

THE RENDING OF VIRGINIA.

CHAPTER I.

A PRELIMINARY SURVEY.

The General Assembly of Virginia, a biennial body, was suddenly summoned, in vacation, to meet in Richmond January 7, 1861.

By it, after only a week's deliberation, an election was ordered to be held February 4th for delegates to a State convention to meet in Richmond February 13th.

It was not to be a convention of unlimited powers. In electing delegates, the people were allowed to vote whether the action of the convention, if anything should be done affecting the relations of the State to the Federal Government, should be referred to the people for ratification before becoming effective; and this question of Reference was affirmed by nearly sixty thousand majority.

Although a very large majority of those chosen delegates had in their candidacy pledged themselves to be faithful to the Union and were chosen on the faith of such pledges, the convention, in secret session, passed an ordinance of secession April 17th; and, without waiting for the reference of their action to the voters of the State, by

another ordinance, passed April 25th, ratified a secret league agreed on the day before with the Vice-President of the so-called Southern Confederacy, whereby the entire military forces and resources of the Commonwealth were placed instantly and absolutely at the command of the President of the Confederate States. Even before the passage of the secession ordinance, the insurrectionary authorities at Richmond levied war against the United States by the seizure of United States property at Harper's Ferry, the capture of the Federal buildings at Richmond, Norfolk and Portsmouth, and the attempted seizure of United States ships and other naval property at Gosport.

Northwestern Virginia, indignant and alarmed, assembled a convention at Wheeling May 13th, to concert measures for the public safety. They declared their adhesion to the United States, denounced the action at Richmond as usurpation, illegal and void, appointed a Central Committee to exercise their powers in organizing resistance to the usurpation of the State government and in supporting the Federal Government, and provided for the election of a delegate convention June 4th, to meet June 11th.

May 23d occurred the general spring elections, at which were chosen members of the General Assembly, also members of Congress although forbidden by command from the rebel Governor at Richmond; and the vote was taken on the question of ratifying the ordinance of secession; the latter, under the conditions suddenly forced upon the State, being rather a form than a genuine expression in three-fourths of Virginia.

The advance of United States troops simultaneously from Parkersburg and Wheeling May 27th, cleared the Confederate forces out of Northwestern Virginia and left the people free to organize.

June 4th, on call issued by the Central Committee, addressed to all the loyal people of Virginia, elections were held for delegates to the convention to meet at Wheeling June 11th. The convention met at the appointed time. Its membership embraced the delegates specially chosen on the 4th and also the members of both houses of Assembly chosen May 23d who adhered to the United States. June 17th this convention adopted a declaration setting forth that the usurpation at Richmond had driven the loyal people of Virginia to resume their original rights and to restore the Commonwealth to its proper relation to the United States government and declaring vacant the offices of all who adhered to the secession convention. A Governor and other State officers were appointed and ordinances passed to provide for emergencies and put the machinery of the State in motion.

Early in July the General Assembly, embracing all members who refused to recognize the Richmond usurpation, met at Wheeling to perform such part of the work of reorganization as devolved on that body. They elected two United States Senators to fill the places vacated by Hunter and Mason. These Senators were admitted to seats, as were the members of the House of Representatives chosen in the three Northwestern Virginia districts in May in defiance of the rebel edict.

Meanwhile the President of the United States had, in official communications through his cabinet, recognized the Governor of the restored State government as the rightful executive of Virginia. Later, by the admission of Congressmen chosen at elections held under writs issued by Governor Peirpoint, the House of Representatives directly recognized the Wheeling government.

In the Rhode Island case, in 1842, it was decided by the Supreme Court of the United States that it rests with Congress to say which is the rightful organization in a State when there is more than one; and thus both houses of Congress, as well as the Executive, having accepted the acts of the reinstated government at Wheeling, its recognition as the constitutional government of Virginia was authoritative and complete.

The June convention having taken a recess during the sitting of the General Assembly, reassembled August 6th. On the 20th, it passed an ordinance authorizing an election in certain counties in Western Virginia on the question of a separation from Virginia, and for the election of delegates at the same time to a convention to frame a constitution for the separated State if voted. The election occurred October 24th; the vote was overwhelmingly in favor of division; and the convention to frame a constitution for the new State met at Wheeling November 26, 1861, and, having done its work, adjourned February 18, 1862. The constitution was ratified by the people within the territory for which it had been made, on the fourth Thursday of April, by a vote practically unanimous.

The General Assembly was reconvened May 6th, and on the 13th passed an act giving the formal consent of Virginia to the division. This act was certified by Governor Peirpoint and forwarded, with a certified copy of the constitution and a memorial asking the admission of the new State, to Senator Willey, by whom the papers were presented in the United States Senate May 29th.

A bill for the admission of West Virginia passed the Senate July 14th, with a condition requiring that there be incorporated in the constitution a provision for gradual emancipation of slaves, and that the clause forbidding the ingress of negroes be eliminated.

In the House of Representatives this bill was made the order of the day for December 9th and passed the following day. It was signed by the President the night of December 31, 1862.

The Constitutional Convention reassembled February 12, 1863, the emancipation provision was incorporated as required, in lieu of the negro-prohibition clause, and these amendments ratified by vote of the people; and a certificate of the facts sent to the President of the United States, who issued his proclamation April 19th declaring the admission of West Virginia as a State in the Union complete sixty days thereafter.

Meanwhile, under provision made by the convention, elections had been held and State officers and members of the Legislature for the new State chosen; and June 20, 1863, West Virginia was formally inaugurated at the Linsley Institute, in the city of Wheeling, the Virginia Executive removing with the archives of restored Virginia to Alexandria.

The equitable grounds on which the separation was demanded by the West; the story of the rebellion at Richmond producing the crisis which brought to Western Virginia the long-desired opportunity; the work of restoring civil government by the loyalists west of the mountains; the subsequent fight for the new State at Wheeling, and again at Washington; the opposition of foes and the treachery of pretended friends; the final victory—all this and something more is told in the chapters which follow.