CHAPTER VIII.

THE MAY CONVENTION—ORGANIZING RESISTANCE.

THE DAY—THE CITY—THE PEOPLE.

Monday, the 13th day of May, 1861, opened clear and auspicious for the gathering set for that day in the smoky, busy little city beside the Ohio, at the foot of the great rugged hills still part of the sacred possessions of the Old Dominion, projected aggressively far north between the alien territory of two free States. A fresh breeze coming across the river from the boundless West lifted the usual canopy of smoke and showed the old Virginia town in gala-day attire. Early in the morning people began to circulate in unusual numbers in the streets, and incoming steamboats and trains to swell the crowds. The city had adorned itself with the National colors, as a bride decks herself for the wedding-day. Great flags streamed from house roofs and from cables stretched across the streets. Smaller banners fluttered from windows and doorways. Teams were decked with little flags, while Union badges and red-white-and-blue rosettes were profusely displayed upon the persons of men, women and children.

As the arriving delegations marched from steamer or train, to the strains of numerous bands, flags flying, crowds cheering, it was a spectacle to stir the blood. It was estimated that so many Virginians had never been in Wheeling at one time before. On most gala occasions in the Nail
City, the crowds had been largely made up from neighboring Ohio and Pennsylvania; but this was a day that appealed chiefly to Western Virginians, and they were alive and enthusiastic in their response. "The people from the mountain and river counties in attendance on the Convention," said the Intelligencer, "are far ahead of us in enthusiasm and devotion to the Union, and have forced the Panhandle to yield its claim to being the especially loyal."

An incident of the day was that Thomas Hornbrook, who had just been appointed U. S. Collector of Customs at the port of Wheeling, superseding Andrew J. Pannell, raised a new United States flag over the Federal Building at the corner of Market and John Streets. A stand had been erected on the opposite side of Market; and after an opening prayer by Rev. Wesley Smith, the flag was run up and greeted with cheers from the multitude in the streets. The Star Spangled Banner was sung by a choir, the people joining in the chorus. An address by Hon. John S. Carlile followed and was rapturously applauded.

THE FEELING AND THE PROBLEM.

Resistance to secession—resistance to the death—was the universally expressed determination. That was past all discussion. The problem was how most effectively to organize it and save Western Virginia to the Union.

On the eve of this historic Convention, the Wheeling Intelligencer had asked if there was "a man from all the Northwest who has the nerve and genius to lead this great
movement? Who can concentrate the scattered elements and bring their chaotic fragments into form?" The question found its answer in the event, not in quite the shape in which it had been put. The movement found not one leader on whom its success supremely depended; but, what was better, a number who with united patriotic purpose solved its problems and gave it direction. We shall see as the story progresses that this movement was greater than its leaders; that there was a moral power in it which drove it on to success regardless of leadership or the absence of it; in spite of half-heartedness and actual hostility, on the one hand, and of treacherous leadership on the other. The result, we must recognize, was a part of the great National triumph which alone made it possible. The leaders worked wisely in harmony with the struggle to preserve nationality and therein found the road to their own success. Many years later, I casually met Daniel Lamb in the lobby of the Wheeling postoffice, and the conversation went back to the stirring times of 1861-2-3. "If it were all to do over again," was Mr. Lamb's concluding remark, "looking back to it now after all these years, I cannot see where a single one of our steps could have been more wisely taken."

THE NEWSPAPER CORPS.

The delegates assembled in Washington Hall at eleven A.M. The great audience room was filled with an eager, expectant, fluttering mass. The wide stage, on which sat many of the most eminent citizens of the Northwest, was
decorated with the national colors. In front of the stage on the main floor were tables for the press; at which, during the sessions, besides reporters of the city papers, sat the following from other cities:

Mr. Glenn, of the *New York Herald*;
Edward F. Underhill, *New York Times*;
Ainsworth R. Spofford, *Cincinnati Commercial*;
J. J. Henderson, *Cincinnati Gazette*;
Daniel O'Neill, *Pittsburg Chronicle*;
Fred Foster, *Pittsburg Dispatch*;
S. D. Page, *Cleveland Leader*;

Of these, Mr. Glenn had just come from Pensacola, where he had seen the rebels take possession of Fort Pickens. Underhill, after the Convention, went East via the Baltimore & Ohio Railroad and was taken from the car by the rebels at Harper's Ferry, and there held some time as a prisoner under pretense of a belief that he was a spy. He was confined in a part of the armory that had been held by John Brown and exposed to insult from the rabble. A rope was thrown over a limb of a tree so that a loop at the end of it dangled before a window of the crib in which he was confined. He was later removed to the jail at Charlestown whence Brown had marched to the gallows. Spofford became Librarian of Congress, and is still in the National Library in an auxiliary position. Fred Foster afterwards became editor on the *Wheeling Press*, and accompanied Governor Peirpoint as his secretary when the capital of the Restored Government of Virginia was removed to Alexandria, upon the advent of West Virginia.
There was manifest throughout the audience the tense, electric feeling which pervades great assemblies in times of excitement; and it was a relief when Chester D. Hubbard, of Wheeling, came forward on the stage and nominated for temporary chairman William B. Zinn, of Preston County—a rugged old mountaineer, who afterwards represented his county in the June Convention and House of Delegates. Mr. Zinn was escorted to the chair by Hon. John S. Carlile, of Harrison.

George R. Latham, at that time editor of the *Grafton West Virginian*, commissioned in May, 1862, Colonel of the Fifth Cavalry, afterwards member of the United States House of Representatives and later Minister to Melbourne, was made temporary secretary.

At the suggestion of Gen. John J. Jackson, of Wood, Rev. Peter T. Laishley, a delegate from Monongalia, offered prayer. In the course of his petition Mr. Laishley prayed that the stars and stripes might ever wave over this land “from the Atlantic to the Pacific—from Maine to California” (nothing about the Gulf) and that those who would plunge the country into discord might be overreached by the omnipotent arm; that this Convention might “act promptly, decisively and harmoniously.”

**A NOTE OF DISCORD.**

General Jackson moved that any gentleman present from any county in Northwestern Virginia be received as a delegate.
John S. Burdett, of Taylor, suggested to include the Valley.

Mr. Carlile asked General Jackson to withdraw his proposition. He trusted this was to be a deliberative body, composed only of those who came with the authority conferred upon them by the people of their counties who appointed them. He would not wish to prevent any gentleman from Northwestern Virginia, or anywhere else, from taking a seat on this floor and listening to the deliberations of this body; but he desired whatever action might be taken should be sanctioned by the authority of the people. In his county, at least, men had been selected with reference to the interests involved in the action of this Convention. The first thing was to provide for a permanent organization by the appointment of a committee on credentials, who would ascertain and report the names of those who were really the representatives of the people.

General Jackson thought it would be difficult to discover who were the real representatives of the people. The delegation from Wood County were prepared to take the responsibility of acting as delegates although not appointed as such. He had no doubt gentlemen had been sent here by proper and responsible bodies; but if they were to take great and momentous action, "let us have our whole people with us." He declined to withdraw his proposition.

Mr. Carlile said it was unfortunate that at the very threshold of their proceedings there should be this exhibition of a division of sentiment. If he had not conceived that the adoption of the proposition of the gentleman from Wood would prove fatal to every step hereafter to be taken, he would have remained silent in his seat. He himself was
here by the voice of the qualified voters of his county greater than was given him at the polls on the 4th of February as delegate to the Richmond Convention. No court-house clique in his county had sent delegates here. All his colleagues were here by the same voice and power. It was the court-house cliques that had brought the good old State to the brink of ruin. He looked upon this body as possessing all the power it could possess if it were a legislative body elected under the forms of law; and who ever heard of a legal deliberative body being composed of gentlemen who might happen to be present from the various counties of the State in which they reside? He trusted it
would be the pleasure of the Convention to proceed as a deliberative body, and that none would act except those sent here by their people. Other fellow-citizens present could occupy the rear of the hall, see what is going on and give us the benefit of an outside pressure, as had been done elsewhere for their enslavement.

General Jackson contended there could be no legal means to determine by what authority a gentleman was here. He wanted to include all the gentlemen present from any counties in this part of the State and also from Frederick and Berkeley.

Mr. Carlile trusted the legal and parliamentary precedents in England and in this country, and in all countries where deliberative bodies have assembled, would be followed by this Convention. "You meet and for the mere purpose of calling the body to order put some one in the chair and provide a temporary secretary. The next step is to elect a permanent presiding officer and secretary whose business it is to record your proceedings and who is responsible for them. The next to appoint a committee on credentials; and that committee reports to the body who are entitled to seats in it. I trust that we will follow precedent here and that the grave authority that clothes every deliberative body will clothe this one. I may be enthusiastic—I may be ahead of the times—but I believe, as much as I believe in the existence of a God, that our salvation, and it may be the salvation of our whole country, depends on the deliberations of this body and its action; and I want it to go abroad all over the land with all the prestige that parliamentary usage can give it."
General Jackson said he did not understand that the Convention was here for the purpose of forming a provisional government, but for deliberation and conference.

Mr. Carlile replied that if they had come here only to consult and then adjourn and go home, he had no further interest here. The people he represented, he said, "expect that we will never adjourn until their safety is secured beyond a doubt in the Union and under the flag. If we temporize now, and consult and adjourn to come back here again, before that day arrives you will have sworn allegiance to the rattlesnake flag."

Francis H. Peirpoint, of Marion, suggested to General Jackson that he withdraw his motion and allow a committee on credentials to be appointed. Let the delegations report to the committee, "and when we vote on resolutions it will be on the basis of the population of the counties."

General Jackson said he had no sort of objection to this; but he said according to Mr. Carlile's position, all those delegates not formally appointed would be excluded. A Convention such as that gentleman wanted would not be so effective as it would be while admitting the mass of those who had come here as citizens rather than as delegates. It would not look so much like an upheaval of the people.

Mr. Burdett said that for his part he had not come here to talk. He came here for action. "While we are talking," he said, "the chains have already been forged for us and the bayonets are threatening invasion. In my town of Grafton, Letcher has ordered his troops to rendezvous." It was no time to debate or evince feeling.
Mr. Hubbard moved that a committee, composed of one from each county represented, be appointed; to whom should be referred the subject of representation, and also the nomination of permanent officers of the Convention. This motion prevailed; and then it was agreed, on motion of George H. Kidd, of Preston, that an adjournment be taken to 3 P. M.; and that in the meantime the delegations from the several counties report to the president of the Convention the name of one of their number to be their representative on the committee on representation and permanent organization, and that the delegations meet as soon as possible for this purpose.

CONVENTION ORGANIZED.

At the opening of the afternoon session, Andrew Flesher, of Jackson, chairman of the committee, reported the following nominations:

For permanent president, Dr. John W. Moss, of Wood.
For permanent secretaries, Col. C. B. Waggener, of Mason; Marshall M. Dent, of Monongalia, and Gibson L. Cranmer, of Ohio.

The committee asked further time to consider the credentials of delegates. The report as to permanent officers was adopted, and Dr. Moss was conducted to the chair by Messrs. Carlile, Peirpoint, and McNeill, of Monongalia. The organization was completed, on motion of Mr. Burdett, by the appointment of James M. Ewing as sergeant-at-arms and A. Clemens and R. Higgins as doorkeepers.
It was agreed that the Convention should meet at 10 A. M., adjourn at noon, and reassemble at 2 P. M., each succeeding day while the session lasted.

General Jackson, obtaining the floor, made a lengthy speech defining his position. He was opposed to the Convention taking any decisive action; thought it would be premature, revolutionary and altogether unwise. He was in favor of the Convention passing a series of resolutions expressive of the wrongs of the Northwest, and then adjourning at least until after the election; and urged that meanwhile the counties should be canvassed to defeat the ratification of the ordinance of secession. When this had been done, and every peaceable method of defense exhausted, he would then go in for a division of the State. He characterized the policy foreshadowed by Mr. Carlile as calculated to place the Northwest at once in the midst of Civil War. He believed we might, after a while, and by going about it in the right way, effect a peaceable division of the State; but he urged that the people of the interior counties were not ripe for it yet.

Mr. Burdett interrupted at one point and asked: Supposing, in the meantime, while thus waiting, Letcher should throw his troops into this part of the State to intimidate Union men and carry the election by violence and force, as they will do in the East, what did General Jackson propose to do in such a case? "We must meet the emergency now," said Mr. Burdett, and the Convention responded to the declaration with applause.

Mr. Carlile replied to General Jackson. If he had supposed the deliberations of this body were to be limited to the adoption of a few paper resolutions, he would not have
gone through what he had in furtherance of what he had supposed would be the action of this Convention—in furtherance of the efforts that were necessary to maintain the liberties of a patriotic people. "Need my friend from Wood," he said, "be informed that the day has gone by for plunging the people of the Northwestern part of the State into revolution, as he terms it? We are already in revolution, not by our act but by that of the usurpers sitting in dark conclave at Richmond. I presumed it was the mission of this body to devise such measures as would protect us from the consequences which must inevitably flow from that usurpation. We are the only portion of the State that is not now under military despotism. The order has gone forth, and it is even at this hour being executed, by which we are to share the fate that has been imposed on other portions of the State. The soldiers have been ordered to rendezvous at various points in this part of the Commonwealth. No people who contented themselves with paper resolves, while bayonets were bristling all around them and war was being brought to their very doors as rapidly as it could be, ever maintained their freedom in this way. * * * When has there ever been in the records of the past such an utter contempt on the part of any despot for the people as exhibited here, in what was once free Virginia, by the Richmond Convention? You determine at the polls by more than fifty thousand majority that no act of that Convention should change your relations to the Federal government without being first ratified by you; and even before the ordinance is passed they place you in hostility to the government!"
General Jackson wished to know how prompt action by this Convention would overcome the difficulty?

**CARLILE SWAYS THE CROWD.**

Mr. Carlile: Let this Convention show its loyalty to the Union and call upon the government to furnish them with means of defense, and they will be furnished. "There are two thousand minie muskets here now, and more are on the way, thank God." (The announcement was greeted with cheers.) "Let us," continued Carlile, "repudiate these monstrous usurpations; let us show our loyalty to Virginia and the Union; and let us maintain ourselves in the Union at every hazard. It is useless to 'cry peace when there is no peace'; and I, for one, will repeat what was said by one of Virginia's noblest sons and greatest statesmen: 'Give me liberty or give me death.'"

This declaration was received with loud and continued applause, indicating that the great body of those present sympathized with a vigorous policy as against any temporizing.

**THE DELEGATES.**

The Committee on Credentials then submitted their supplemental report, showing duly accredited delegates from the counties of Hancock, Brooke, Ohio, Marshall, Marion, Monongalia, Preston, Harrison, Wood, Ritchie, Lewis, Upshur, Gilmer, Wirt, Jackson, Mason, Wetzel, Pleasants, Barbour, Hampshire, Berkeley, Taylor, Tyler, Doddridge and Roane, as follows:
HANCOCK.


BROOKE.


OHIO.

THE MAY CONVENTION. 245

James S. Wheat,  
George W. Norton,  
N. H. Garrison,  
E. Buchanan,  
John Pierson,  
Perry Whitham,  
E. McCaslin,  
A. Bolton Caldwell,  
John R. Hubbard,  
Andrew F. Ross,  
William B. Curtis,  

Jacob Hornbrook,  
L. D. Wait,  
John K. Botsford,  
George Bowers,  
Robert Crangle,  
Jacob M. Bickel,  
James Paull,  
John G. Hoffman,  
Jacob Berger,  
A. Bedilion, Sr.,  
James C. Orr.

MARSHALL.

John H. Dickey,  
John Parkinson,  
Thomas Morris,  
William Alexander,  
John Laughlin,  
William T. Head,  
J. S. Parriott,  
William I. Purdy,  
H. C. Kemple,  
Joseph Turner,  
Hiram McMachen,  
Elbert H. Caldwell,  
James Garvin,  
L. Gardner,  
H. A. Francis,  
Thomas Dowler,  
John R. Morrow,  
William Wasson,  
Nat Wilson,  
Thomas Morgan,  
S. Dorsey, Jr.,  
R. B. Hunter,  
J. W. McCarrigan,  
J. B. Morris,  
R. C. Holliday,  
William Collins,  

J. Winders,  
William Baird,  
Dr. Marshman,  
William Luke,  
J. Garvin,  
S. Ingram,  
William Phillips, Jr.,  
A. Francis,  
Thomas Wilson,  
Lot Enochs,  
G. Hubbs,  
John Wilson,  
John Ritchie,  
J. W. Bonar,  
J. Alley,  
S. B. Stidger,  
Asa Browning,  
Samuel Wilson,  
J. McConnell,  
A. Bonar,  
D. Price,  
G. W. Evans,  
D. Roberts,  
George Hubbs,  
Thomas Dowler,  
R. Alexander,
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<td>John J. Davis</td>
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<td>Solomon S. Fleming</td>
<td>Waldo P. Goff</td>
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<td>Felix S. Sturm</td>
<td>B. F. Shuttlesworth</td>
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<td>James Lynch</td>
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THE MAY CONVENTION.

PLEASANTS.

Friend Cochran, R. A. Cramer,
Robert Parker, James W. Williamson.

WOOD.

S. L. A. Burche, John McKibbin,
John J. Jackson, W. Athey,
J. D. Ingram, C. Hunter,
A. Laughling, R. H. Burke,
W. Vroman, W. P. Davis,
J. C. Rathbone, George Compton,
G. E. Smith, C. M. Cole,
D. K. Baylor, Roger Tifflins,
M. Woods, Edward Hoyt,
Andrew Als, W. B. Casewell,
Joseph Dagg, Jr., Peter Dils,
N. W. Warlow, W. F. Henry,
Peter Riddle, A. C. McKinziey,
John Paugh, Rufus Kinward,
T. E. McPherson, John J. Jackson, Jr.,
Thompson Leach, J. J. Neall,
S. S. Spencer, T. Hunter,
E. Deem, M. P. Amiss,
N. H. Colston, J. Barnett,
A. Hinkley, T. S. Conley,
Bennett Cook, C. J. Neall,
George W. Henderson, J. G. Blackford,
George Loomis, Henry Cole,
J. L. Padgitt, William E. Stevenson,
S. D. Compton, Jesse Murdock,
S. M. Peterson, J. Burche,
G. H. Ralston, J. Morrison,
V. A. Dunbar, A. H. Hatcher,
A. R. Dye, A. Mather,
W. H. Baker, G. B. Smith,
William Johnson, Jr., Arthur Drake,
Jesse Burche, H. Rider,
THE RENDING OF VIRGINIA.

S. Ogden, Sardis Cole, P. Reed, B. H. Kukey, Dr. John W. Moss, R. S. Smith.

MONONGALIA.


PRESTON.


JACKSON.

THE MAY CONVENTION.

MARION.

R. R. Brown, John Chisler,
J. C. Beeson, Thomas Hough,
Isaac Holman, William Beatty,
Thomas H. Bains, James C. Beatty,
Hiram Haymond, Aaron Hawkins,
N. Merrifield, Jacob Streams,
Joshua Carter, Francis H. Peirpoint,
G. W. Jolliff, Jesse Shaw.

MASON.

Joseph H. Macher, John O. Butler,
Samuel Harpold, Timothy Russell,
W. E. Wetzel, John Hall,
John Godlez, A. A. Reager,
Wrat Wells, W. Hopkins,
W. W. Harper, E. B. Davis,
William Harpold, David Rossin,
Daniel Polsley, John J. Weir,
Samuel Davis, Asa Brigham,
J. N. Jones, Charles B. Waggener,
S. Yeager, John M. Phelps,
R. C. M. Lovell, Stephen Comstock,
B. J. Rollins, W. C. Sharr,
D. C. Sage, Apollo Stevens,
C. H. Bumgardner, Major Brown.

UPSHUR.

W. H. Williams, C. P. Rohrbaugh.

WIRT.

Henry Newman, B. Ball.
E. T. Graham,

RITCHIE.

Noah Rexroad, J. P. Harris,
D. Rexroad, A. S. Cole.
O. D. Downey,                    George W. Sheets,  
George W. Broski,                George W. Rizer,  
Dr. B. B. Shaw,                  

HAMPShIRE.                    

A. R. McQuilken,               J. S. Bowers,  
John W. Daily,                 

BERKELEY.                     

E. H. Menefee,                 J. H. Shuttlesworth,  
Spencer Dayton,                

BARBOUR.                      

J. Cheuvront,                  J. A. Foley,  
S. S. Kinney,                  J. P. F. Randolph,  
J. Smith,                      

DODDRIDGE.                    

F. M. Chalfant,                J. Woofter,  
A. S. Withers,                 W. L. Grant,  
J. W. Hudson,                  J. A. J. Lightburn,  
P. M. Hale,                    

LEWIS.                        

ROANE.                        

Irwin C. Stump.               

TAYLOR.                       

J. Means,                      J. J. Allen,  
J. M. Wilson,                  B. Bailey,  
T. Kennedy,                    J. J. Warren,  
T. Cather,                     George R. Latham,  
John S. Burdett,               T. T. Monroe.  

The following resolutions recommended by the committee were agreed to:

That the President be authorized to present cards of admission to the floor of the Convention to such citizens in attendance from different parts of the State as sympathize with the objects of the Convention and are good and true friends of the Union.
That each member of the committee furnish the secretaries a list of delegates now in attendance from the county represented by such member.

That the vote to be taken on any question when demanded by twenty-five members shall be taken on the basis of the vote cast by each county in the last presidential election, the vote to be cast by the chairman of the delegation; on all other questions the vote to be taken per capita.

BUSINESS COMMITTEE.

Campbell Tarr, of Brooke, moved, and it was agreed, that one member from each county represented be appointed by the president as a Committee on State and Fed-
eral Relations, to whom should be referred all resolutions looking to action by the Convention. The committee appointed under this resolution was the following:

Monongalia, Waitman T. Willey. Marion, Francis H. Peirpoint.
Wood, John J. Jackson. Frederick, George S. Senseney.
Preston, Charles Hooton. Taylor, John S. Burdett.
Hancock, George McC. Porter. Pleasants, S. Cochran.
Tyler, Daniel D. Johnson. Gilmer, S. Martin.
Jackson, James Scott. Upshur, A. B. Rohrbaugh.
Wetzel, George W. Bier. Hampshire, O. D. Downey.
Lewis, A. S. Withers.

Waitman T. Willey obtained the floor and proceeded to address the Convention, taking substantially the position taken by General Jackson against any immediate measures looking to an independent State organization. He was followed by Campbell Tarr, who reviewed the positions of Willey and Jackson with a good deal of severity. He declared the time for compromises, talk and temporizing was past; that now nothing but prompt and decisive action could avert the impending dangers. This was the time to strike, and he knew a response to that declaration would come up from the entire valley from the Ohio to the Alleghenies.

MR. WILLEY EXPLAINS.

The second day of the Convention was opened with prayer by Rev. Wesley Smith, of the Methodist Church.

Mr. Willey, rising to a privileged question and referring to his remarks the previous evening, said he had been
misunderstood to say that his view of the proper course for the Convention to pursue was that it should adjourn until after the ensuing election without taking any action whatever. He had intended to say that he differed from Mr. Carlile in the views that gentleman entertained regarding the proper course to be pursued here. But he wished to declare a distinct and unequivocal position in condemnation of the usurpation at Richmond and lay down a platform upon which to organize the public sentiment for a separation from the rest of the State. Previous engagements would necessarily call him away from the Convention to-morrow, and he would ask to be released from the position assigned him upon the Committee on State and Federal Relations.

Colonel Wheat Bolts It Down.

James S. Wheat, of Ohio, offered the following, which went to the committee:

1. Resolved. That in our deliberate judgment, the ordinance passed by the Convention of Virginia on the 17th day of April, 1861, commonly known as the ordinance of secession, by which said Convention undertook in the name of the State of Virginia to repeal the ratification of the Constitution of the United States of America by this State, and to resume all the rights and powers granted under said Constitution, is unconstitutional, null and void.

2. Resolved. That the schedule attached to said ordinance suspending and prohibiting the election of members of Congress from this State to the House of Representatives of the Congress of the United States, required by law to be held on the 4th Thursday of this month, is a manifest usurpation of power to which we as Virginia freemen ought not, cannot and will not submit.
3. **Resolved**, That the Convention of the 24th of April, 1861, between the commissioners of the Confederate States and this State, and the ordinance of the 25th of April, 1861, approving and ratifying said Convention, in agreement by which the whole military power and military operations, offensive and defensive, of the Commonwealth were placed under the chief control and direction of the President of the Confederate States, upon the same principle and footing as if the Commonwealth were now a member of said Confederacy and all the actings and doings of the executive officers of our State under and in pursuance of said agreement and ordinance, are plain and palpable violations of the constitution of our State and are utterly subversive of the rights and liberties of the good people thereof.

4. **Resolved**, That it be earnestly recommended to our fellow-citizens of this State at the approaching election to vindicate their rights as Virginia freemen by voting against said ordinance of secession and all other measures of like character so far as they may be known to them.

5. **Resolved**, That it be also urged upon them to vote for members of Congress of the United States in their several districts, in the exercise of the rights secured to us by the Constitution of the United States and of Virginia.

6. **Resolved**, That it be also recommended to the citizens of the several counties to vote at said election for such persons as may entertain the opinions expressed in the foregoing resolutions as members of the House of Delegates of our State.

7. **Resolved**, That it is the imperative duty of our citizens to maintain the Constitution and the laws made in pursuance thereof and all officers thereunder acting in the lawful discharge of their respective duties.

8. **Resolved**, That, in the language of General Washington in his letter of the 17th of September, 1787, to the President of Congress, "in all our deliberations on this subject we keep steadily in view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our property, felicity, safety and perhaps our national existence." Therefore, we will maintain and defend the Constitution of the United States and the laws made in pursuance thereof and all officers acting thereunder in the lawful discharge of their respective duties.
Mr. Carlile said that, with a view of ascertaining and harmonizing the sentiments of the Convention, he had drawn up a resolution which he desired to submit. He understood he thought one thing at least, that it was the unanimous determination of this body to consent under no circumstances to their transfer to the so-called Southern Confederacy. The only diversity amongst them was as to the means of resistance—the means by which this determination could be made effectual. Of course, the proposition he should submit would come with no authoritative expression of opinion, but just as if emanating from any other member of the body. It was, however, the result of many long and well-considered and well-matured opinions and convictions. They were given shape and form this morning after a night spent without sleep. Mr. Carlile read his resolution as follows:

Resolved, That the Committee on State and Federal Relations be instructed to report an ordinance declaring that the connection of the counties in this State composing the Tenth and Eleventh Congressional districts, to which shall be added the county of Wayne, with the other portions of the State is hereby dissolved, and that the people of the said counties are in the full possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent State in the United States and subject to the Constitution thereof; and that the said Committee be instructed to report a constitution and form of government for said State, to be called the State of New Virginia; and also that they report a declaration of the causes which have impelled the people of the said counties thus to dissolve their connection with the rest of the State, together with an ordinance declaring that said constitution and form of government shall take effect and be an act of this day when
the consent of the Congress of the United States and of the Legislature of the State of Virginia is obtained, as provided for by Section 3, Article IV of the Constitution of the United States.

AND OPENS THE DEBATE.

Mr. Carlile was about to proceed with an explanation when he was called to order by Mr. Willey, who raised the point that every proposition like this must be referred without debate or further explanation.

Mr. Carlile replied that they had adopted a resolution in the Richmond Convention by which all resolutions touching Federal relations were to be referred "without debate;" and yet the Convention was engaged for weeks in the discussion of resolutions of instruction to that committee. This was a resolution of instruction; and even if it were but one of inquiry, the resolution adopted yesterday did not prevent debate on it. There were very good precedents for the course he proposed.

COLONEL WHEAT PROTESTS.

Mr. Wheat regretted Mr. Carlile should try to forestall the action of the Convention. The resolution instructed the committee to make a specific report involving questions of great magnitude, instructing the committee to report an ordinance to establish an independent government within the State of Virginia. He presumed the Convention was not unprepared to meet that question, but this was not the proper mode by which to do so.

Mr. Carlile said, with a view to conciliation and harmony, he would put his resolution in the shape of one of inquiry.
General Jackson said if this proposition was to be entertained for a moment, he would take his hat and leave the hall, and the delegation from Wood would go with him. General Jackson had moved an adjournment but had withdrawn it to permit Colonel Wheat to speak. He now insisted on his motion to adjourn.

The chair ruled that Mr. Carlile was entitled to explain his resolution to be submitted to the committee. General Jackson did not execute his threat to leave the Convention.

Mr. Carlile, resuming, said that it was due to a correct understanding on the part of the country and to the position he occupied before the country, that he be permitted to make an explanation.

It is represented, he said, that a proposition looking to a separate State government is revolutionary. I deny it. It is the only legal, constitutional remedy left this people if they do not approve of the action of the Virginia Convention. Like the gentleman from Monongalia, I desire to exhaust all legal and peaceful remedies before we are compelled to the ultima ratio of nations. But can there be anything revolutionary in availing ourselves of the constitutional means provided in the organic law of the land for the very purpose of protecting our interests?

The Constitution of the United States is also the constitution of Virginia; is the supreme law of the land; is to be obeyed and respected by all, even by the constitutions of the several States. It makes null and void every constitutional provision of a State and every Legislative enactment which is in conflict with it. It provides expressly and in terms plain and unmistakable for the separation of a State and the erection of a new State within the boundaries of a State out of which the new State is to be formed. Then where is there anything revolutionary in discussing and deliberating, and exercising a privilege thus secured to Va.—17
us by that instrument? Gentlemen are endeavoring to evade the issue by attempting to excite the fears of men by stigmatizing the exercise of a plain and constitutional right as revolutionary. It is a peaceful, legal, constitutional remedy, secured to us by the same instrument which secures us freedom of speech and the right of trial by jury; nor is there anything in this right inconsistent with what gentlemen are pleased to term their “allegiance” to either the State or Federal government. There is no “treason” as gentlemen would endeavor to impress; no perjury, as they have attempted to assume.

It has been said this Convention was called for consultation. It happened to be the speaker's pride that he had had the honor to draw up the preamble and resolutions adopted by the meeting in his own county which had resulted in the bringing together of this Convention. Every meeting which had appointed delegates was held in response to those resolutions. Those resolves, among other things, say that this Convention was called “to consult and determine upon such action as the people of Northwestern Virginia should take in the present fearful emergency.” That is the call and such is our duty. It contemplated “action” that would keep us in the Union and preserve to us and to our children, and to all posterity, the liberties achieved by the illustrious dead. * * * It is said we are not prepared for such action. When will we be better prepared? If this action be our constitutional right, who will dare to say that anywhere within the limits of this Union any man is authorized to resist such action? Who dare to say that this remedy can be exercised only by virtue of force? We will never be in a state of preparation if we are not now. What means of defense or protection are we likely to have in the next six months that we have not to-day?

Colonel Wheat made the point of order that Mr. Carllie by extending his remarks beyond what is known as an explanation was arguing the merits of the proposition contained in his resolution, and opening the door to general
debate while denying to other members the right to reply to his arguments, thus forestalling the independent action of the committee.

Mr. Carlile said he had been explaining the first and most important branch of his resolution, which is the peaceful, constitutional right of this separation, as he had shown by authority. Any gentleman had the same right to discuss the question that he had.

The chair thought Mr. Carlile was now out of order; and Mr. Carlile proceeded to say that he would try to confine himself to an explanation. The resolution, he said, does not contemplate that all action shall be deferred until the country gets into a better state of preparation. He asked when we would be better prepared to avail ourselves of this constitutional right than now? "After the 23d of this month," he said, "it may not be a constitutional right. We will have been transferred to the Southern Confederacy; and the Constitution of the United States under the theory of those who advocate this doctrine of withdrawing from the Union at will, will no longer shelter and support us; and if every member of the Legislature of Virginia and every man, woman and child in the State were willing for our separation, the separation could not be made without the consent of the Montgomery government; and that could be obtained only by treaty and negotiations by ministers on the part of the two governments, hostile as they are and as they may remain; and no treaty negotiations can ever be had until the hostility ceases and the Southern Confederacy is recognized by the government of the United States."
At this point, William Lazear, of Monongalia, interrupted to say that it would certainly be better to leave the discussion of this until the report of the committee. The chair said he felt compelled to arrest the discussion now; and soon thereafter the Convention took a recess.

REPORT FROM THE COMMITTEE.

On reassembling in the afternoon, George McC. Porter, of Hancock, reported on behalf of the Committee on State and Federal Relations a series of resolutions comprising those offered in the morning with the addition of the following:

Resolved, That in view of the geographical, social, commercial and industrial interests of Northwestern Virginia, we pronounce the policy of the Convention in changing the relation of the State to the Federal Government and annexing us to the Confederate States unwise and utterly ruinous and disastrous to all the material interests of our section, severing all of our social ties and drying up all the channels of our trade and prosperity.

Resolved, That should the ordinance of secession be adopted, then we recommend to the several counties here represented and all others disposed to cooperate with us to hold elections at the several precincts therein on the 4th day of June, 1861, for delegates to a general convention to be held at Wheeling on the 11th day of June, 1861, to devise such measures and take such action as the safety and welfare of Virginia may demand; each county to appoint a number of representatives to said convention equal to double the number to which it will be entitled in the next House of Delegates; and that the Senators and delegates to be elected on the 23rd inst. to the next General Assembly of Virginia by the counties referred to be declared members of said convention.

Resolved, That inasmuch as it is a conceded political axiom that government is founded on the consent of the governed and
is instituted for their good, and it cannot be denied that the course pursued by the ruling power in the State is utterly subversive and destructive of our interests, we believe we may rightfully and successfully appeal to the proper authorities of Virginia to permit us peacefully and lawfully to separate from the residue of the State and form ourselves into a government to give effect to the wishes, views and interests of our constituents.

Resolved, That the public authorities be assured that the people of the Northwest will exert their utmost power to preserve the peace, which they feel satisfied they can do, until an opportunity is afforded to see if our present difficulties cannot receive a peaceful solution; and we express the earnest hope that no troops of the Confederate States be introduced among us as we believe it would be eminently calculated to produce Civil War.

Resolved, That * * * * * * * * * * * * * * be appointed a committee to prepare an address to the people of Virginia in conformity with the foregoing resolutions and cause the same to be published and circulated as extensively as possible.

Mr. Carlile moved to recommit the report with instructions; and after reading the resolution which he had offered in the morning, proceeded to address the Convention at considerable length, urging that some action be taken more effective that the mere adoption of resolutions.

THE SPECTRE OF TREASON.

He was followed and replied to by Mr. Willey, who said the proposition brought forward by Mr. Carlile was in violation of the law; that it was treason not only against the constitution of Virginia but against the Constitution of the United States; and that the action proposed would of necessity bring on war in our midst.
At the opening of the third day's session, Mr. Carlile obtained leave to add to the resolution offered by him the day before, a provision that the ordinance therein proposed should be submitted to the people at the election to be held on the 23d inst.

A member whose name the reporters did not get offered for reference a resolution suggesting the propriety of adopting the present constitution and laws of Virginia and recommending the election of delegates to a Convention to revise the constitution and organize a separate State; that the Convention at once organize a provisional government by choosing three persons to constitute a committee of safety, who should exercise the constitutional powers of the Governor and Council of Virginia until a complete reorganization could be effected; and requesting the Federal government to establish a line of military posts from Harper's Ferry up the Shenandoah Valley through to the Tennessee line and up the great Kanawha. The reading of the resolution excited considerable merriment.

TRIPLE-PLATED TREASON.

Mr. Willey now obtained the floor and proceeded to address the Convention. He opposed the organization of a provisional government. The plan of procedure proposed by Mr. Carlile, he said, would be "treason against the State government, the government of the United States, and against the government of the Confederate States of America." He urged that it would inevitably bring war and ruin upon this part of the State. He protested against such action and asked for the mode of redress proposed in the resolutions of the committee. He would never lend
himself to an insurrectionary or unconstitutional means of accomplishing an object which he thought could be accomplished according to law.

Daniel Polsley, of Mason, spoke in favor of separation. He was not terrified by the cry of "treason" that had been raised here. If there was any treason in the matter, they had already committed it. He held they had a right to establish a provisional government here for the entire State.

John J. Jackson, Jr., moved that the Convention go into secret session. Mr. Peirpoint hoped this would not be done. Mr. Carlile was willing to vote for the proposition if deemed advisable. John R. Hubbard spoke against it. It would be but imitating the star-chamber Convention at Richmond. General Jackson wanted the motion withdrawn. Mr. Burdett trusted it would not be withdrawn. He believed in fighting the devil with fire and favored going into secret session.

Mr. Jackson withdrew the motion; and Mr. Peirpoint obtaining the floor addressed the Convention in favor of the plan proposed by the committee, and in opposition to the plan proposed by Mr. Carlile. In the course of his remarks, referring to Mr. Carlile, he said it seemed all other gentlemen were to be driven from the field.

Mr. Carlile protested that nothing he had either said or done warranted any such remark.

Mr. Peirpoint said there would soon be any amount of men and money here to protect Union men in Northwestern Virginia. Mr. Carlile asked him to give his authority for the statement. Mr. Peirpoint was about to do so, but on suggestion of several gentlemen refrained. Mr. Carlile said he did not ask out of any doubt as to the
truthfulness of the statement. He had understood Mr. Peirpoint to mention it as a mere supposition. He added that it had been charged that he had been at Washington recently engaged in procuring arms and that the 2000 rifles now here had been obtained through him. These arms, he said, had been procured by a delegation from Brooke County.

PEIRPOINT IS PIQUED.

Mr. Peirpoint had alluded to manifestations on the part of the spectators while he was speaking as "an outside pressure," and said they were endeavoring by such expressions to intimidate the gentlemen in the Convention. Colonel Wheat at this rose and said he had lived here all his life and knew well the temper of his fellow-citizens in this city. He was sure Mr. Peirpoint did them injustice. In the afternoon session, Peirpoint expressed his regret that he should have exhibited any undue warmth in his morning remarks and apologized for it.

During the afternoon, Mr. Carlile submitted as a further amendment to his proposition the following:

And that said Committee also provide in the event of the ratification of the ordinance of secession for the assembling of this Convention on the first Monday in June next to adopt a constitution and form of government for the said counties, if in their opinion it is premature at this time to adopt said constitution and form of government.

Mr. Carlile said he offered this in deference to the views of others, not that he had in the least changed his own opinion heretofore expressed.

Mr. Latham offered a series of resolutions, as a kind of middle ground. They went to the committee, but did not get into the hands of the reporters.
THE MAY CONVENTION.

THE DOGS OF WAR.

In the evening session Mr. Burdett read a telegram from his town saying: "The dogs of war are about; look out for State troops." He expected a letter by night train giving him details. Ever since the assembling of the Convention he had tried to impress upon them his conviction that before the 23d of the month more of the Northwest not already so occupied would be visited by Southern troops. The *Baltimore Sun* had intimated that Virginia intended sending out here five thousand troops, but had been advised by an officer of the Confederate government not to do so. He had thought that perhaps he was the only crazy man in this body, but he believed the Convention would see within twenty-four hours the necessity for immediate action.

John J. Jackson, Jr., said he was not afraid of Letcher's dogs of war. Let them come and they would get a warm reception.

At 5 p.m. the Committee on State and Federal Relations not being ready to report, the Convention was addressed by George R. Latham, of Taylor.

On reassembling at 7 p.m., Campbell Tarr, chairman of the committee, presented their report as follows:

**THE COMMITTEE SUMS UP.**

*Resolved,* That in our deliberate judgment the ordinance passed by the Convention of Virginia on the 17th of April, 1861, known as the ordinance of secession, by which said Convention undertook in the name of the State of Virginia to repeal the ratification of the Constitution of the United States by this State and to resume all the rights and powers granted under said Constitution, is unconstitutional, null and void.
Resolved, That the schedule attached to said ordinance suspending and prohibiting the elections of members of Congress for this State, is a manifest usurpation of power to which we ought not to submit.

Resolved, That the agreement on the 24th of April, 1861, between the commissioners of the Confederate States and this State, and the ordinance of the 25th of April, 1861, approving and ratifying said agreement, by which the whole military force and military operations, offensive and defensive, of this Commonwealth are placed under the chief control and direction of the President of the Confederate States upon the same principles, basis and footing as if the Commonwealth were now a member of said Confederacy, and all acts of the executive officers of our State in pursuance of said agreement and ordinance, are plain and palpable violations of the Constitution of the United States and are utterly subversive of the rights and liberties of the people of Virginia.

Resolved, That we earnestly urge and entreat the citizens of the State everywhere, but more especially in the Western section, to be prompt at the polls on the 23rd inst. and to impress upon every voter the duty of voting in condemnation of the ordinance of secession, in the hope that we may not be involved in the ruin to be occasioned by its adoption and with a view to demonstrate the position of the West on the question of secession.

Resolved, That we earnestly recommend to the citizens of Western Virginia to vote for members of the Congress of the United States in their several districts, in the exercise of the right secured to us by the Constitution of the United States and of the State of Virginia.

Resolved, That we also recommend to the citizens of the several counties to vote at said election for such persons as entertain the opinions expressed in the foregoing resolutions for members of the Senate and House of Delegates of our State.

Resolved, That in view of the geographical, social, commercial and industrial interests of Northwestern Virginia, this Convention are constrained in giving expression to the opinion of their constituents to declare that the Virginia Convention in assuming to change the relations of the State of Virginia to the
Federal government have not only acted unwisely and unconstitutionally but have adopted a policy utterly ruinous to all the material interests of our section, severing all our social ties and drying up all the channels of our trade and prosperity.

Resolved, That in the event of the ordinance of secession being ratified by a vote, we recommend to the people of the counties here represented, and all others disposed to co-operate with us, to appoint on the 4th day of June, 1861, delegates to a general convention to meet on the 11th of that month, 1861, at such place as may be designated by the committee hereinafter provided, to devise such measures and take such action as the safety and welfare of the people they represent may demand, each county to appoint a number of representatives to said convention equal to double the number to which it will be entitled in the next House of Delegates, and the senators and delegates to be elected on the 23rd inst. by the counties referred to, to the next General Assembly of Virginia and who concur in the views of this Convention, to be entitled to seats in said Convention as members thereof.

Resolved, That inasmuch as it is a conceded political axiom that government is founded on the consent of the governed and is instituted for their good, and it cannot be denied that the course pursued by the ruling power in the State is utterly subversive and destructive of our interests, we believe we may rightfully and successfully appeal to the proper authorities of Virginia to permit us peaceably and lawfully to separate from the residue of the State and form ourselves into a government to give effect to the wishes, views and interests of our constituents.

Resolved, That the public authorities be assured that the people of the Northwest will exert their utmost power to preserve the peace, which they feel satisfied they can do, until an opportunity is offered to see if our present difficulties cannot receive a peaceful solution; and we express the earnest hope that no troops of the Confederate States will be introduced among us, as we believe it would be eminently calculated to produce Civil War.

Resolved, That, in the language of Washington in his letter of the 17th September, 1787, to the President of Congress: "In all our deliberations on this subject we have kept steadily in
view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety and perhaps our National existence." And therefore we will maintain and defend the Constitution of the United States and the laws made in pursuance thereof and all officers acting thereunder, in the lawful discharge of their respective duties.

Resolved, That * * * * * * * * * * * * * * * be a Central Committee, to attend to all matters connected with the objects of this Convention, and that they have power to assemble this Convention at any time they may think necessary.

Resolved, That the Central Committee be instructed to prepare an address to the people of Virginia in conformity with the foregoing resolutions, and cause the same to be published and circulated as extensively as possible.

NO TIME TO DELIBERATE.

The report having been read, and the hour being late, Daniel Polsley, of Mason, suggested that instead of acting on it to-night it be laid on the table and printed, in order that every member might have an opportunity to examine it.

GENERAL JACKSON'S CORN-PLANTING.

To this General Jackson objected. He wanted to go home. It was corn-planting time.

Mr. Carlile said he was satisfied nothing more than was now incorporated in the report could be obtained from the Convention at this time; and he was happy to state that since the evening adjournment a resolution had been adopted by the committee which he regarded worth all the rest and which would in a short time realize all their hopes of a New Virginia. He referred to the resolution providing for the appointment of a committee possessing all the powers this Convention could exercise so far as they could be exercised by a committee.
REPORT ADOPTED.

The question was then put on the adoption of the report and there appeared to be but two dissenting voices. The announcement that the report had been adopted was received with tremendous cheering.

CENTRAL COMMITTEE.

The Central Committee provided for in the report were announced by the chair as follows: John S. Carlile, James S. Wheat, Francis H. Peirpoint, Campbell Tarr, George R. Latham, Andrew Wilson, S. H. Woodward, James W. Paxton.

FIRE-WORKS.

Several gentlemen were called for and speeches were made from the stage by General Jackson, Carlile, Willey, Peirpoint and others. Mr. Carlile in the course of his remarks expressed the belief that "upon us of Western Virginia and upon our efforts depends to a very great extent the restoration of harmony to the whole of our beloved land" and the preservation of its institutions. He believed that preservation was to be secured by and through "the agency of this portion of Virginia—by and through the erection of a new State."

Mr. Willey, in his address, declared his willingness to lay his life on the altar of his country. He said his "soundness on this question" had been "misapprehended in this good city of yours," while in fact his constitution had been broken "by the anxiety of the struggle of the last
two and a half months for the perpetuity of that very Union for a want of fidelity to which I am suspected at this time.” When the laws and the Constitution should fail and “the great legitimate agency of republican liberty is not sufficient to bring about the revolution that is to secure us our just rights at the ballot-box,” he was “ready to stand among the foremost of those here to-day to suspect me.” He thought if they could have two weeks longer until the election, they could “knock the ordinance into a cocked hat.” The first thing to do was to kill the ordinance on the 23d. He concluded with a poetical quotation about the flag (“Forever float that standard sheet,” etc.) that brought down the house.

Prayer was then offered, the Star-Spangled Banner sung, and, with cheers “for the Union,” the Convention adjourned, as the newspaper report of the day said, “in a blaze of enthusiasm.”

Long after this Convention and other conventions had done their work—when the work itself had been approved and had proven successful beyond the most sanguine anticipation—it became a question: Who had struck the first spark from the flint? Who was entitled to the credit of first suggesting the constituent Convention which met in June and took up the work of reorganizing the government of Virginia? It was claimed for John H. Atkinson, of Hancock, that the eighth resolution in the report of the committee, substantially as it appeared in the report, had
been first drawn by him. Mr. Atkinson's biographer in "Prominent Men" states that "if the papers of the Convention are still in existence, the original of the resolution as it appears in the committee's report will be found in Mr. Atkinson's hand-writing." Governor Peirpoint, who was a member of the committee, in a letter to Senator Wiley, to be referred to more particularly again, says this resolution was drawn by himself. The original papers ought to be among the archives of the Restored Government at Richmond. Judge Cranmer, of Wheeling, who was one of the secretaries of the May Convention and retained the papers, and secretary of the June Convention also, sent the papers of these bodies to Alexandria, by Governor Peirpoint's direction, when the archives of the Restored Government were removed thither. As recently as November, 1901, the author tried to obtain from the Secretary of the Commonwealth at Richmond the original of this resolution or a photograph of it, but was not successful.

REVIEW BY "ARCHIE" CAMPBELL.

In the Wheeling Intelligencer of April 14, 1897, appeared an article of several columns written by A. W. Campbell, former editor of that paper, describing a two-days' visit with Governor Peirpoint, at his home in Fairmont, and detailing conversations with him, relating almost wholly to the historical episode of 1861 in which the Governor bore an important part. Mr. Campbell states that Peirpoint early made up his mind that the people of Western Virginia must find refuge, if anywhere, under
the 4th section of Article IV of the Constitution of the United States, which reads: "The United States shall guarantee to every State in this Union a republican form of government and shall protect each of them against invasion and, on application of the Legislature, or of the executive when the Legislature cannot be convened, against domestic violence." Mr. Campbell does not, however, further elucidate Peirpoint's idea, if the latter had then followed it out to the result afterwards reached. The vital prerequisite to an application of this article was a Legislature and executive who would be recognized by the President and Congress. This was the basic concept of the Western organization; and the first suggestion leading up to this seems to have come from John D. Nichols, of Wellsburg, so far as indicated by anything made public. Mr. Campbell says Peirpoint brought his idea to the May Convention, but was disappointed to find it did not impress others as it did him, doubtless for the simple reason that he was not yet able to show how it could be made available.

WILLEY'S TRIPLE TREASON.

In the course of his article, Mr. Campbell makes Mr. Willey's "triple-treason" speech in the May Convention the subject of the following comment:

Perhaps it was Mr. Willey's remarkable speech early in the May sitting that made the committee and the Convention cautious as to the exact verbiage of their final address to the people. He made what was known then and ever since as a "triple-treason" speech. That is, he in antagonism to Mr. Carlile and all the rampant element warned the delegates that they were
about to commit "triple-treason"—treason to the United States, treason to John Letcher & Company and treason to the Southern Confederacy, into which Confederacy Virginia had been merged on the 25th of April by the Virginia State Government in advance of a popular vote on the ordinance of secession.

That remarkable speech of Mr. Willey's threw a chill over the delegates and over the people who thronged the lobbies. It was construed as the advocacy of a do-nothing policy; as meaning that everybody's neck and everybody's property would be at their own risk if they did aught more than vote against the ordinance. Never did a man do himself greater injustice than did Mr. Willey in that particular utterance. In a subsequent speech he complained that he had been misunderstood, misinterpreted, and even suspected of disloyalty to the Union cause, in reference to which suspicion he avowed his willingness to lay down his life for the Union. But to this day, no one has ever satisfactorily explained to that audience how the people of Western Virginia could commit treason to the United States and to the Southern Confederacy at one and the same time.

WILLEY BRINGS UP HIS RESERVES.

Mr. Willey seems to have felt restive under this treatment of the matter; for four days after this appeared he addressed a letter to the Intelligencer stating that in July, 1866, he wrote to Governor Peirpoint, then in the executive chair at Richmond, "asking if he would have any objection to give me a statement of his personal recollection of the proceedings at said mass-meeting and especially if he remembered how I came to be present on that occasion and what part I took in said proceedings." Governor Peirpoint replied, with permission to publish; but Mr. Willey says he laid the letter aside "reserving it for publication whenever an appropriate occasion should present itself." Evidently conceiving that the occasion had
arrived, Mr. Willey now transmitted a copy of the Governor's letter, and it was printed in the *Intelligencer* immediately following his own.

**PEIRPOINT GIVES CERTIFICATE.**

Governor Peirpoint begins the letter by stating that a few days before the meeting of the May Convention he met Mr. Willey at Fairmont, who had been at or was going to Farmington to see his father "who was then very ill or thought to be at the point of death." The Convention became the topic of conversation and there was a concurrence of opinion adverse to "the project to be proposed by Mr. Carlile"—concerning which it thus appears these gentlemen were informed, in advance of the public, for nothing had then been disclosed regarding any plan of Mr. Carlile's beyond what appeared in the Clarksburg call: "To consult and determine upon such action as the people of Northwestern Virginia should take in the present fearful emergency." "From the state of your health," Mr. Peirpoint says, "you thought it out of the question to attend the Wheeling Convention; that nothing but affection, or perhaps the last tribute to your aged father, had induced you to leave home at that time. You had with great pain traveled from Morgantown to Fairmont. You looked so weak that I thought it almost wrong to urge your attendance; but I knew that Mr. Carlile had the prestige of calling the Convention, and the prominence he had gained at Richmond would make his influence great among the members, and I fully appreciated the importance of defeating his project. You concurred and you attended the Convention with health little improved."
Concerning what transpired in the Convention, Governor Peirpoint continues:

Daniel Lamb, George McC. Porter and myself were made a sub-committee of the Committee on State and Federal Relations to make a report on the resolutions submitted. Lamb and Porter took the resolutions and I made out the report of the Committee. I drew up the resolution providing for a convention to assemble on the 11th day of June, fixing the representation, providing for an executive committee and also requiring the executive committee to appoint a central committee in each county to superintend and certify the election of delegates to the Convention. These resolutions I read to Lamb and Porter, and put them in my pocket. They were not reported to the Convention by the Committee. The time, in my opinion, had not arrived for their presentation to the Convention.

SO DOES JOHN H. ATKINSON.

The resolution thus described by Peirpoint as having been drawn by him providing for the June Convention is the one claimed to have been written by Mr. Atkinson. Not content to leave the matter in doubt, I wrote to Mr. Atkinson, still living at New Cumberland, and received reply under date of May 7, 1900, in which he says:

It is true that in the May Convention at Wheeling, in 1861, I drafted the resolution of which you write. Probably no more determined body of men ever met to consult of their duties than those who assembled in the hall opposite the McLure House. Their earnestness gave rise to much difference of opinion—some bold, some irresolute, but all anxious to meet the emergency of the hour. Some favored a new State by cutting loose at once from Old Virginia. Others feared a double treason—treason against the Union and treason against Virginia.
During the recess on the second day, the delegation from Hancock was called together, and I laid before them the following resolution, which was unanimously adopted and sent to George McC. Porter, our member upon the Committee.

Mr. Atkinson then gives the resolution as it appears in the committee’s report, and adds:

This resolution was adopted by the Committee and laid before the Convention, where the blank dates were filled and adopted without a dissenting vote, and was printed upon the tickets we voted May 23, 1861.

I had before laying this resolution before the delegates shown it to Daniel Polsley, an old friend who had long edited a paper in Brooke County. He assured me that it coincided
with his views and that he would advocate it in the Convention. I do not remember to have seen the letter of Governor Peirpoint in the Intelligencer; but Campbell knew I was the author, and this was only one of many positions we took in common during the war.

CARLILE GETS A CHILL.

Let us pursue Governor Peirpoint's letter, leaving the question of the authorship of the resolution for the reader to determine with these opposing statements before him. He proceeds to describe the proceedings of the Convention, including Mr. Willey's address on the third day warning the members that Mr. Carlile's programme would be treasonable. Before the opening on the third day Peirpoint learned, he says, that a canvass of the delegations made the night before and that morning showed three-fourths of the delegations in favor of "Carlile's project." Mr. Willey's speech that morning was followed by addresses by Tarr and Polsley, and they by Peirpoint, who went upon the stage and spoke an hour and a quarter. "After dinner," says the Governor, "I proceeded with my remarks, but I had not spoken more than ten minutes when Mr. Carlile came and proposed to withdraw his substitute and recommit the whole subject to the committee on resolutions, which was agreed to." * * * "During the recess the same parties who had taken the sense of the delegations in the morning again canvassed the delegations and found they were then as strongly opposed to Mr. Carlile's project as they had been in favor of it in the morning." The Governor leaves it open to doubt whose speech it was—or whether all—that had wrought the
change. But Mr. Willey, in printing the Governor's letter, appropriates the credit by here interjecting between parentheses an extract from a letter from Hon. George R. Latham, who wrote from the House of Representatives July 20, 1866:

Having had the honor of a seat in the Convention referred to and having been much interested in Mr. Carlile's proposition because opposed to it and fearing exceedingly the consequences of its adoption, I think I speak what I know when I say that upon the conclusion of Mr. Carlile's explanation of his proposition two-thirds of the Convention regarded it with favor, and I am thoroughly convinced that a majority would have voted for it until after the very able argument, etc."

where Mr. Willey ends the quotation. But the preceding extract from Mr. Campbell indicates the fact correctly, I think, that Mr. Willey's speech holding up the spectre of treason had much to do with changing the feeling away from Carlile. It was a cold douche to the ardor of the Convention.

Governor Peirpoint continues his recital:

I met Mr. Carlile before he left the hall and showed him my resolution for the June convention. He declared it met his views and asked why I had not showed it to him before. I told him I had submitted the proposition to him the evening before the Convention assembled, but he would not agree to it.

When the committee reassembled in their room, I submitted to them for the first time the resolution calling for the June Convention. You were present and gave your hearty concurrence to the project and suggested a single alteration. As soon as the attention of the committee was fixed on the subject of a convention to take place after the ordinance of secession should have been voted on it was agreed to without a dissenting voice. Mr. Carlile came into the committee room during the sitting and stated that he would withdraw his assent and should still
insist in the Convention on the adoption of his proposition. The resolutions as first reported, with some verbal amendments, were reported to the Convention, also the resolution calling for a future Convention. I believe they were concurred in by all the committee except Mr. Carlile. The committee of safety was also designated in the report, which the Convention adopted with great spirit. I believe there were but two dissenting voices.

I think it proper for me to state in this connection that the subject of a future convention was not discussed in the Convention. Neither Mr. Porter nor Mr. Lamb had addressed the Convention. They were the only persons except myself that knew such a proposition would be made. I did not allude to it in my remarks to the Convention. I did not think the time had arrived for the presentation of the resolution to the Convention nor did I think it proper to allude to it.

Mr. Carlile's proposition was opposed by you and myself purely on the ground that it was illegal and unconstitutional; that neither Congress nor the administration at Washington could sanction it; that we had neither State nor United States authority for such a proceeding; and that it would place all who participated in it in a false position, adding trouble to trouble, or, as you expressed it making triple-treason.

Governor Peirpoint added the following postscript:

It is due to you to say that I understand that immediately after the passage of the ordinance of secession you wrote to your constituents at Morgantown informing them that they must prepare for the worst—for resistance at all hazards—that there would be war.

THE JUNE PROGRAMME.

Concerning the purposes of the June Convention, Mr. Campbell in the article detailing his conversations with Governor Peirpoint says:

It had not been deemed best to announce in advance that the convention summoned to meet on the 11th of June would proceed to formally declare the government at Richmond dead
in office. The programme was for the June Convention to meet under an authorization of the people to take such action as might be necessary to meet the exigencies—to prevent anarchy and protect life and property. Everybody, however, understood before the election of June 4th that this meant the supersedeure of the Richmond government. It meant that loyal Virginia was to invoke the political as well as the military aid of the United States under the 4th section of Article IV alluded to.

**A THIRTY-YEAR WAR.**

The peculiar thing about this correspondence between Governor Peirpoint and Mr. Willey, which must strike the reader when dates and other circumstances are considered is that Mr. Willey should have asked the Governor for such a testimonial of good intentions—for that is what it amounts to; and that having obtained it, he should have held it in reserve for more than thirty years, waiting apparently for somebody to attack him, as he evidently conceived Mr. Campbell had done in the “triple treason” extract quoted in the foregoing.

**THE ORIGINAL RESTORER.**

Another interesting question, after the June Convention had laid the groundwork for the reorganization of the State, was: Who had been first to suggest the theory of original rights in the people—the “legislative powers incapable of annihilation,” referred to in the Declaration of Independence, upon which the restoration of civil government rested? Granville Parker claims it for John D. Nichols, a young lawyer of Wellsburg. Mr. Parker was told by Mr. Nichols that “in a private consultation by citizens of Brooke, Adam Kuhn, Joseph Gist, Campbell Tarr,
Nathaniel Wells, Daniel Palmer and himself present, and also Daniel Polsley, of Mason, he made this suggestion: that since Governor Letcher and other State officers, adhering to the pretended secession ordinance, had forfeited their powers, and the existing constitution made no provision for such a case, the only way was to ask the people—the only source of power—to send delegates to a convention with power to supply their places with loyal men;” that the suggestion was approved by others present, and that it was put in shape by Daniel Polsley, who presented it to the meeting, which adopted it with unanimity and appointed delegates to the June Convention in pursuance of this idea.