitman Willey, June 18, 1862, WVRHC.

While some Carlile supporters remained supportive after his vote, the conservative wing of West Virginia Unionism lost much of its legitimacy through his action. “The whole burthen of his song in Washington,” according to the *Point Pleasant Register* of August 7, 1862, “has been nigger, nigger, nigger. He has been ‘cheek by jowl’ with such villainous wretches as Vallandigham, Voorhees, Ben Wood, Richardson etc [leaders of the conservative, antiwar ‘Copperheads’].”¹⁰⁴ Future Congressman Chester Hubbard told his son that “Carlile has run himself clear under water. The people I think would have forgiven him almost anything else, except his vote against the New State and his speech at Indianapolis [which harshly criticized Lincoln and the Republicans].”¹⁰⁵ John J. Davis, a Carlile ally and former Wheeling Convention delegate, also saw the Senator’s popularity wane in Clarksburg that August:

Some of his Union friends are very much “Down on him” and call him a secessionist... They have at last put me down among the secessionists. I wonder what they mean by Unionists? You will find a good many Republicans here. By the by the bitter feeling existing in society here growing out of politics makes it extremely difficult to tell who are ones friends & who are not. The spirit of intolerance manifested is really shameful.¹⁰⁶

Davis’s complaints apparently had merit, as an anonymous note he received in March 1863 indicated:

¹⁰⁴ Cited in Curry, 120.

¹⁰⁵ *Ibid*, 121.

¹⁰⁶ John J. Davis to Anna, August 22, 1862, WVRHC.

Sir: You're in danger – be slightly careful of your conduct. Your course is entirely repulsive to all true patriots & sensible men, therefore this advice. I view you as a personal friend, therefore I advise you to desist from being too ambitious in your new state feelings – or rather anti-new states [sic] sympathies.¹⁰⁷

By the eve of statehood, then, formerly influential proslavery Unionists, especially those allied with Carlile, no longer led the statehood movement.

Only in the context of exceptional wartime disruptions did slavery meet a legal end in West Virginia. Far from a rubber stamp on an inevitable outcome, abolition came as a result of arm twisting by the federal government, changing opinions among formerly moderate West Virginians, and voluntary or involuntary removal of the West Virginians most sympathetic to slavery. As dramatically and even improbably as emancipationist sentiment developed in the halls of power, this was only half the story. For the slaves themselves, freedom often arrived much sooner.

¹⁰⁷ Anonymous to John J. Davis, March 9, 1862, WVRHC.

Chapter III “The Natural Consequences of a State of War”

In West Virginia, two separate processes produced emancipation. In Wheeling, in Washington, and at ballot boxes across the new state, whites had to reconcile their antebellum beliefs about abolition with the political realities of wartime, sometimes with difficulty. The transformation of white opinion that resulted produced the Willey Amendment and the formal abolition of slavery in February 1865. For the 18, 371 enslaved African-Americans in the new state, however, emancipation often occurred on a different timeline. On the level of official military policy, the domestic institutions of loyal West Virginia received protection from meddling by passing armies. In reality, the war’s disruptions undermined bondage much as they did elsewhere in the South. Recounting the havoc Union invasion played with master-slave relationships, Eric Foner describes war as “the midwife of revolution,” and suggests that “well before 1863 the disintegration of slavery had begun.”¹⁰⁸ Despite generals’ and politicians’ pronouncements, the same phenomenon characterized wartime West Virginia.

Major military campaigning began in western Virginia began with the arrival of a Union Army under George B. McClellan in May 1861 to protect the B&O Railroad and Unionist civilians in the northwest. Forces under McClellan and his successor, William S. Rosecrans, won decisive victories that spring and summer at Philippi on June 3, Carnifex Ferry on September 10, and Cheat Mountain between September 12 and September 15. This campaign carved out an area of relative safety for Unionist politics in the northern reaches of the Ohio Valley, and made possible the establishment of the Reorganized Government of Virginia in Wheeling. Elsewhere,

¹⁰⁸ Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (New York: Harper and Row, 1988), 3.

Union forces established a more tenuous kind of control. Union troops occupied Charleston in July 1861 and held it for the duration of the war, with the exception of one six-week Confederate reoccupation late in 1862. These large Union victories, though significant, masked much more confused local situations. Progress toward statehood inflamed Confederate sympathizers' hostility, and many counties experienced outbreaks of guerilla warfare and retributive violence. Organized bands of Confederate raiders also passed through, most notably in the Jones-Imboden Raid in the spring of 1863, in hopes of delegitimizing the new state and disrupting railroads.¹⁰⁹ Although Confederate forces never posed a serious threat to either Wheeling government, most of West Virginia resembled the "no-man's land" that Stephen Ash describes as a feature of Civil War military geography, with scattered garrisoned towns surrounded by an uncontrollable countryside.¹¹⁰

Union commanders in West Virginia repeatedly insisted that their armies would religiously respect private property in the region, including slaves. General George B. McClellan, whose campaigns in West Virginia would lay the foundations of his later fame, made the most explicit assurances from his headquarters in Cincinnati on the eve of his campaign:

VIRGINIANS: I have ordered troops to cross the river. They come as your friends and brothers – as enemies only to the armed rebels who are preying upon you. Your homes,

¹⁰⁹ Summaries of many of the major events in the Civil War military history of West Virginia appear in Boyd B. Stutler, *West Virginia in the Civil War* (Charleston, WV: Education Foundation, 1966).

¹¹⁰ Stephen Ash, *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865* (Chapel Hill: University of North Carolina Press, 1995), 76-77.

your families, and your property are safe under our protection. All your rights shall be religiously respected.

Notwithstanding all that has been said by the traitors to induce you to believe that our advent among you will be signalized by interference with your slaves understand one thing clearly – not only will we abstain from all such interference but we will on the contrary with an iron hand crush any attempt at insurrection on their part.¹¹¹

On the same day, McClellan sent instructions to Colonel Benjamin F. Kelley of the (Union) 1st Virginia Infantry and two other regimental commanders instructing them to “preserve the strictest discipline. See that the rights and property of the people are respected and repress all attempts at negro insurrection.”¹¹²

Developments elsewhere seemed to confirm the federal government’s intention to uphold the property rights of Unionists in slaves. In the First Confiscation Act of August 6, 1861, Congress permitted the army only to seize slaves used to aid the Confederate war effort.¹¹³ On October 22, President Lincoln removed John C. Fremont from a military command in Missouri

¹¹¹ George B. McClellan to “The Union Men of Western Virginia,” May 26, 1861, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, Series II, Volume I (Washington: Government Printing Office, 1894), 753 (hereafter *Official Records*).

¹¹² McClellan to B.F. Kelley, May 26, 1861, in *Official Records*, Series II, Volume I, 753.

¹¹³ *Statutes at Large, Treaties, and Proclamations of the United States of America*, vol. 12 (Boston, 1863), p. 319, from Freedmen and Southern Society Project, <<http://www.history.umd.edu/Freedmen>> (30 March 2011).

based on Fremont's unilateral attempts to emancipate slaves.¹¹⁴ A letter that a federal judge, John J. Jackson of Parkersburg, wrote to Reorganized Government of Virginia Governor Francis Pierpont five months later suggested that policy and practice could diverge dramatically, however:

I sent you a telegraphic dispatch this morning concerning a negro boy belonging to Benj' Byrne of Braxton – the history of the boy is this – When we formed the copartnership in the oil enterprise, the firm of J.N Camden B W Byrne J M Jackson & myself) hired of Mr Byrne two negroes, this man being one – for to attend to the cooking at our wells – This man has been there ever since in our possession and was is our possession at the time he was taken by Major Kleft He assigns as a reason for his conduct that Mr Byrnes is in the Confederate army – this is mere rumor, which from the best information I can get warrants the conclusion that he is not sure nor has he been in the army, But suppose he is in the army Is the negro man liable to confiscation – clearly he is not The Presidents modification of Fremonts proclamation as well as Mr Swards late letter upon this question – show conclusively that this negro does not fall within the class of cases contemplated by the late act of Congress – Mr Camden & myself have had exclusive control over all the property agents and hirelings of Camden Byrne &Co for the last eight months – Mr Byrne has never realized a cent from the firm in any shape since last May – We have had no communication with him, and only knew his where abouts by information I obtained at Charleston I am led to believe he is in Lewisburgh – I think

¹¹⁴ Allen Guelzo, *Lincoln's Emancipation Proclamation: the End of Slavery in America* (New York: Simon and Schuster, 2004), 50-51.

under all the circumstances of this case the negro man should be returned to our possession – Hoping that in the discharge of a public duty you will find it in your power to do so...¹¹⁵

Jackson advanced a completely sensible interpretation of federal policy, but ambiguities left room for disagreement and made compliance almost impossible in some cases. In an August letter to Benjamin Butler at Fortress Monroe, Secretary of War Simon Cameron described a situation that also applied to West Virginia. Despite the guarantees to Unionist masters in the First Confiscation Act, Cameron acknowledged that the exigencies of war usually made it impossible to determine the loyalties of the masters of fugitive slaves who arrived in army camps. “Under these circumstances,” Cameron suggested, “the substantial rights of loyal masters will be best protected by receiving [the fugitives of loyal masters] as well as fugitives from disloyal masters into the service of the United States, and employing them under such organizations and in such occupations as circumstances may suggest or require.” As long as officers kept careful records of the slaves that reached their lines, Cameron proposed, loyal masters could apply for the return of improperly seized slaves after the war.¹¹⁶

The ambiguity and unenforceability of early military policy probably influenced Colonel Rutherford B. Hayes’s opinions of the legally correct procedure for handling fugitives as his 23rd Ohio Infantry encamped outside Fayetteville, Virginia:

¹¹⁵ J.J. Jackson to Francis H. Pierpont, October 28, 1861, Francis Pierpont Papers, WVRHC.

¹¹⁶ Simon Cameron to Benjamin F. Butler, August 8, 1861, in *Officials Records*, Series II, Volume I, 762.

They will all be entitled to freedom, as I understand the rule adopted by our Government. Their master is a Rebel, and is with Floyd's army as quartermaster, or the like, being too old for a soldier. These people gave themselves up to me, and I let them go to Ohio. The rule is, I believe, that slaves coming to our lines, especially if owned by Rebels, are free.¹¹⁷

General Jacob D. Cox, who commanded the Union army's Division of Kanawha in 1863, recalled the Union army in West Virginia pursuing a hands-off policy toward fugitives early in the war; the army would not encourage escapes, but would not intervene to stop fugitives either. Writing to the *Cleveland Daily Herald* in February 1863, Cox sought to correct a report that "during the first three months the soldiers obeyed, as a military duty, the orders of Gen. Cox and others for the rendition of fugitive slaves":

It was publicly announced, when the army entered this Valley [the Kanawha Valley] last July, that it did so for the purpose of driving the rebels from it, and that it had nothing to do with the relations of master and slave in the case of those citizens who remained quietly under the loyal civil Government of Western Virginia; that neither forcible emancipation on one hand, nor the catching of fugitives on the other, was within the scope of its work. No orders inconsistent with this announcement have ever been given by me, or, with my knowledge, by any one under my command.¹¹⁸

¹¹⁷ R.B. Hayes to S. Birchard, December 19, 1861, Hayes Center.

¹¹⁸ *The Cleveland Daily Herald*, March 26, 1862.

The most dramatic instance of slaves using the presence of federal troops to escape bondage occurred when the Union army occupied the Kanawha Valley, home to the strategically valuable salt works and a large concentration of slaves. Federal forces occupied Charleston and its environs on July 25, 1861, after fighting a Confederate army led by former Virginia Governor Henry A. Wise at the battle of Scary Creek.¹¹⁹ The salt works, operated by slave labor, apparently continued to function under Union occupation.

The situation changed, however, when a new Confederate army under William W. Loring returned to the area to recapture a desperately needed source of salt for the Confederacy. Faced with the possibility of seeing the Kanawha Valley falling into Confederate hands, many slaves left the salt works with the retreating Union forces under General Joseph Andrew Jackson Lightburn. *The Guerilla*, the newspaper that Confederate authorities set up in Charleston as their official voice, described slaves' behavior as Loring advanced on September 29, 1862. "The Negroes have absconded in hundreds, and few less than a thousand have left with their disloyal masters to inquire as to their whereabouts and wonder at the answer." The fugitives used "the most ingenious kind of sailing craft, and in the efforts to elude the rebel advent, which they have learned to dread greatly, have entrusted themselves to the most fragile of home-made vessels."¹²⁰

The reminiscence of an 87-year-old ex-slave named Nan Stewart, whom Federal Writers' Project interviewers visited in Meigs County, Ohio, in 1937, corroborates this account. According to the interview transcript, Stewart's father "cum'd ovah heah [Pomeroy, Ohio] with

¹¹⁹ Roy Bird Cook, "The Civil War Comes to Charleston," *West Virginia History* Volume 23, Number 2 (January 1962), 153-167.

¹²⁰ Quoted in Scott Alexander McKenzie, "The Civil War in Kanawha County, West Virginia, 1860-1865," M.A. Thesis, University of Calgary (2007), 81.

Lightburn's Retreat" from Charleston. Nan's brother Thomas likewise "refugeed from Charllston to Pum'roy and it tuk him fo' months."¹²¹ The slaves that escaped the Kanawha Valley created significant annoyance for General Loring, who reported back to the Confederate War Department on September 14 that he could not obtain the salt that the Confederate war effort so badly needed for a lack of slaves to work the furnaces. "The salt-works prove uninjured, preserved from our activity from fire" Loring explained, "and only lack labor to supply the whole Confederacy. The negroes, by whom they were formerly worked, have been carried off by the enemy."¹²²

The experience of the Kanawha Valley represented only one particularly visible sign of slavery's wartime disintegration. The 23rd Ohio Infantry saw an especially steady stream of fugitives in the winter of 1861-1862 as the regiment camped in the New River Valley. From Camp Union outside Fayetteville, Rutherford B. Hayes reported on January 4, 1862, that "we have some interesting contrabands coming in daily."¹²³ Second Lieutenant Russell Hastings, also of the 23rd Ohio, echoed J.D. Cox's explanation of army policy toward escaped slaves. After acknowledging the constant arrival of fugitives in his camp on New Year's Day, 1862, Hastings explained in his memoir:

¹²¹ Nan Stewart Interview, June 9, 1937, in *Born in Slavery: Slave Narratives from the Federal Writers Project, 1936-1938*, <<http://memory.loc.gov/ammem/snhtml/snhome.html>> (3 March 2011).

¹²² William W. Loring to George W. Randolph, September 14, 1862, in *Official Records Series I, Vol. II*, 1071.

¹²³ R.B. Hayes to Dr. J.T. Webb, January 4, 1862, Hayes Center.

If their owners should have chanced to come to camp no one would have admitted having seen any "contrabands" and no aid or obstruction would the slave-holder have received, but he never would have found his slaves. Uncle Sam hadn't hired us to become slave catchers, and the South soon found it was useless to pursue after runaways.¹²⁴

At the same time that emancipation proposals like Gordon Battelle's looked hopeless in the halls of power, the situation on the front lines appeared quite different. Hayes reached a striking conclusion in his diary entry for January 2 when he opined that

I don't want to see Congress meddling with the slavery question. Time and the progress of events are solving all the questions arising out [of] slavery in a way consistent with eternal principles of justice. Slavery is getting death-blows. As an "institution," it perishes in this war. It will take years to get rid of its debris, but the "sacred" is gone.¹²⁵

Because much of the military campaigning that took place in West Virginia occurred in areas of very low black population density, not all Union soldiers in the region shared Hayes's and Hastings's experience with "contrabands." One of the only existing scholarly histories of a wartime West Virginia community that deals with emancipation, however, validates Hayes's conclusions about official policy, slavery, and war. In *Clash of Loyalties*, a study of Barbour County, John W. Shaffer finds that the disruptions of military invasion ended slavery long before

¹²⁴ Russell B. Hastings memoir, January 1, 1862. Hayes Center.

¹²⁵ Rutherford B. Hayes Diary, January 2, 1862, Hayes Center.

lawmakers did. Of an 1860 slave population of 95, “dozens” left Barbour with the 90-day volunteers who returned home to Ohio after the first battles in 1861.¹²⁶

Assurances from Francis Pierpont or George McClellan about the security of slave property did not convince the substantial numbers of slaveholders who fled the new state during the war with their slaves. In early December 1861, Waitman Willey cited this phenomenon in a speech that argued, interestingly enough given his centrality to West Virginia high politics, that war itself would end slavery in West Virginia:

Why, sir, it was but the other day we saw an account taken from a southern papers; in which it is alleged that the military authorities have been compelled to slaveholders in Jefferson, Berkeley and Frederick, and other contiguous; (?) from sending them south. It is alleged that in this tier of counties along there, five or six thousand slaves have been sent south since this war commenced. When our armies pass over that territory will they not before our advancing victorious standard carry their ‘other consideration’ all along with them farther south?¹²⁷

Russell Hastings echoed this theme when he reported that, the month before, his men had found the town of Fayetteville almost deserted. “On our arrival,” he recalled, “we found but three houses occupied by their owners, the rest of the inhabitants having gone south with their

¹²⁶ John W. Shaffer, *Clash of Loyalties: A Border County in the Civil War* (Morgantown: West Virginia University Press, 2003), 124.

¹²⁷ Cited in Traubert, 64.

furniture and slaves.”¹²⁸ The next May, Colonel Hayes reported to his commanding officer, Colonel Eliakim P. Scammon, of his encounter with two Kanawha County slaveowners who had fled south to Princeton in the face of advancing Union troops. Under pressure, these two took an oath of loyalty to the Union, and apparently expected some degree of sympathy from the Ohioans. “I think these wealthy scoundrels ought to be treated with the same severity as other Rebels,” Hayes wrote. “They want food for their slaves. We have none to spare to such men.”¹²⁹

Not all West Virginia slaves first tasted freedom early in the war. The *Weekly National Telegraph* of Clarksburg did not publish its last fugitive slave advertisement until March 10, 1865.¹³⁰ A month before the new state legislature passed its abolition law and ratified the Thirteenth Amendment, Martha Dent Watson, a Confederate sympathizer from Fairmont, recorded a local slaveholder’s trouble trying to hold on to a slave. “The girls are told,” Watson wrote in her diary, “that Glendening was there yesterday [morning] after Mary a black girl whom they used to own, and whom he bought more than a year ago. It seems that she came down during the holidays with the intention of not going back again. She was there when he came but left without his seeing her.”¹³¹ Martha waited anxiously to hear news of her neighbor’s attempts to recapture Mary, and briefly took heart at rumors of his success. Within a few days, however, she disappointedly resigned herself to the news that “it is proved to be a mistake about Glendening getting Mary – he did not get her.”¹³² Though her fellow West Virginians might

¹²⁸ Russell B. Hastings memoir, November 13, 1861, Hayes Center.

¹²⁹ R.B. Hayes to Eliakim P. Scammon, May 4, 1862, Hayes Center.

¹³⁰ Traubert, 158.

¹³¹ Martha Dent Watson Diary, January 8, 1865, WVRHC A&M 1798.

¹³² *Ibid*, January 10, 1865, January 12, 1865.

celebrate the preservation of the Union against hotheaded traitors, events like this sustained Martha's belief that the war had truly been a struggle against abolitionist aggression. Thinly masking her annoyance at celebratory illuminations in Fairmont marking the four-year anniversary of the bombardment of Fort Sumter, Martha remarked, "Singular that an event which marks the beginning of so much suffering should be so celebrated. If they wished to celebrate the real beginning of the war they should have selected the anniversary of the John Brown Raid."¹³³ For Martha and Glendening, the end of slavery came not from Waitman Willey's pronouncements, but from black insubordination in her neighborhood.

Although the slave narratives that employees of the Federal Writers Project collected in the 1930s have provoked, with good reason, considerable skepticism from historians, these sources may still provide some useful insights on how emancipation unfolded in West Virginia. While very few narratives exist from slaves who lived in West Virginia during the war, those that do tend not to credit the founding fathers of West Virginia for freedom. Jennie Small, who spent her childhood as a slave on a Pocahontas County farm, recalled the moment of her emancipation:

Some Yankee soldiers came up and we hid, of course, because we had been taught to fear the soldiers. One Yankee soldier discovered me, however, and took me on his knee and told me that they were our friends and not our enemies; they were here to help us. After that I loved them instead of fearing them.¹³⁴

¹³³ Ibid, April 14, 1865.

¹³⁴ Jennie Small Interview, June 9, 1937, in *Born in Slavery*.

James Campbell, an ex-slave from Monroe County also saw the Yankee soldiers as his liberators, but also gave credit to President Lincoln:

De happies' time o' my life wuz when Cap'n Tipton, a Yakee soljer cumed an' tol' us de wah wuz ober an' we wuz free. Cap'n Tipton sez, "Youse de boys we dun dis foah." We shure didn't lose no time gittin' 'way; no man...I'se shure thankful to Mr. Lincoln foah what he dun foah us folks, but dat Jeff Davis, well I ain't sayin' whut I'se thinkin' .¹³⁵

Others recalled their encounters with the army with greater cynicism. Although a very small child during the war, John Williams Matheus, then a slave in Springfield, Hampshire County, remembered an incident that left a bad taste in his mouth:

I remember the Yankee Soldier, a string of them on horses, coming through Springfield, W. Va. It was like a circus parade. What made me remember that, was a colored man standing near me who had a new hat on his head. A soldier came by and saw the hat and took it off the colored man's head, and put his old dirty one on the colored man's head and put the nice new one on his own head.

However rudely Union soldiers treated his peers, Matheus thought Abraham Lincoln was "the greatest man that ever lived. He belonged to no church, but he sure was a Christian. I think he

¹³⁵ James Campbell Interview, Undated, in *Born in Slavery*.

was born for the time and if he lived longer he would have done lots of good for the colored people.”¹³⁶

While historical memory can distort as well as preserve information about the past, the commemorations of black West Virginians offer suggestive evidence about whom they credited with freeing the slaves. President Lincoln’s decision to exempt West Virginia from the Emancipation Proclamation seems to have detracted nothing from the popular reverence he commanded as “the Great Emancipator.” Like newly freed African-Americans elsewhere in the United States, West Virginia blacks celebrated Emancipation Day, which they tended to observe on the anniversary of the Preliminary Emancipation Proclamation, September 22. In Moundsville, a town just downstream from Wheeling on the Ohio River, blacks from the surrounding region gathered to hear speakers commemorating the Proclamation as early as 1867.¹³⁷ The holiday remained a major event decades later, and Wheeling’s 1891 commemoration attracted a crowd of thousands and an appearance from America’s second black Senator, Blanche K. Bruce.¹³⁸

The throngs of free people at events like these did not attribute their freedom to the arcane maneuverings of a small clique of statehood leaders, but gave credit to Lincoln and a group of forward-thinking white and black leaders who pressured him into making emancipation a reality. Denouncing cynics who, he thought, dwelled too much on the shortcomings of the Emancipation Proclamation, future West Virginia Colored Institute principal J. McHenry Jones told the Wheeling crowd in 1891, “It has been the fashion lately to denounce the motives of

¹³⁶ John Williams Matheus Interview, July 8, 1937, in *Born in Slavery*.

¹³⁷ *Wheeling Daily Intelligencer*, September 27, 1867.

¹³⁸ *Wheeling Daily Intelligencer*, September 23, 1891.

Abraham Lincoln in issuing his proclamation of emancipation. Some young men who wish to detract from other men's great qualities in order to make themselves appear larger, are in the habit of doing this thing. That Negro who impugns the motives of Lincoln, when he proclaimed the emancipation of the race to which he belongs, exhibits credentials of his own insignificance.”¹³⁹ Five years later, John A. Lynch imparted a similar message to another Wheeling Emancipation Day gathering, adding that Lincoln “should be surrounded with a galaxy of names that will go down in history as champions of liberty,” among whom he numbered Charles Sumner, Wendell Philips, William Lloyd Garrison, Horace Greeley, John C. Fremont, and Frederick Douglass.¹⁴⁰ One white speaker, Wheeling mayor B.F. Caldwell, implicitly acknowledged that West Virginia’s political elite had not taken the lead on freeing the slaves when, reflecting on the importance of emancipation to Union victory, remembered, “the war was undoubtedly prolonged by a false sentiment [against emancipation] held by many of our best people of the loyal states.”¹⁴¹ Nowhere in the accounts of these events did any speakers mention Waitman Willey as their emancipator.

In April 1863, former Wheeling Convention delegate Spencer Dayton of Barbour County assured Waitman Willey of his place in history:

When the history of this momentous and convulsive era shall have become classic, and the enormity of man’s holding his fellow man as a mere chattel, shall have attached the odium to which it will one day arrive through the expurgation of Human Slavery from the

¹³⁹ Ibid.

¹⁴⁰ *Wheeling Daily Intelligencer*, September 11, 1896.

¹⁴¹ Ibid.

code of all civilized nations, then the author of the “Willey Amendment” will have no mean niche among the heroes of earth’s reenfranchisement.¹⁴²

Dayton’s ebullience had some basis in reality. The Willey Amendment played a key role in reconciling Congressional expectations with white public opinion in the west. To fully understand that momentous and convulsive era, however, we also need to understand what the *Daily Intelligencer* meant when it suggested that politicians ignore slavery altogether “and leave it to take, as Gen. Rosecrans well said in his McLure house speech to other evening, ‘the natural consequences of a state of war.’”¹⁴³ At least as much as the political process, armies in the field sealed the fate of slavery.

¹⁴² Spencer Dayton to Waitman Willey, April 4, 1863, WVRHC.

¹⁴³ *Wheeling Daily Intelligencer*, February 1, 1862.

Conclusion

The conflicts that ended slavery in wartime West Virginia complicate stereotyped notions of a uniformly Unionist and antislavery region breaking cleanly with slavery and the east. West Virginia's experience also has important implications for our broader understanding of the war.

West Virginia's complex political relationship with slavery underscores the need for care in explaining fault lines in the antebellum and wartime South. In his examination of the divisions between upper South Unionists and the Confederacy, *The South vs. the South*, William Freehling sees this internal conflict as a key to Union victory. The conflict, as he explained it, divided the more fanatically proslavery South from Upper South whites who "seemed especially a-southern in their tolerance for softness on slavery, particularly when the softheart was a softspoken native rather than a belligerent Yankee."¹⁴⁴ This distinction is critical: Unionists like those in West Virginia differed from Confederates not because they opposed slavery, but rather that they displayed greater flexibility toward it. West Virginia's experience shows that this ambivalence toward slavery did not inevitably lead toward antislavery tendencies, but could be channeled in that direction under the right conditions.

In a sense, West Virginia's situation in the War was anomalous. No other state experienced anything like West Virginia's convoluted political status, and few slaveholding areas received the same kind of formal legal protections for slavery that West Virginia did. An exemption from the Emancipation Proclamation and a degree of political autonomy and legitimacy within the Union might lead us to believe that white authorities in West Virginia retained control of the emancipation process throughout the war.

¹⁴⁴ William W. Freehling, *The South vs. the South: How Anti-Confederate Southerners Shaped the Course of the Civil War* (New York: Oxford University Press, 2001), 24.

On the ground, however, emancipation often progressed along lines quite similar to what happened as Union armies elsewhere marched into the Confederate interior. With slaveholders unable to stop new avenues of escape opening to slaves, and confused federal emancipation policy leaving room for field commanders to aid fugitives, slavery began to disintegrate. Though it exempted West Virginia, the Emancipation Proclamation inspired West Virginia's black population to see the writing on the wall about the future of slavery, and to act accordingly. That such disruption could occur despite a web of pronouncements from generals and politicians testifies to the power of the war itself as an agent of social change. West Virginia's case reminds us that the revolutionary potential of war could spill over the political barriers in its way, even on the Unionist fringes of the South.

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