



Mountaineers
Becoming Free:
Emancipation and
Statehood in West
Virginia

Michael E. Woods

ABSTRACT

In December 1862, newly minted colonel Joseph Warren Keifer led the 110th Ohio Volunteer Infantry into the mountains of northwestern Virginia. It was a lonesome post. The Ohioans kept busy with drills and patrols along the South Branch of the Potomac River, but mainly they struggled to keep warm. Their frozen corner of the Civil War seemed as strategically removed from the carnage of Fredericksburg and Murfreesboro as it was socially remote from the plantations of the sunny South. But even in Appalachian hills and hollows, slavery's collapse unfolded with as much complexity and poignancy as in any province of the Cotton Kingdom. Keifer glimpsed this drama on December 30 when a runaway slave named Andrew Jackson arrived, befriended the colonel, and signed on as his aide-de-camp. Keifer's brumal encounters with slavery and liberation continued over the next two days—red-letter days for West Virginia statehood and antislavery activism. By early 1863, the nascent state seemed poised to fulfill its motto: “Mountaineers Are Always Free.”

ARTICLE

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New Year's Eve found Keifer's regiment slogging over a snowy mountain pass. After resuming the frigid march on January 1, the dispirited colonel heard shouts from the tail of the column. Fearing an attack, he rode back to investigate and found an unforgettable scene. Through the falling snow, Keifer watched his fiercely abolitionist commanding officer, General Robert H. Milroy,

riding along the line of troops and halting at intervals as though to briefly address the men. . . . He had his hat and sword in his right hand, and with the other guided his horse at a reckless gallop through the snow, his tall form, shocky white hair fluttering in the storm, and evident agitation making a figure most picturesque and striking. . . . A natural impediment in his speech, affecting him most when excited, caused some delay in his first vehement utterance. He said: "Colonel, don't you know that this is Emancipation Day, when all slaves

will be made free?” He then turned to the halted troops and again broke forth: “This day President Lincoln will proclaim the freedom of four millions of human slaves, the most important event in the history of the world since Christ was born. . . . Hereafter we shall prosecute the war to establish and perpetuate liberty for all mankind beneath the flag; and the Lord God Almighty will fight on our side, and he is a host, and the Union armies will triumph.”

Inspired, the weary Ohioans responded with “voiceful demonstrations” upon that “summit of the Appalachian chain on this cold and stormy mid-winter morning.”¹ They were unaware that Lincoln had signed a statehood bill the previous day. But as they celebrated, the rocky soil beneath their feet was fast becoming West Virginia.

Would the Buckeyes have cheered if they had known that the proclamation excluded large swaths of slave territory, including “the forty-eight counties designated as West Virginia”?² Did these infamous exemptions belie Milroy’s eloquence? Since 1863, diverse critics have cited them to gainsay the proclamation’s significance. They echo William Seward, Lincoln’s secretary of state, who griped about “emancipating the slaves where we cannot reach them and holding them in bondage where we can set them free.”³ From this angle, the content and context of Milroy’s oratory might seem perverse. But consider another of Seward’s remarks: “the emancipation proclamation was uttered in the first gun fired at Sumter and we [in Washington] have been the last to hear it.”⁴ Seward knew that emancipation was a process, not an event. He recognized that it commenced in the field in 1861, not in Washington in 1863. These insights are essential for rethinking how emancipation unfolded on exempted terrain.

Precisely because of their exemption from the proclamation, West Virginia mountaintops offer an enlightening perspective on slavery, war, and liberation. This article braids themes of emancipation, statehood, and regional identity to make three

interrelated arguments. First, the demise of US slavery cannot be understood through official documents alone. Slavery's downfall began within weeks of Fort Sumter, and its death throes continued long after January 1, 1863.⁵ The history of emancipation in West Virginia shows that fixation on legal texts exaggerates some of the proclamation's effects and elides others. Indeed, exemption itself did not make emancipation in West Virginia especially unique; more distinctive were the intricate connections between slavery and statehood. Analysis of slavery's destruction in an exempted area therefore suggests that the proclamation has received too much credit for symbolically transforming the Union war effort and too little for inspiring actual liberation within and beyond its jurisdiction. Second, the article extends recent arguments about slavery's centrality in wartime West Virginia politics.⁶ It confirms slavery's importance in the statehood controversy but also demonstrates statehood's significance as a weapon in the antislavery arsenal. Exemption did not isolate West Virginia from broader struggles for freedom. Finally, it revisits the complex question of West Virginia's regional affiliation by focusing on the actions and experiences of slaves and white Unionists. Recent scholarly efforts to position southern Appalachia in the mainstream of southern history are insightful, and the best studies avoid the mistake of conflating "southern" with "Confederate."⁷ This essay argues that the political and social history of wartime West Virginia reflected a mixture of Northern and Southern trends and placed the new state in a situation that was unique even among the border states. In some areas of the Appalachian South, particularly western North Carolina, white secessionism prevailed. But in West Virginia, Unionism, though not unanimous, was powerful and probably reflected the views of most white citizens.⁸ Like their Northern comrades, most Unionists ultimately pursued meaningful, if circumspect, antislavery activity, though they differed in the speed and zeal with which they did so. These Unionists followed a political trajectory parallel to their Northern neighbors, who were similarly split over the question of emancipation, and moved more quickly toward emancipation than Unionists in other loyal slave states, such

as Kentucky or Missouri. For their part, enslaved West Virginians seized opportunities for self-liberation similar to those pursued by slaves from the Virginia Tidewater to the Mississippi River Valley.⁹ The agency and ordeals of West Virginia's enslaved people most clearly demonstrate the "southern" characteristics of their state.

Paths toward statehood and emancipation followed many twists and turns and intersected at decisive moments. By tracing the tangled histories of statehood politics, antislavery policy, and wartime freedom struggles in West Virginia, this article explores how slavery ended in an area exempted from, but not untouched by, the Emancipation Proclamation. In an emerging state with Northern, Southern, and borderland characteristics, in which the home front and front lines overlapped, and in which local politics assumed immense national importance, the forces that wrought slavery's destruction became clear. Slavery disintegrated in West Virginia, as elsewhere, under sustained pressure from enslaved people, Northern soldiers, and lawmakers. But numerous white Unionists also contributed as voters and warriors, because they concluded that slavery threatened reunion and statehood. Unlike their border-state counterparts, West Virginia Unionists had two powerful inducements to embrace emancipation. In response, they led the border region toward freedom. Local slaves, white Unionists, and Federal soldiers collaborated, intentionally and inadvertently, to demolish slavery. They knew that the Emancipation Proclamation's influence exceeded its technical limits, but they did not need Lincoln to convince them to fight for liberation. Exemptions notwithstanding, West Virginia was a crucial battleground between servitude and liberty.

Regardless of race or status, Unionists across the Old Dominion struck out boldly for freedom at the war's onset. They recognized a unique opportunity to right historic wrongs and did not wait for executive authorization to act.¹⁰ But whether slave or free, anti-Confederate Virginians found an invaluable ally in the Union army.

Their campaigns commenced in the spring of 1861 and threatened Virginia Confederates on both flanks: mountain Unionists defied

secession and Tidewater slaves resisted bondage. White Unionists revealed their loyalties through their votes. Out of forty-seven western delegates to Virginia's secession convention, thirty-two voted against disunion. When they returned from Richmond, delegates helped organize Unionist mass meetings, including a giant rally at Clarksburg on April 22. These meetings laid the foundation for the Wheeling conventions of May and June and the formation of the pro-Union Restored Government of Virginia, which eventually acceded to West Virginia statehood. Some separatists denounced the east for undemocratic political influence, others for stifling western economic development, and yet others for tax laws that favored planters' peculiar interests. Few intended to dismantle slavery, and some never acquiesced to emancipation, but slavery had always materially and rhetorically shaped Virginia's contentious state politics. Unionists understood that eastern planters led the secession movement. One longed to "show those traitors at Richmond . . . that we are not to be transferred [out of the Union] like the . . . slaves on their plantations, without our knowledge and consent."¹¹ Not all western Unionists desired statehood; some hoped the Restored Government would return Virginia to the Union and provide a model for reconstruction. Nor did all westerners adhere to the Union. Unionism was strongest along the Ohio River, in the Northern Panhandle, and in the Monongahela region, while Confederate sympathies were most prevalent in the Eastern Panhandle and the southern and southeastern counties. But by years' end, Unionist enthusiasm for separation swelled, as old resentments fused with hostility to secession. In November 1861, delegates convened at Wheeling to frame a separate state constitution.¹²

Intrepid western Unionists strove to liberate themselves, but military support was indispensable. It would be foolish to equate Unionists' and slaves' grievances, but Union soldiers protected both groups from Confederate foes. The occupation of northwestern Virginia by Federal forces under General George B. McClellan screened Wheeling and its Unionist conclaves from attack.¹³ One delegate admitted that the "presence of Federal troops in our part of the State is all that has saved the Union men from being crushed &

persecuted to death by the Secessionists.”¹⁴ Veterans later relished their defense of western loyalists. Colonel Keifer recalled that the “fruit of the successful occupancy of Western Virginia in 1861 by the Union army . . . was the formation of a new State, henceforth loyal to the flag and the Constitution.”¹⁵ Unionists desperately needed this shelter. Shortly after Virginia seceded, Governor John Letcher dispatched soldiers to suppress mountain Unionists, and in June he ordered militiamen to sever communications between northwestern Virginia and the free states.¹⁶ Other dangers lurked within; local secessionists decapitated and disemboweled Unionist rivals.¹⁷ In a brutal wartime environment, military force was an essential catalyst for independence.

Denied the ballot, enslaved Virginians voted with their feet. On May 24, three bondsmen reached Fortress Monroe, a Union installation on the Chesapeake. They had fled from their master, a Confederate colonel who had forced them to build fortifications designed to block a westward Union advance on Richmond. Union general Benjamin Butler famously deemed them “contraband of war,” arguing that he could seize slaves like any other rebel property deployed against the United States. Butler’s claim set an important precedent, and slaves knew it. Within a month, more than nine hundred men, women, and children found liberty at Fortress Monroe, where many worked for the Union army. More than four hundred thousand slaves won freedom by escaping to Union lines during the war. That flood began in Virginia when three men forced General Butler to make a choice—and Butler decided in their favor.¹⁸ Recent studies of emancipation rightly emphasize slave agency by showing that self-liberation accelerated slavery’s destruction, a process that began long before Lincoln’s proclamation. The willingness of thousands of slaves to risk death pushed Union soldiers and statesmen to endorse military emancipation. Similarly important, however, was the presence of the Union army. Proximity to Federal military power, at Fortress Monroe and elsewhere, expanded opportunities for self-liberation.¹⁹

This process extended beyond heavily enslaved plantation zones and into the Appalachians. Among the 375,000 inhabitants of what

became West Virginia, 18,371 were slaves, most of whom lived in the Kanawha River Valley, the Eastern Panhandle, and the southeastern region. Elsewhere, enslaved people typically comprised only 1 to 5 percent of the population.²⁰ But a familiar process of military-assisted self-liberation began in western Virginia in 1861. Indeed, because Union soldiers entered the region shortly after hostilities began, military emancipation began there earlier than in the South Carolina Lowcountry or the Mississippi Valley. The disruptive potential of this Federal military presence, which might “produce an insurrection among the slaves,” haunted western Virginia secessionists from the war’s outset. Northern “abolitionists,” local “Union men,” and slaves seemed poised to unleash a “worse than savage war” that would strip Confederates of “security here for life or property.”²¹ Nervous whites uncovered insurrection plots, apparently timed to coincide with the departure of Confederate volunteers, in Kanawha in April and in Lewisburg the following month.²²

The deployment of Union soldiers, including local recruits and Ohio and Indiana volunteers, in western Virginia did not trigger apocalyptic revolts, but did corrode the chains of bondage. Undeterred by General McClellan’s pledge to prevent “interference” with slaves and “crush any attempt at insurrection” with “an iron hand,” slaves seized freedom immediately.²³ Because most lived in small groups, they tended to flee alone, in pairs, or as nuclear families. Hundreds, perhaps thousands, of slaves became free in 1861 and 1862, some without military support. George and Mary Washington and their two children, fifteen-year-old Susannah and twelve-year-old Charles, escaped across 120 rugged miles from Greenbrier County to Point Pleasant on the Ohio River. There, however, they were captured by local law enforcement officers and incarcerated.²⁴ Freedom was more secure when supported, as it often was, by Union soldiers. Troops stationed in the Eastern Panhandle encountered numerous liberated slaves in 1861. Lew Wallace entered Romney in June to find that the “gentry had flown” but the “colored people” remained to welcome Wallace’s Indiana regiment with an elaborate meal.²⁵ Fugitives trickled into a hospitable Union camp at Martinsburg throughout the spring and

summer.²⁶ As Federals advanced up the Kanawha River later in 1861, they attracted more contrabands to their camps. Some of the slaves were local, while others had been brought into the region by the Confederate army, but all found in the proximity of Union troops an invaluable opportunity to escape.²⁷ Because of their employment in the salt industry, slaves were comparatively numerous in the Kanawha Valley. But even in counties with only a few bondspeople, similar processes of grassroots emancipation began early in the war. In his invaluable study of Barbour County, John Shaffer notes that the conflict destabilized slavery “long before the gradual emancipation clause of the new state’s constitution went into effect. . . . Barbour’s slaves freed themselves en masse and began doing so at the very outset of hostilities.” The first Union soldiers deployed in Barbour County were ninety-day volunteers, and when they returned to Ohio and Indiana after their enlistments expired, dozens of local slaves accompanied them, determined to cross the Ohio River under military protection.²⁸

Some of these early “contrabands” may have unofficially joined the Union army. US policymakers had not yet authorized the recruitment of African American men, and there is no evidence that full regiments of black soldiers were organized so early in the war. But outraged Confederates identified black men among the Union detachments operating in western Virginia in 1861. In June, Colonel George A. Porterfield advised Robert E. Lee that he was “reliably informed that two companies of negroes, armed and uniformed, have been seen at Fairmont.”²⁹ Three months later, an eyewitness reported five uniformed African American men among prisoners captured near Lewisburg. The bitter Confederate concluded: “I have no doubt he [sic] will soon find his way to a cotton plantation, where he will find out that there is a difference between the white man and the Negro.”³⁰ They may have been Northern free blacks, not local ex-slaves, and they probably served in noncombat roles. These reports, especially Porterfield’s, may have reflected rumor’s power to distort reality. But Virginia secessionists expected invaders to arm slaves, and even a small black military presence unnerved Confederate onlookers.

Regardless of the prospects of military service, escape to Union lines was risky. Some runaways were captured by Confederate patrols and sold, and thus separated from friends and family.³¹ In other cases, diehard western Unionists eagerly hunted slaves. Nathan Taft, who replaced a secessionist as Barber County's prosecuting attorney in 1861, worked with Unionist colleagues to recover fugitives from Ohio, confident that their return would bolster western loyalism.³² Even reaching a Union camp did not guarantee success. In November 1861, the Federal commander at Romney, into which "quite a large number of contrabands" had recently "tumbled . . . expecting to be set free," confined fugitives until their masters reclaimed them.³³ Uncertainty, coupled with rumormongering by masters, left some western Virginia slaves frightened of the bluecoats. Former slave Jennie Small of Pocahontas County, who was "always taught to fear the Yankees," remembered hiding when Union troops approached her home. A soldier found the terrified girl, "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."³⁴ Other slaves welcomed the Federals joyfully. Charleston ex-slave Nan Stewart recalled "very well de day de Yankees cum. De slaves all cum runnin' an' yellin': 'Yankees is cumin', Yankee soljers is comin', hurrah.'"³⁵

This response was sensible, for enslaved western Virginians received considerable aid from local and free-state Federals alike. Members of the 12th West Virginia Infantry donated money to bribe a railroad engineer to carry six fugitives to Ohio.³⁶ During the September 1862 Confederate counteroffensive that pushed Federals back down the Kanawha Valley to the Ohio River, Union soldiers assisted freedpeople during the dangerous and hasty retreat. A pro-Confederate witness scoffed: "They are retreating across the [Ohio] river as fast as possible. The *Negroes* and the ambulances with their sick and wounded are sent *first*. Before night the valuable darkies are over the line, hence bid adieu to 'Dixie.'"³⁷ Many of these refugees had been among the large number of enslaved western Virginians who absconded to Union lines throughout 1862. Rutherford B. Hayes of the 23rd Ohio recorded regular arrivals of

“contrabands” at his winter camp at Fayetteville in the New River Valley. Neither Confederate patrols nor inclement weather kept them from Union lines. A dozen slaves appeared on January 2, 1862; eleven the following day; and two more on January 15. After active campaigning resumed, Hayes periodically noted additional arrivals of fugitives: six on April 27, for example, and nine on May 5.³⁸

Patterns of escape reflected bondspeople’s attention to political and military news. Indiscriminate flight was hazardous and slaves often waited for their odds to improve. Many seized their chance after General John C. Frémont took over the Mountain Department, which included western Virginia, in March 1862.³⁹ Frémont, who had been the Republican Party’s presidential candidate in 1856, advocated freeing rebel-owned slaves and made headlines with his swiftly overturned August 1861 emancipation decree in Missouri. After his transfer to western Virginia, the number of local slave escapes ballooned. A journalist noted that the “appointment of Frémont has been followed by stampedes” of slaves from “Western Virginia and the valley,” and “since it has been found” that Frémont and his subordinates “are not negro-hounds, they are increasing.” Richmond editors marveled at the exodus, wondering why slaves were “quitting their comfortable homes.”⁴⁰ By October 1862, at least five hundred western Virginia fugitives had reached Gallipolis, Ohio, across the Ohio River from Point Pleasant, and local authorities expected another fifteen hundred to arrive soon.⁴¹

Developments in antislavery policy supported these emancipatory efforts. In 1861 and 1862, congressional Republicans refused to wait for Lincoln and spearheaded the antislavery attack; unlike the Emancipation Proclamation, their legislation applied to western Virginia. The First Confiscation Act, passed in August 1861, erased masters’ legal claims to slaves employed in the Confederate war effort. In theory this required soldiers to verify that each runaway had been pressed into Confederate service, but in practice, most Union officers emancipated any slave who reached their lines.⁴² This was true in much of western Virginia. General Jacob Cox, an Ohio Republican who served extensively in the region, recalled that he and other officers “took satisfaction in enforcing the law which freed

the ‘contrabands’ who were employed by their masters in any service within the Confederate armies.” In the winter of 1861–1862, they had ample opportunity to do so. Many soldiers encouraged slaves to escape and defied masters’ attempts to recover them.⁴³ Union officers confused by the law tended to err on the side of liberty. Rutherford B. Hayes, who served under Cox, regularly directed fugitives down the Kanawha River to Ohio. He used the case of an enslaved family of four to explain his policy: “They will all be entitled to freedom, as I understand the rule adopted by our Government. Their master is a Rebel, and is with [Confederate general John B.] Floyd’s army as a quartermaster. . . . 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.”⁴⁴ Two aspects of this explanation stand out. One is Hayes’s zeal to enforce a law whose provisions he understood imperfectly, but whose antislavery spirit he shared. The other is his belief that freedom did not depend on masters’ loyalties. The remark that rebel-owned slaves “especially” were to be freed suggested that Unionists might also lose their human property. This was important in a region of mixed loyalties. Discrepancies between policy and procedure pervade the history of wartime emancipation; in western Virginia, it meant that slavery collapsed more rapidly in practice than on paper.

The Confiscation Act aligned the law with popular sentiment, particularly Union soldiers’ aversion to slave catchers. Ohioans stationed at Martinsburg defended contrabands’ liberty with force. In late 1862 or early 1863, the master of a black cook employed by the 126th Ohio Infantry arrived to reclaim his property. A captain reported that “the boys manifested their disgust by throwing stones after him and shouting as he passed out of the lines.” The stubborn slaveholder returned after convincing a New York cavalry colonel of his Unionism. Aided by Empire State horsemen, he hauled the black man back to slavery. The Ohioans were indignant, with “democrats . . . as mad as republicans,” and swore to shoot anyone who attempted to recapture fugitives in their camp.⁴⁵ Masters who demanded military cooperation in Charleston also provoked violence. An Ohioan serving in the 4th West Virginia reported

that fifty slaves departed the city in August 1862. Some “secesh” slaveholders protested, but Union teamsters threatened to “blow some of them to hell” if they did not relent. Furious, one master grabbed a slave, forced him indoors, and attempted to tie him up. Two quick-thinking cavalymen seized the “aristocratic” master “by the hair, sending him sprawling across the floor and told the negro to skedaddle.”⁴⁶ This resistance destabilized slavery in areas like western Virginia, where the Union military presence was strong throughout the war. From his experiences in the region, Hayes decided that slavery was doomed. “Nobody in this army thinks of giving up to Rebels their fugitive slaves,” he wrote in January 1862. “Slavery is getting death-blows.”⁴⁷

Moral qualms and antipathy for proslavery rebels inspired Union soldiers to protect freedpeople, but they also acted from self-interest. Federal personnel across the South received vital aid from “contrabands,” ranging from military intelligence to menial labor. Perhaps nowhere was that help needed or appreciated more than in the Appalachians. In a region where divided white loyalties made it difficult to tell friend from foe, rough terrain hampered communication and reconnaissance, and guerrillas prowled at will, the services of fugitive slaves contributed much to Federals’ success and survival. Union officers questioned contrabands about Confederate troop dispositions and passed the information up the chain of command.⁴⁸ Some slaves revealed not only Confederates’ locations, but also comprehensive information about their numbers, origins, and armaments. Amid the Battle of Cheat Mountain in September 1861, “two darkies” informed an Indiana officer that “the rebel force” nearby “consisted of 2,000 Tennessee troops armed with flint-lock muskets.”⁴⁹ A Pennsylvanian who spent the war’s first months in the Eastern Panhandle recalled that intelligence from fugitive slaves “was always regarded as more reliable than that of any other.”⁵⁰

Runaway slaves provided other valuable services. An Ohio major was deeply impressed by those he met in the Kanawha Valley in late 1861. “That down-trodden race . . . were now the first to assist the Federal commanders. Through darkness and storm, they

carried information, and acted as scouts and guides on occasions when it would try the heart and nerve of their white companions.⁵¹ This assistance was indispensable for soldiers plagued by raids and ambushes. After Confederate cavalymen plundered a supply column near Moorefield and set wagons ablaze, freedmen extinguished the flames.⁵² In other cases, timely guidance from enslaved allies helped Union soldiers avoid disasters. In December 1862, Pennsylvania cavalymen set out to seize Confederate horses corralled near Romney. The well-informed Confederates contrived to encircle and capture them, but a local slave foiled their plans. As the Pennsylvanians approached, “a slave came in across a field driving four horses to a hay-wagon.” Whipping the horses to a gallop, he waved and shouted to the Union troopers, urging them to turn back. The grateful Federals retreated and evaded capture.⁵³ Similarly, in September 1861, several companies of Ohio infantrymen advanced toward Petersburg, (West) Virginia, when an “escaping negro” warned that the Confederate garrison badly outnumbered them. The Ohioans avoided blundering into an ambush, marshaled reinforcements, and attacked several days later. They captured food, wagons, and horses, and liberated numerous slaves.⁵⁴ A potent cycle of black assistance, Union victory, and military emancipation was in motion.

Slaves’ support gave Union soldiers an edge over their adversaries. Confederates serving in western Virginia encountered similar obstacles and dangers, and many Confederates found its terrain and people downright alien. This was true even for soldiers recruited elsewhere in the Old Dominion. When John P. Sheffey, a cavalry officer from Smyth County in southwestern Virginia, prepared to invade the Kanawha Valley, he uneasily anticipated “the wildernesses of the North West” and warned his wife that he would “be gone ‘out of hearing’ of the civilized world for a long time.”⁵⁵ An especially blunt comrade deemed Pocahontas County “one of the most unpleasant looking places I ever saw.”⁵⁶ Negative stereotypes and derisive comments about western Virginia did not come from Yankees alone. Bedeviled by daunting topography and hostile inhabitants, Confederates struggled to secure an Appalachian

foothold. Already in June 1861, a Confederate general reported from Laurel Hill that Unionists were “greatly in the ascendancy” and kept the Federals well informed, while he was “compelled to grope in the dark as much as if we were invading a foreign and hostile country.”⁵⁷ After months of severe campaigning, Sheffey complained that the “difficulty here is that the people are so untrue and so faithless that we can rely upon nothing they tell us.” Amid white Unionists and slaves, he despaired that he “cannot know whom to trust.”⁵⁸

Across West Virginia, frustrated Confederate soldiers and local secessionists retaliated against slaves and their Unionist allies, using strategies similar to those pursued by Confederates throughout Dixie. Masters isolated slaves from Union troops by hiding them in rugged or inaccessible areas. By May 1864, a Union soldier spotted few “darkies” in southern West Virginia, for “most of them have been run off to the woods by their masters.”⁵⁹ Slaveholders fleeing from Federal invasions often forced slaves to accompany them. Like cotton planters who relocated to Texas, masters on the exposed northwestern frontier sought sanctuary in the Confederate interior.⁶⁰ In August 1861, a Confederate soldier wrote from near the future Virginia–West Virginia border that he “constantly” met western secessionists “travelling southward alone or with their families and negroes.”⁶¹ When Union soldiers occupied Nicholas County, they gave secessionists six hours to swear allegiance to the United States or evacuate. One stalwart Confederate chose exile, abandoning all of his property “except his negroes (who were along) wagon & team and such things as he could get in his wagon.”⁶² Confederate reverses forced masters to retreat with all their chattels.

Confederate counterattacks, however, imperiled newfound liberty, and as the front lines shifted, freedpeople scrambled to avoid reenslavement. The Confederate offensive down the Kanawha Valley in late 1862 pushed hundreds of former slaves to withdraw with the Federals. Upon arriving in Charleston, one Confederate estimated that at least five hundred slaves had departed.⁶³ Observers in the Union ranks and along the Ohio River noticed many “contrabands” in the retreating column.⁶⁴ Union soldiers brought free soil closer when they advanced into West Virginia, but the ground had to

be held. Even brief guerrilla forays resulted in reenslavement. Secessionist “bushwhackers” near Beverly captured a group of freedmen hired to maintain the roads. Dozens of Unionist West Virginia soldiers pursued the guerrillas but failed to catch them. Proslavery vengeance was profitable: the captured slaves were “run off to Dixie for sale.”⁶⁵ Wartime freedom was tangible but tenuous.

Amid the turmoil of liberation and subjugation, slavery remained legally intact in western Virginia. Only a two-pronged political campaign, waged in Wheeling and Washington, changed that. The operation revealed the intricate connections between the front lines and legislative chambers, and between state and national politics. Though exempted from Lincoln’s proclamation, slavery in the nascent state was destroyed by a combination of grassroots effort and official policy. The interchange between statehood and emancipation made West Virginia unique, but also gave it a prominent role in wartime antislavery politics.

Both campaigns gained momentum in early 1862. In Washington, congressional Republicans followed the First Confiscation Act with other antislavery assaults launched prior to Lincoln’s proclamation. In April 1862, Congress abolished slavery in the District of Columbia, and in June barred it from the territories. July brought passage of the Second Confiscation Act, which freed all rebel-owned slaves, not just those employed in the Confederate war effort. This sweeping statute reflected the intensification of antislavery effort as the war entered its second summer.⁶⁶ It was passed in the same month that the Senate debated a West Virginia statehood bill. West Virginia had applied for admission as a slave state, but recent legislative trends toward emancipation made congressional consent seem unlikely. The Senate’s response underscored the war effort’s antislavery edge and the national significance of statehood.

West Virginia state-makers correctly feared that slavery might baffle their plans. Delegates to the constitutional convention held at Wheeling from November 1861 to February 1862 knew that congressional Republicans were eager to attack slavery; the First Confiscation Act showed which way the wind blew in Washington.

With mixed motives of principle and pragmatism, some delegates lobbied for an antislavery provision in the state constitution. Shortly before adjournment, Gordon Battelle introduced a gradual emancipation clause to free enslaved children when they came of age, slowly transforming West Virginia into a free state, much as New York had done several generations before. It would also prohibit all African Americans, free or slave, from entering the state; like Oregon and Illinois, West Virginia would be reserved for whites. By a razor-thin vote of twenty-four to twenty-three, the convention tabled Battelle's proposal, though the ban on black immigration, shorn of antislavery content, was later restored.⁶⁷ Some delegates sighed in relief, because they feared conflict among western Unionists who were, like white Northerners, deeply divided over emancipation. They hoped to ignore the slavery question or, at most, refer it to a subcommittee for discreet discussion.⁶⁸ After defeating Battelle's amendment, one delegate asked him "never to mention slavery here again," lest rumors about emancipation provoke opposition to statehood.⁶⁹ But other statehood advocates, from Republican journalists to Methodist ministers, lamented the amendment's failure because they predicted that emancipation was the price of admission into the Union.⁷⁰ One editor argued that most westerners favored a free state and that their allies at the convention had endangered statehood by failing to insert Battelle's amendment. "There is imminent risk," he warned, "that the whole new State project will fall to the ground."⁷¹

Free-state spokesmen accurately interpreted signals from Congress and across the Union. Northerners disagreed over abolition as a war measure but generally opposed creating a new slave state, even a Unionist one. Influential Northern newspapers insisted on emancipation as a condition for statehood and western Virginians knew it, partly because Archibald Campbell, editor of the prominent *Wheeling Intelligencer*, relayed the ultimatum to his readers. "From all over the Union [in the winter of 1861–1862]," writes historian David Zimring, "western Virginia received the same message: end slavery or lose statehood."⁷² Editors who joined this chorus did not wait for Lincoln to connect emancipation with the

Union war effort. Despite their respect for the courage of western Unionists, they refused to yield. As one Ohio editor bluntly wrote, a “new State carved out of Western Virginia, with slavery attached in any form, would be no desirable acquisition.”⁷³ This language stoked resentment among western Unionists. But it gave them an incentive, missing in Maryland, Missouri, or Kentucky, to align with Northerners who saw emancipation as necessary for victory.

Senate proceedings confirmed that slavery jeopardized statehood, but also revealed the pragmatism of many Radical Republicans and the compelling connections between slave self-liberation and high politics. When debate on the statehood bill began, Republican Charles Sumner vowed never to admit a slave state, even with gradual abolition. A few other Republicans, including David Wilmot and Henry Wilson, agreed.⁷⁴ But other Radicals were West Virginia’s firmest friends. Benjamin Wade of Ohio, a fierce critic of Lincoln’s allegedly timid antislavery policy, guided the statehood bill through the Senate and repeatedly endorsed passing it in its final form, which included a gradual emancipation clause. It provided automatic freedom for all children of slaves born after July 4, 1863, and graduated freedom for currently enslaved minors. Wade welcomed a state where slavery was “marked for destruction.”⁷⁵ Other senators with equally solid antislavery records agreed.⁷⁶ When the revised bill passed by a vote of twenty-three to seventeen, most nay votes came from border-state senators alarmed by its antislavery implications, while Republicans, save Sumner and a handful of colleagues, supported it. Radicals such as William Fessenden, James Henry Lane, and even Henry Wilson voted in the affirmative.⁷⁷ Senate Republicans sent a clear message: they would not abandon their antislavery path, but neither would they shun southern loyalists. They would overlook statehood’s constitutional complications if West Virginians met them halfway on slavery.

Wade’s leadership undoubtedly encouraged Republican senators to support statehood, but another argument, crafted by loyal Virginia senator Waitman T. Willey, may also have influenced them. When Willey, later one of West Virginia’s first senators, presented the statehood application, he promised that “slavery never can exist

to any considerable extent in the territory proposed to be embraced in the new State.” To assuage Republican consciences, he offered the standard thesis that “inexorable laws of climate” barred plantation agriculture from West Virginia. But he also testified that slavery was collapsing, that the “ravages of war” had already freed thousands of people. Willey estimated that twelve thousand slaves lived in the region in 1860. But now, he figured, there were probably no more than nine thousand.⁷⁸ Willey did not directly attribute this 25 percent drop to slave agency, and in fact some slaves had been removed by fleeing masters. But Willey, and any reader of local newspapers or Union military dispatches, knew that many more had gained freedom. One year of grassroots action had weakened slavery, a fact that Willey eagerly used to show that emancipation was already in progress in West Virginia. Slaves’ flight might make statehood more palatable to Republicans.

Whether swayed by Wade or Willey or both, the Senate’s insistence on gradual emancipation was popular in the North, particularly among those who recognized it as part of a broader antislavery program. In letters to British allies, abolitionist William Patton celebrated the Senate’s insertion of the emancipation clause as one of several recent victories. He ranked it alongside diplomatic recognition of Haiti and ratification of an Anglo-American treaty for suppression of the Atlantic slave trade and believed the Senate’s stand reflected the growth of popular antislavery sentiment.⁷⁹ The prospect of an eventually free West Virginia inspired Horace Greeley as well. He referred to it as a “most cheering sign of the times,” an omen that “the Union is to live though Slavery be doomed,” and proof that antislavery policies would not necessarily goad the border states to secede.⁸⁰ Union soldiers also saluted the spate of antislavery legislation. A Wisconsin private reported that “the vote for emancipation in New Virginia and the passage and approval of the bill abolishing slavery in the District of Columbia, are hailed as the greatest victories for the cause of freedom and humanity of the age.”⁸¹ Even Northern critics of the gradual emancipation clause acknowledged its importance as an antislavery measure. They denounced it as a product of “abolitionist” influence in Congress and

likened it to such usurpations as the Emancipation Proclamation and the suspension of habeas corpus.⁸² Opponents and supporters alike regarded gradual emancipation in West Virginia as an indicator of where the Union war effort was headed. Historians have reaffirmed that slavery affected statehood politics. But the reverse was also true: state creation augmented a larger antislavery program at a decisive moment in the war.

In late 1862, both campaigns accelerated dramatically. A similar pattern of Republican support for statehood with gradual emancipation appeared in December amid debate in the House of Representatives. One after another, Republicans with impeccable antislavery credentials announced that, thanks to the antislavery revision, they now endorsed statehood. Thaddeus Stevens, the mighty Pennsylvania Radical, threw his considerable clout behind the bill, stating simply that he was “in favor of admitting West Virginia because I find here a provision which makes it a free state.”⁸³ Colleagues like Schuyler Colfax of Indiana and John Hutchins of Ohio agreed.⁸⁴ Their arguments proved effective as the House voted ninety-six to fifty-five for admission; Republicans provided eighty-six of the affirmative votes.⁸⁵ The bill, like the final Emancipation Proclamation, now awaited Lincoln’s signature. As 1863 approached and Keifer’s Ohioans shivered in the snow, Lincoln faced two momentous decisions. Would he endorse statehood? Would he deliver on his September pledge to issue an Emancipation Proclamation on January 1?

By itself, the final Emancipation Proclamation seems emphatically disconnected from statehood, since it exempted West Virginia’s forty-eight counties. Contemporaries, however, recognized that the statehood bill and the proclamation supported a wider antislavery campaign. Moreover, Lincoln used strikingly similar reasoning to justify signing both documents. He took statehood’s constitutional controversies seriously, just as he gravely considered objections to emancipation by presidential edict. Lincoln based his decisions on military necessity: as historian Dallas Shaffer observes, “Lincoln supported West Virginia statehood for the same reasons which prompted him to issue the great Proclamation. His views on

both questions were determined by the same basic consideration—he would employ every means available . . . in order to win the war, to preserve the Union and the Constitution.”⁸⁶ Having received divided counsel from his cabinet, Lincoln explained his reasons for signing the bill in a December 31 memorandum. “More than anything else,” the decision hinged “on whether the admission or rejection of the new State would under all the circumstances tend more strongly to the restoration of the national authority throughout the Union.” Lincoln concluded that admission would secure the indispensable support of West Virginia Unionists and transform “that much slave soil to free,” thus making an “irrevocable encroachment upon the cause of the rebellion.” If statehood were secession, so be it; this was secession in favor of the Union and the Constitution.⁸⁷

Lincoln used comparable logic to craft and defend the Emancipation Proclamation. Certain that it would be challenged in hostile federal courts, Lincoln strove to make it constitutionally ironclad. This alone explains the exemption of the border states, Tennessee, West Virginia, and parts of Virginia and Louisiana. The proclamation applied only to areas lacking normal relations to the US government in the form of regularly elected congressional delegations. Exemptions depended on political status, not military occupation, so it is not true that every inch of Union-held territory was omitted. Swaths of coastal North and South Carolina, northern Arkansas, and eastern Virginia under Union control were subject to the proclamation. As a result, perhaps fifty thousand people were instantly freed on January 1, 1863. But the military necessity argument required the exemption of districts that had maintained or restored their normal places in the Union. Neither statehood nor the proclamation eradicated slavery nationwide, so Lincoln pressed for a constitutional amendment that would, but both were calculated to undermine the rebellion by making people free.⁸⁸

West Virginia’s constitutional convention and voters next had to approve the revised constitution. If they did, West Virginia would enter the Union with slavery destined for extinction and Lincoln could claim victory for his preferred method of emancipation: state action. Local Confederates did not vote; nor did West Virginia

Unionists approve the constitution with unanimous exuberance. But their collective decision rested on familiar arguments about military and political necessity. Like many Northerners, white Unionists in the crucible of war resolved to attack the rebellion's foundation. And with the incentive of statehood, they had even more reason to accept the appeal to necessity. In fact, some Unionists did so before Lincoln or Congress ever approved statehood. In mid-1862, rumors of a congressionally mandated emancipation clause proliferated. Many western Virginians urged Senator Willey to accept it, promising that Unionists would concur. A Morgantown resident reported that it was "generally believed" that if the "emancipation scheme" were put to the voters, "they would adopt it. It is life or death with us. . . . [I]f we do not get a new state we are ruined."⁸⁹ Arthur I. Boreman, later West Virginia's first governor, cited the war's revolutionary influence to explain why emancipation "would be readily complied with by the people." They had learned much in a year: "This Rebellion has made Anti-Slavery rise *rapidly* in this region, it has satisfied us that Slavery & Republican institutions cannot long exist together."⁹⁰ Not all Unionists could abide congressional revision of the state constitution, but few objected to emancipation per se. Many opponents of federal "dictation" promised that after statehood, West Virginia would swiftly and voluntarily abolish slavery.⁹¹ Perhaps because of their lengthy struggle against the east, western Unionists readily concluded that emancipation's benefits outweighed the costs.

Similar attitudes surfaced among the region's political elite, including Francis H. Pierpont, governor of loyal Virginia. A Morgantown native, statehood advocate, and longtime critic of slavery, Pierpont was the only slave-state governor to endorse the preliminary Emancipation Proclamation by signing the Altoona Address. This document was issued by a conference of Union governors held at Altoona, Pennsylvania, in September 1862, and Pierpont's approval stood out amid the absent signatures from the governors of Delaware, Maryland, Kentucky, and Missouri.⁹² Pierpont repeatedly defended his action, including in a December 1862 address to Virginia's general assembly, in which he argued that "while slavery is the *strength* of the Confederates and afforded

them the greatest assistance, it was, also, their *weakness* and could easily be turned to their overthrow.” Pierpont deployed the military necessity argument against critics who warned that the final proclamation might encompass all of Virginia since the preliminary version did not enumerate exemptions.⁹³

As the statehood bill inched along, local sponsors continued to emphasize the dual necessity of emancipation. In a December 1862 editorial entitled “Free at Last,” a Point Pleasant writer opined: “However distasteful the amended instrument may be in certain particulars, we apprehend no friend of the New State will withhold from it his support, thus jeopardizing all hopes for any redress of our grievances.”⁹⁴ And as the referenda neared, local authors identified parallels between the emancipation clause and the Emancipation Proclamation, concluding that both were vital. In a widely reprinted public letter, the colonel of the 2nd Virginia (Union) Infantry endorsed the proclamation as “a powerful engine for crushing the rebellion . . . and as a military order dictated by necessity,” and the revised constitution as consistent with national policy, which “will be anti-slavery in the future.” His conclusion: “I am for the Proclamation . . . and I am for the New State—*Willey bill* [i.e., the emancipation clause or “Willey Amendment”] *and all*.”⁹⁵ Meanwhile, Willey continued to document slavery’s decline, now in order to convince West Virginians to accept gradual emancipation. Once again, slavery’s actual decay preceded and promoted official antislavery action. In February 1863, Willey informed the state constitutional convention that only seven or eight thousand slaves remained in West Virginia, meaning that several thousand more gained freedom during the nine months since he addressed the Senate. Surely, a dying institution could be sacrificed for statehood.⁹⁶

Willey’s argument, and the subsequent votes on the amended constitution, cast fresh light on the actions and attitudes of proslavery Unionists such as John S. Carlile. A Clarksburg resident who staunchly opposed secession at the Virginia convention, Carlile rallied westerners against disunion and championed statehood. By 1862, he was a leading “Copperhead” who opposed gradual emancipation and rejected statehood if it meant submitting to the

emancipation clause mandated by Congress. Indeed, as one of Virginia's US senators, Carlile voted against the amended statehood bill—a bill that he had helped to draft.⁹⁷ Backed by the *Clarksburg National Telegraph*, he spoke for western Unionists who repudiated the antislavery thrust of the Union war effort and refused to trade gradual emancipation for statehood. As a slaveholder, Carlile had material interests at stake, and as a strict constructionist who worried about maintaining harmony among western Unionists, he had ideological and strategic motives for opposing congressional “dictation.”⁹⁸ Carlile and his western supporters condemned the emancipation clause as a degrading, distracting, and unconstitutional imposition by “negro-loving fanatics in Congress,” and urged westerners not to “bow the knee to the fanatical Baal” of abolitionism.⁹⁹

Carlile and other anti-emancipation Unionists demanded the restoration of “the Union as it was” prior to secession. That meant, of course, a Union in which slavery was sacrosanct. They opposed the expansion of Union war aims beyond this restoration and denounced antislavery activists as sharply as they excoriated secessionists.¹⁰⁰ Carlile regularly reiterated these themes as the Senate debated wartime means and ends. In December 1861, he proclaimed: “If this is to be a war for the liberation of the slaves, it will not be a constitutional struggle for the maintenance of the Union and the rights of the people and of the States under it, but it would then be a war for the overthrow of the Constitution; it would be an inhuman and an unholy crusade against American constitutional liberty.”¹⁰¹ Three months later, he condemned supporters of the Second Confiscation Act for attempting to “convert the holy struggle . . . for a restoration of the Union into a wicked crusade against slavery.”¹⁰² When confronted by challenges to slavery in loyal slaveholding areas, Carlile dug in his heels. He and other border-state conservatives clarified their position in a July 14, 1862, letter to Lincoln, written in response to the president's suggested program of gradual, compensated emancipation along the border.¹⁰³ “Confine yourself to your constitutional authority,” urged the signatories, “confine your subordinates within the same limits; conduct this war

solely for the purpose of restoring the constitution to its legitimate authority; concede to each state and its loyal citizens, their just rights.”¹⁰⁴ Carlile imagined that the Union could be restored to its 1860 status, and that this was the only valid war aim.

This conservative Unionist position played an important role in West Virginia’s postwar politics, when Copperheads and ex-Confederates allied against Radical Republicanism.¹⁰⁵ But on the specific issue of wartime emancipation, it reflected a common but mistaken assumption about the process of liberation and how it might be reversed. Neither slaves nor Union soldiers waited for official authorization to attack the peculiar institution in 1861 and 1862. As Willey demonstrated to federal and state leaders, military-assisted self-liberation seriously damaged slavery in western Virginia, regardless of what was said or done in Wheeling or Washington. Had slavery’s fate been strictly a matter of official policy, Carlile’s position, however morally reprehensible, would have been realistic. If statesmen could have secured or destroyed slavery with the stroke of a pen, Carlile’s argument, directed toward the Senate and President Lincoln, might have carried the day. But in practice, to restore the Union “as it was” would have required the reenslavement of thousands of people and a dramatic shift in the attitudes and habits of Unionists, slave and free. By late 1862, two seasons of military campaigning, augmented by legislation, had weakened slavery in western Virginia, making Carlile’s goal an impossible dream. Many Unionists who recognized this irrevocability concluded that a crippled institution must not derail the statehood movement. As Jacob Blair put it, since “slavery in the Border States had ‘gone up [the] spout,’” he was “for kicking it out of the way if it was in the road to our success.”¹⁰⁶ Blair did not speak of slave agency or grassroots emancipation, but slavery had not “gone up the spout” on its own.

Unionists’ response to the question of statehood with gradual emancipation suggested that Willey and Blair’s arguments rang true. On February 18, 1863, the state convention accepted the amended constitution by a vote of 52 to 0 with five abstentions. Then on March 26, voters ratified the constitution in a landslide, 28,321 to

572. West Virginians in the Union army supported it by an equally large margin, casting 7,828 votes in favor and 132 against.¹⁰⁷ Peer pressure partly explained the near unanimity: “A large majority voted for a new state,” Amos A. Vandervort wrote of his comrades in the 14th West Virginia. “Some would have preferred [sic] voting against, but very few had the courage to do so.”¹⁰⁸ But the lopsided vote also reflected soldiers’ growing support for state and national emancipation. Perhaps more than civilians, they had experienced the war’s full revolutionary effects, so that previously unimaginable measures now seemed vital for victory. William Hewitt of the 12th West Virginia, the regiment that raised funds for fugitive slaves, marveled at how battle-hardened veterans changed their minds even about John Brown. By the winter of 1862–1863, the “thunder and lightning of war was clearing the moral atmosphere.” Three years before, they had applauded Brown’s execution. Now, “they felt an admiration for the old hero who died bravely . . . and hence, they sang with gusto the John Brown war song, as they marched through that town in the Valley which will suggest his name for generations to come.”¹⁰⁹ Later that fall, a lieutenant observed that “our boys have never objected to the Emancipation proclamation since being in a battle.”¹¹⁰ Years of bloodshed steeled white Unionists to support emancipation as a military measure and a prerequisite for statehood. Historian John W. Shaffer aptly describes their “change in attitudes about slavery” as “nothing less than revolutionary.”¹¹¹ White West Virginia Unionists joined free-state allies in this ideological journey. As Nicole Etcheson writes of Kansas, what “began as a struggle to secure the political liberties of whites . . . ended by broadening the definition of freedom to include blacks.”¹¹² White and black West Virginians did not transcend barriers of prejudice, but they shared a common foe—proslavery Confederates who opposed statehood and emancipation—and their struggles for liberty became deeply intertwined.

Popular acceptance of the constitution meant admission with nearly free status, and on June 20, 1863, the Mountain State entered the Union. This was a victory for Lincoln, who had exempted West Virginia not because slavery would persist there, but because it was

slated for destruction by state action. In 1862, Lincoln had urged border-state officials to adopt gradual emancipation programs, offering federal money to compensate masters and resettle freedpeople. Congress authorized the funds, and Lincoln labored to prove that slavery was doomed, but leaders in Missouri, Kentucky, Maryland, and Delaware refused.¹¹³ Now in West Virginia, Lincoln accomplished his goal. Statehood shifted West Virginia from seceded status, where military emancipation was crucial, to border-state status, where state action was viable. This was a triumph for Lincoln and other Republicans who saw state emancipation as more dependable.¹¹⁴ It was also an important precedent for emancipationists in other border states, including the Delaware editor who elevated West Virginia as a model of self-liberation from the “incubus” of slavery.¹¹⁵ West Virginia legislators sweetened the victory by swiftly dismantling slavery’s legal scaffolding. In October 1863, they repealed much of the 1860 Virginia slave code, including sections that provided financial rewards for slave catchers, outlined procedures for returning runaways, prohibited criticism of slavery, and outlawed black education.¹¹⁶ They followed in February 1865 with immediate abolition; unlike in Kentucky, slavery in West Virginia would not linger until the Thirteenth Amendment took effect.

In practice, slavery was already mortally wounded. Grassroots emancipation continued in the war’s final years, underscoring the complicated relationship between official and popular action. Soldiers stationed in West Virginia noted that many fugitive slaves continued to arrive in Union camps in 1863. An Ohioan in the Eastern Panhandle discovered “a good many negroes in camp” on New Year’s Day who “told of leaving their masters.”¹¹⁷ On January 4, another Buckeye encountered a fugitive slave from outside Lewisburg, near the Virginia border.¹¹⁸ Thereafter, fugitive slaves, occasionally by the hundreds, sought freedom behind Union lines, sometimes accompanying soldiers returning from forays into Confederate-held counties on either side of the Virginia border.¹¹⁹ By mid-1863, a Confederate soldier who visited his family’s Upshur County farm during a raid reported simply: “All of Fathers Negros have gone pretty much.”¹²⁰ West Virginia slavery was on its deathbed

before gradual emancipation began. In response, masters along the new state's perimeter turned to free black servants. While arranging for his wife to visit him in Greenbrier County, a Confederate officer urged her to hire a free maid and driver, for one "could not bring a slave here without imminent danger of losing her."¹²¹ Even behind Confederate lines, slavery had become untenable in West Virginia.

It is impossible to determine how many escapes were motivated by the proclamation, but some fugitive slaves found it inspiring. Border-state masters angrily observed that slaves became insubordinate or ran away upon hearing of the proclamation.¹²² Similar episodes transpired in West Virginia, which was also exempted but not immune from the document's influence. A Union soldier marching from Romney to Moorefield in January 1863 noted that his column was "accompanied by a great many colored people fleeing from slavery." Runaways had been a common occurrence since 1861, but the specifics of this case were novel:

The threatened proclamation, liberating the slaves, had been issued, on the first of January, by President Lincoln, and though West Virginia had been exempted from its provisions, the colored people did not know it. They only knew that an emancipation proclamation had been issued by the President, and, hence they flocked into Moorefield in large numbers during the night before we moved, colored people inside our lines having sent the news of our intended movement next morning to a great distance outside.

Predictably, the soldiers abetted the fugitives. A hospital steward allowed women to ride in an army ambulance and later hired them as laundresses.¹²³ In West Virginia as elsewhere, the proclamation's effects transcended its legal limits and motivated enslaved people, perhaps in even greater numbers, to liberate themselves with military assistance.¹²⁴ The initiative lay with slaves and soldiers, but official policies, from the First Confiscation Act to the Emancipation Proclamation, touched Mountaineers' lives.

Slavery's collapse in West Virginia often proceeded parallel to, but sometimes intersected with, state creation. In some respects, the process was unique; in others, it was similar to emancipation across the Confederacy. By supporting slave self-emancipation, Unionist West Virginia soldiers, like free-state bluecoats, revolutionized the war long before Lincoln's proclamation. By embracing gradual and then immediate emancipation, Unionist voters joined a growing, though never complete, Northern consensus that slavery must die so that the Union might live. By adhering to the Union and accepting slavery's downfall, West Virginia Unionists rejected the Confederacy and its cornerstone. They followed an intellectual trajectory similar to many free-state citizens, and outpaced loyalists in other border states.

Perhaps these events placed West Virginia Unionists outside the southern mainstream. Perhaps the only local "Southerners" were Confederates and slaves who acted like their counterparts across the South. But Willey, Pierpont, and the men of the 12th West Virginia might have argued that the rebels had deviated from southern tradition. When a Wheeling editorialist cautiously endorsed military emancipation in September 1861, he called for "the subjugation, not of the South, but of the rebellion wherever it may be found."¹²⁵ This distinction created room for southern Unionists to maneuver. When they approved the gradual emancipation clause, West Virginia Unionists partially realized a dream that had charmed earlier Virginia statesmen, including eminent easterners such as Thomas Jefferson, George Washington, and Thomas Jefferson Randolph, and westerners such as Henry Ruffner.¹²⁶ However tentatively, they cherished goals that had flickered before John C. Calhoun deemed slavery's protection a sectional imperative, before James H. Hammond defined slavery as the foundation of republicanism, and before Jefferson Davis made secessionism the test of sectional loyalty. There has never been a monolithic southern interest or identity. During the Civil War, black southerners, including West Virginians, fought for freedom under the Stars and Stripes in a struggle that persisted long after Appomattox. Simultaneously, white Unionists resisted a Confederacy that presumed to speak

for them. Both groups of southerners defended interests that were irreconcilable with Confederate dreams. Neither one needed Lincoln's permission to pursue freedom, but both contributed to an emancipatory campaign for which the Kentucky-born president was an especially eloquent spokesman.

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Notes

- 1 Joseph Warren Keifer, *Slavery and Four Years of War: A Political History of Slavery in the United States, Together with a Narrative of the Campaigns and Battles of the Civil War in which the Author Took Part: 1861–1865*, 2 vols. (New York: G. P. Putnam's Sons, 1900), 1: 315–316.
- 2 Abraham Lincoln, "Final Emancipation Proclamation, Jan. 1, 1863," in *The Portable Abraham Lincoln*, ed. Andrew Delbanco, rev. ed. (New York: Penguin Books, 2009), 300–302 (quotation on p. 301).
- 3 Quoted in Michael S. Green, *Freedom, Union, and Power: Lincoln and His Party During the Civil War* (New York: Fordham University Press, 2004), 159. Note the surprising similarities between Lerone Bennett Jr., *Forced Into Glory: Abraham Lincoln's White Dream* (Chicago: Johnson, 2000), 6–7 and Thomas J. DiLorenzo, *The Real Lincoln: A New Look at Abraham Lincoln, His Agenda, and an Unnecessary War* (New York: Three Rivers Press, 2003), 35–36. Both polemics also rely heavily on the dated scholarship of James G. Randall.

- 4 Quoted in Green, *Freedom, Union, and Power*, 159.
- 5 Scholarship on emancipation is flourishing. One essential study, which is especially good on West Virginia, is James Oakes, *Freedom National: The Destruction of Slavery in the United States, 1861–1865* (New York: W. W. Norton, 2013). Most recent reappraisals challenge images of Lincoln as a reluctant or expedient emancipator, while placing the proclamation in a broad legal, political, social, and military context. See Harold Holzer, *Emancipating Lincoln: The Proclamation in Text, Context, and Memory* (Cambridge: Harvard University Press, 2012); Louis P. Masur, *Lincoln's Hundred Days: The Emancipation Proclamation and the War for the Union* (Cambridge: Belknap Press of Harvard University Press, 2012); William A. Blair and Karen Fisher Younger, eds., *Lincoln's Proclamation: Emancipation Reconsidered* (Chapel Hill: University of North Carolina Press, 2009); Burrus M. Carnahan, *Act of Justice: Lincoln's Emancipation Proclamation and the Law of War* (Lexington: University Press of Kentucky, 2007); Harold Holzer and Sara Vaughn Gabbard, eds., *Lincoln and Freedom: Slavery, Emancipation, and the Thirteenth Amendment* (Carbondale: Southern Illinois University Press, 2007); and Allen C. Guelzo, *Lincoln's Emancipation Proclamation: The End of Slavery in America* (New York: Simon & Schuster, 2004). Recent scholars rightly emphasize slave agency. See David Williams, *I Freed Myself: African American Self-Emancipation in the Civil War Era* (New York: Cambridge University Press, 2014); Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Knopf, 2005), 41–67; Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South, from Slavery to the Great Migration* (Cambridge: Belknap Press of Harvard University Press, 2004), 16–159; and Ira Berlin et al., *Slaves No More: Three Essays on Emancipation and the Civil War* (New York: Cambridge University Press, 1992).
- 6 Numerous recent studies foreground slavery. See John Edmund Stealey III, “West Virginia’s Constitutional Critique of Virginia: The Revolution of 1861–1863,” *Civil War History* 57 (Mar. 2011): 9–47; Scott A. MacKenzie, “The Slaveholders’ War: The Secession Crisis in Kanawha County, Western Virginia, 1860–1861,” *West Virginia History* n.s. 4 (Spring 2010): 33–57; David R. Zimring, “‘Secession in Favor of the Constitution’: How West Virginia Justified Separate Statehood during the Civil War,” *West Virginia History* n.s. 3 (Fall 2009): 23–51; and William A. Link, “‘This Bastard New Virginia’: Slavery, West Virginia Exceptionalism, and the Secession Crisis,” *West Virginia History* n.s. 3 (Spring 2009): 37–56.
- 7 These studies begin with the premise that “Southern Appalachia [is] fully a part of the South,” and align it with general patterns in southern history and historiography. A powerful argument for this approach is John C. Inscoe, *Race, War, and Remembrance in the Appalachian South* (Lexington: University Press of Kentucky, 2008) (quotation on p. 4). See also Kenneth W. Noe and Shannon H. Wilson, eds., *The Civil War in Appalachia: Collected Essays* (Knoxville: University of Tennessee Press, 1997); John C. Inscoe, ed., *Appalachians and Race: The Mountain South from Slavery to Segregation* (Lexington: University Press of Kentucky, 2001); Dwight B. Billings, Mary

Beth Pudup, and Altina L. Waller, "Taking Exception with Exceptionalism: The Emergence and Transformation of Historical Studies of Appalachia," in *Appalachia in the Making: The Mountain South in the Nineteenth Century*, ed. Mary Beth Pudup, Dwight B. Billings, and Altina L. Waller (Chapel Hill: University of North Carolina Press, 1995), 1–24; and John C. Inscoe and Gordon B. McKinney, *The Heart of Confederate Appalachia: Western North Carolina in the Civil War* (Chapel Hill: University of North Carolina Press, 2000). For a critical appraisal, see Noel Fisher, "Feelin' Mighty Southern: Recent Scholarship on Southern Appalachia in the Civil War," *Civil War History* 47 (Dec. 2001): 334–346. Fisher critiques the "somewhat strained attempt to demonstrate that the southern Appalachian regions were, in fact, Southern—integrated into the Southern economy, in harmony with Southern politics and institutions, and attuned to Southern interests and grievances," and concludes that "Southern Appalachia simply was never drawn into the Confederacy or the war in the same way as other regions" (345). Certainly, Unionism and anti-Confederate dissent flourished in much of the region and we must not equate "southern" with "Confederate." This tacitly defines "southern" as "white" and implies that white Unionists abandoned their regional identities. For an excellent study of the unmistakably southern roots of Alabama Unionism, see Margaret M. Storey, *Loyalty and Loss: Alabama's Unionists in the Civil War and Reconstruction* (Baton Rouge: Louisiana State University Press, 2004). Of course, generalizations about a region as vast and varied as Appalachia are dangerous. More work is needed on the Civil War in West Virginia. As Kenneth W. Noe and Shannon H. Wilson point out, eastern Tennessee and western North Carolina have received more attention. Kenneth W. Noe and Shannon H. Wilson, "Introduction: Appalachia's Civil War in Historical Perspective," in Noe and Wilson, *Civil War in Appalachia*, xxvii.

- 8 Historians will never know precisely how many white West Virginians supported the Union, but most agree that the pro-Confederate population was a sizeable minority. Richard Orr Curry, who stressed the importance of Confederate sentiment, estimated that 60 percent of white inhabitants were pro-Union. Richard Orr Curry, *A House Divided: A Study of Statehood Politics and the Copperhead Movement in West Virginia* (Pittsburgh: University of Pittsburgh Press, 1964), 5–6.
- 9 Interest in black Appalachians has grown, but they remain the most neglected inhabitants of a neglected region. Important studies of the antebellum and Civil War eras include: Forrest Talbott, "Some Legislative and Legal Aspects of the Negro Question in West Virginia During the Civil War and Reconstruction (Part I)," *West Virginia History* 24 (Oct. 1962): 1–31; Carter G. Woodson, "Freedom and Slavery in Appalachian America," in *Blacks in Appalachia*, ed. William H. Turner and Edward J. Cabbell (Lexington: University Press of Kentucky, 1985): 31–42; Joe W. Trotter, "Blacks in West Virginia: A Critique Of The Secondary Literature And A Survey Of The Primary Sources," in *West Virginia History: Critical Essays on the Literature*, ed. Ronald L. Lewis and John C. Hennen Jr. (Dubuque, IA: Kendall/Hunt Publishing Company, 1993): 187–201; Inscoe, *Appalachians and Race*; Wilma A. Dunaway, *Slavery in the American Mountain South* (New York: Cambridge University Press, 2003); John C. Inscoe, "Slavery and African Americans in the Nineteenth Century," in

High Mountains Rising: Appalachia in Time and Place, ed. Richard A. Straw and H. Tyler Blethen (Urbana: University of Illinois Press, 2004): 30–45. As John C. Inscoc notes, many studies of black Appalachians adopt a white perspective. In his introduction to an important anthology, *Appalachians and Race*, he writes: “With several significant exceptions, one finds relatively little African American agency reflected in these essays. Despite the considerable advances Appalachian scholars have made in our understanding of race relations and black highlanders, it seems that we still lag behind so much of the history of African Americans elsewhere, during and after emancipation, in that we still see that history primarily from a white perspective. Much of our understanding of race relations has to do with white actions and attitudes” (10). Several studies address slavery and emancipation in other exempted border areas, including Kentucky and Tennessee. See James B. Murphy, “Slavery and Freedom in Appalachia: Kentucky as a Demographic Case Study,” *Register of the Kentucky Historical Society* 80 (Spring 1982): 151–169; Stuart Seely Sprague, “From Slavery to Freedom: African-Americans in Eastern Kentucky, 1860–1884,” *Journal of the Appalachian Studies Association* 5 (1993): 67–74; John Cimprich, “Slavery’s End in East Tennessee,” in Inscoc, *Appalachians and Race*, 189–198; Darrel E. Bigham, *On Jordan’s Banks: Emancipation and Its Aftermath in the Ohio River Valley* (Lexington: University Press of Kentucky, 2006); and Matthew Salafia, *Slavery’s Borderland: Freedom and Bondage along the Ohio River* (Philadelphia: University of Pennsylvania Press, 2013).

- 10 James Oakes demonstrates that the Union war effort always included an antislavery thrust. “Firmly convinced that slavery was the source of the rebellion, Republicans began attacking it almost as soon as the war began. . . . Like most historians I always believed that the purpose of the war shifted ‘from Union to emancipation,’ but over the course of my research that familiar transition vanished like dust in the wind.” Oakes, *Freedom National*, xvi, xxiii.
- 11 Chester D. Hubbard to Waitman T. Willey, April 30, 1861, Box 1, Folder 17, Waitman T. Willey Papers (A&M No. 3), West Virginia and Regional History Collection, West Virginia University, Morgantown, West Virginia.
- 12 Charles H. Ambler, *Francis H. Pierpont: Union War Governor of Virginia and Father of West Virginia* (Chapel Hill: University of North Carolina Press, 1937), 81; Otis K. Rice and Stephen W. Brown, *West Virginia: A History*, 2nd ed. (Lexington: University Press of Kentucky, 1993), 118–146. For more detailed treatments, see George Ellis Moore, *A Banner in the Hills: West Virginia’s Statehood* (New York: Appleton-Century-Crofts, 1963), which casts statehood as a struggle between democracy and aristocracy; Curry, *House Divided*, which emphasizes the pro-Confederate minority; and Mark A. Snell, *West Virginia and the Civil War: Mountaineers Are Always Free* (Charleston, SC: History Press, 2011), which focuses on military actions. On antislavery sentiment and western political identity, see Link, “This Bastard New Virginia.” Most scholars agree that the statehood movement was not a response to secession alone. Supporters took advantage of wartime opportunities to achieve a longstanding goal.

- 13 Curry, *House Divided*, 7, 53, 68; Snell, *West Virginia and the Civil War*, chap. 2.
- 14 John J. Davis to Anna Kennedy, June 13, 1861, in F. Gerald Ham, ed., “The Mind of a Copperhead: Letters of John J. Davis on the Secession Crisis and Statehood Politics in Western Virginia 1860–1862,” *West Virginia History* 24 (Jan. 1963): 99.
- 15 Keifer, *Slavery and Four Years of War*, vol. 1, 228. See also Ebenezer Hannaford, *The Story of a Regiment: A History of the Campaigns, and Associations in the Field, of the Sixth Regiment Ohio Volunteer Infantry* (Cincinnati: printed by the author, 1868), 62–63.
- 16 Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge: Harvard University Press, 2010), 120.
- 17 John Beatty, *The Citizen-Soldier; Or, Memoirs of a Volunteer* (Cincinnati: Wilstach, Baldwin & Co., Publishers, 1879), 16.
- 18 Oakes, *Freedom National*, 93–103.
- 19 See Glenn David Brasher, *The Peninsula Campaign and the Necessity of Emancipation: African Americans and the Fight for Freedom* (Chapel Hill: University of North Carolina Press, 2012).
- 20 Moore, *Banner in the Hills*, 2; Talbott, “Legislative and Legal Aspects,” 8–9.
- 21 Jonathan B. Beckwith to Jennings Beckwith, May 10, 1861, Jonathan B. Beckwith Letters, 1861, 1866, Ms2009-063, Special Collections, Virginia Polytechnic Institute and State University, Blacksburg, Virginia (hereafter abbreviated SCVT). See also Robert T. Harvey to Governor John Letcher, April 22, 1861, in *The War of the Rebellion: A Compilation of the Official Records of the War of the Union and Confederate Armies* (Washington, DC: Government Printing Office, 1880–1901), ser. 1, vol. 51, pt. 2, p. 25 (hereafter cited as *OR*).
- 22 “Diary of Reverend S. R. Houston of Union, Monroe County,” in Oren Frederic Morton, *A History of Monroe County, West Virginia* (Dayton, VA: Ruebush-Elkins Co., 1916), 168, 169–170; William A. Link, *Roots of Secession: Slavery and Politics in Antebellum Virginia* (Chapel Hill: University of North Carolina Press, 2003), 249.
- 23 George B. McClellan, “Proclamation to the People of Western Virginia,” May 26, 1861, *OR*, ser. 1, vol. 2, pp. 48–49.
- 24 E. J. Senters to Mr. Dickson, June 15, 1862, Box 1, Folder 20, Dickson Family Papers, 1869–1924, Ms88-094, SCVT.
- 25 Lew Wallace, *Lew Wallace: An Autobiography*, 2 vols. (New York: Harper & Brothers Publishers, 1906), 1: 289.
- 26 William Henry Locke, *The Story of the Regiment* (Philadelphia: J. B. Lippincott, 1868), 28.
- 27 William Landon to the *Vincennes (IN) Sun*, September 19, 1861, in “The Fourteenth Indiana Regiment on Cheat Mountain: Letters to the Vincennes Sun,” *Indiana Magazine of History* 29 (Dec. 1933): 363; “Reports of Brig.

- Gen. William S. Rosecrans, U.S. Army, commanding Army of Occupation, West Virginia,” September 11, 1861, in *OR*, ser. 1, vol. 5, p. 129; Henry W. Benham to William S. Rosecrans, September 21, 1861, in *ibid.*, p. 131; *Wheeling Daily Intelligencer*, October 30, 1861; and S. R. Houston diary entry, December 31, 1861, in Morton, *History of Monroe County*, 172–173.
- 28 John W. Shaffer, *Clash of Loyalties: A Border County in the Civil War* (Morgantown: West Virginia University Press, 2003), 124–125.
- 29 “Reports of Col. George A. Porterfield, Virginia Volunteers,” June 9, 1861, *OR*, ser. 1, vol. 2, pp. 70–71.
- 30 Albert Davidson to Dear Pa, September 8, 1861, in Charles W. Turner, ed., “Lieutenant Albert Davidson: Letters of a Virginia Soldier,” *West Virginia History* 39 (Oct. 1977): 59.
- 31 A Confederate stationed along the Virginia–West Virginia border accompanied a friend “to try to buy four negro men who had been trying to escape to the yankeys, but they asked such enormous prices that we could not think of the trade.” Edwin Houston Harman to Jennie [Harman], March 18, 1863, Box 1, Folder 8, Edwin Houston Harman Papers, Ms1990-019, SCVT.
- 32 Shaffer, *Clash of Loyalties*, 36–37.
- 33 *Wheeling Daily Intelligencer*, Nov. 2, 1861.
- 34 Jennie Small narrative, in *Slave Narratives: A Folk History of Slavery in the United States from Interviews with Former Slaves*, vol. 12, *Ohio Narratives* (Washington: Federal Writers’ Project, 1941), 61.
- 35 Nan Stewart narrative, in *ibid.*, 90.
- 36 William Hewitt, *History of the Twelfth West Virginia Volunteer Infantry: The Part It Took in the War of the Rebellion, 1861–1865* (Twelfth West Virginia Infantry Association, n.d.), 9–10.
- 37 Henrietta Barr diary entry for September 15, 1862, in Claudia Lynn Lady, “Five Tri-State Women During the Civil War: Views on the War,” *West Virginia History* 43 (Summer 1982): 309 (italics in the original). White Unionists also fled from the common Confederate foe. *Pomeroy* (OH) *Weekly Telegraph*, Sept. 19, 1862.
- 38 Rutherford B. Hayes, *Diary and Letters of Rutherford Birchard Hayes, Nineteenth President of the United States*, ed. Charles Richard Williams, vol. 2, 1861–1865 (Columbus: Ohio State Archaeological and Historical Society, 1922), 173, 178, 188, 237, 253.
- 39 Andrew F. Rolle, *John Charles Frémont: Character as Destiny* (Norman: University of Oklahoma Press, 1991), 218.
- 40 *New York Daily Tribune*, May 9, 1862.
- 41 *Newark (NJ) Centinel of Freedom*, Oct. 14, 1862.
- 42 James Oakes, “Reluctant to Emancipate?: Another Look at the First Confiscation Act,” *Journal of the Civil War Era* 3 (Dec. 2013): 458–466. Numerous Northerners demanded confiscation of Rebel property—including slaves—from the war’s outset. Like congressional Republicans, they

- were not reluctant emancipators and did not need Lincoln to explain the necessity of emancipation. See Silvana R. Siddali, *From Property to Person: Slavery and the Confiscation Acts, 1861–1862* (Baton Rouge: Louisiana State University Press, 2005). For the War Department's instructions for enforcement of the act, see *OR*, ser. 2, vol. 1, pp. 761–762.
- 43 Jacob Dolson Cox, *Military Reminiscences of the Civil War*, vol. 1, *April 1861–November 1863* (New York: Charles Scribner's Sons, 1900), 157–158.
 - 44 Rutherford B. Hayes to Dear Uncle, December 19, 1861, in Hayes, *Diary and Letters*, 163.
 - 45 *Cadiz (OH) Republican*, Jan. 10, 1863, quoted in Susan G. Hall, *Appalachian Ohio and the Civil War, 1862–1863* (Jefferson, NC: McFarland, 2000), 178–179.
 - 46 Clarkson Fogg to Father, August 25, 1862, Clarkson Fogg Correspondence, Civil War Collection (Artificial), Ms79-18, West Virginia State Archives, Charleston, West Virginia (hereafter abbreviated WVSA).
 - 47 Diary entry for January 2, 1862, in Hayes, *Diary and Letters*, 173–174.
 - 48 “Reports of Brig. Gen. William S. Rosecrans, U.S. Army, commanding Army of Occupation, West Virginia,” September 11, 1861, in *OR*, ser. 1, vol. 5, p. 129; Henry W. Benham to William S. Rosecrans, September 21, 1861, in *ibid.*, p. 131.
 - 49 William Landon to the *Vincennes (IN) Sun*, September 19, 1861, in “Fourteenth Indiana Regiment,” 363.
 - 50 Locke, *Story of the Regiment*, 28.
 - 51 George L. Wood, *The Seventh Regiment: A Record* (New York: James Miller, 1865), 77.
 - 52 Entry for January 5, 1863, Diary of J. B. Willoughby, Ms94-46, WVSA.
 - 53 Samuel Clarke Farrar, *The Twenty-Second Pennsylvania Cavalry and the Ringgold Battalion, 1861–1865* (Pittsburgh: New Werner Company, 1911), 84.
 - 54 William Kepler, *History of the Three Months' and Three Years' Service from April 16th, 1861, to June 22d, 1864, of the Fourth Regiment Ohio Volunteer Infantry in the War for the Union* (Cleveland: Leader Printing Company, 1886), 40–42.
 - 55 John P. Sheffey to Josie Sheffey, November 3, September 16, 1861, Box 1, Folder 3, Joseph P. Sheffey Papers, Ms2001-060, SCVT.
 - 56 E. J. Lloyd to My Dear Mother, October 20, 1861, Civil War Collection (Artificial), Ms79-18, WVSA.
 - 57 R[ichard] S. Garnett to George Deas, June 25, 1861, in *OR*, ser. 1, vol. 2, p. 238.
 - 58 John P. Sheffey to Josie Sheffey, February 24, 1862, Box 1, Folder 4, Sheffey Papers.
 - 59 Entry for May 8, 1864, John Holliday Diary and Photographs, Ms2012-028, SCVT.
 - 60 On slave relocation, see Yael A. Sternhell, *Routes of War: The World of*

- Movement in the Confederate South* (Cambridge: Harvard University Press, 2012), 103, 170.
- 61 John P. Sheffey to Josie Sheffey, August 3, 1861, Box 1, Folder 3, Sheffey Papers.
 - 62 Edwin Houston Harman to Jennie Harman, July 30, 1861, Box 1, Folder 3, Edwin Houston Harman Papers, Ms1990-019, SCVT.
 - 63 Henry C. Carpenter to My Dear Sister Liz, September 26, 1862, Henry C. Carpenter Letters, Ms1996-008, SCVT.
 - 64 *Gallipolis (OH) Journal*, September 25, 1862; "Report of Col. Samuel A. Gilbert, Forty-fourth Ohio Infantry, commanding Second Brigade," September 21, 1862, in *OR*, ser. 1, vol. 19, pt. 1, p. 1066.
 - 65 T. S. Barns to L. S. Barns, November 26, 1863, Folder 4, Barns Family Correspondence, Ms80-211, WVSA.
 - 66 Oakes, *Freedom National*, 236; Siddali, *From Property to Person*. For a different perspective, see John Syrett, *The Civil War Confiscation Acts: Failing to Reconstruct the South* (New York: Fordham University Press, 2005).
 - 67 West Virginia Constitutional Convention, *Debates and Proceedings of the First Constitutional Convention of West Virginia (1861–1863)*, ed. Charles H. Ambler, Frances Haney Atwood, and William B. Mathews, 3 vols. (Huntington, WV: Gentry Bros., 1939), 3: 421–422, 429–436; Ambler, *Francis H. Pierpont*, 168–169; Rice and Brown, *West Virginia*, 145–146; Moore, *Banner in the Hills*, 143; Curry, *House Divided*, 92, 94–95, 96–97.
 - 68 West Virginia Constitutional Convention, *Debates and Proceedings*, 3: 434.
 - 69 *Ibid.*, 436.
 - 70 Ambler, *Francis H. Pierpont*, 168–172.
 - 71 *Wheeling Daily Intelligencer*, Feb. 21, 1862.
 - 72 Zimring, "Secession in Favor of the Constitution," 35.
 - 73 *Sandusky (OH) Register*, March 1, 1862.
 - 74 *Cong. Globe*, 37th Cong., 2d sess., 2942, 3034, 3308 (hereafter abbreviated CG).
 - 75 *Ibid.*, 3038.
 - 76 See the remarks of John P. Hale, the New Hampshire Republican who abandoned the Democratic Party in 1845 rather than support Texas annexation. *Ibid.*, 3034.
 - 77 *Ibid.*, 3320.
 - 78 *Ibid.*, 2418.
 - 79 William Patton, "Correspondence of Rev. William Patton, D.D., with the Secretaries of the Evangelical Alliance on the Subject of the American War," *New Englander and Yale Review* 22 (Apr. 1863): 301, 303.
 - 80 Horace Greeley, "Grounds of Faith and Hope," repr. in *Burlington (IA) Weekly Hawk Eye*, April 19, 1862.

- 81 Quoted in Chandra Manning, *What This Cruel War Was Over: Soldiers, Slavery, and the Civil War* (New York: Alfred A. Knopf, 2007), 74.
- 82 *Columbus Daily Ohio Statesman*, July 6, 1862; *Clarksburg Weekly Telegraph*, Dec. 5, 1862; *Cadiz (OH) Democratic Sentinel*, Dec. 17, 1862; *Columbus Daily Ohio Statesman*, Jan. 8, 1863; *Joliet (IL) Signal*, May 5, 1863; *Ottawa (IL) Free Trader*, June 27, 1863.
- 83 CG, 37th Cong., 3d sess., 51.
- 84 *Ibid.*, 43, 46.
- 85 *Ibid.*, 59.
- 86 Dallas S. Shaffer, "Lincoln and the 'Vast Question' of West Virginia," *West Virginia History* 32 (Jan. 1971): 86–100 (quotation on p. 99). For similar interpretations, see J. Duane Squires, "Lincoln and West Virginia Statehood," *West Virginia History* 24 (Jul. 1963): 325–331 and Michael P. Riccards, "Lincoln and the Political Question: The Creation of the State of West Virginia," *Presidential Studies Quarterly* 27 (Summer 1997): 549–564.
- 87 Abraham Lincoln, "Opinion on West Virginia Statehood," December 31, 1862, Lincoln Papers, accessed January 10, 2015, http://memory.loc.gov/cgi-bin/query/P?mal:1:/temp/~ammem_9GyL
- 88 On the exemptions, see Guelzo, *Lincoln's Emancipation Proclamation*, 7, 178, 207–208, 210–212. On the proclamation's accomplishments, see *ibid.*, 227–235.
- 89 J. B. Blakeney to Waitman T. Willey, June 30, 1862, Box 2, Folder 5, Willey Papers.
- 90 Arthur I. Boreman to Waitman T. Willey, July 3, 1862, Box 2, Folder 5, Willey Papers. See also H[enry] Dering to Waitman T. Willey, June 18, 1862, Box 2, Folder 4; Gideon Martin to Waitman T. Willey, June 27, 1862, Box 2, Folder 4; J. Drummond to Dear Brother, June 27, 1862, Box 2, Folder 4; James L. Clark to Waitman T. Willey, June 28, 1862, Box 2, Folder 5; and Jacob B. Blair to Waitman T. Willey, July 30, 1862, Box 2, Folder 5, Willey Papers. More generally, see Curry, *House Divided*, 97.
- 91 A Wheeling writer predicted: "Give us the New State, promptly & without conditions, & no one can doubt that this result will be secured & the slaves within its territory be liberated within ninety days." Daniel Lamb to Waitman T. Willey, June 26, 1862, Box 2, Folder 4, Willey Papers. See also Peter G. Van Winkle to Waitman T. Willey, June 7, 1862, Box 2, Folder 4, Willey Papers.
- 92 Ambler, *Francis H. Pierpont*, 156–159. New Jersey governor Charles Smith Olden also refused to sign.
- 93 The address is quoted in *ibid.*, 159–160 (italics in the original).
- 94 *Point Pleasant (VA/WV) Weekly Register*, December 18, 1862.
- 95 Col. R. Latham to Capt. S. Burdett, February 16, 1863, *Wheeling Intelligencer*, repr. in the *Gallipolis (OH) Journal*, March 5, 1863 (italics in the original).

- 96 West Virginia Constitutional Convention, *Debates and Proceedings*, 3: 478–479.
- 97 Curry, *House Divided*, 94–97; Ambler, *Francis H. Pierpont*, 82, 178; Richard O. Curry, “A Reappraisal of Statehood Politics in West Virginia,” *Journal of Southern History* 28 (Nov. 1962): 419–420.
- 98 For Carlile’s opposition to the revised constitution, provoked by the adjustment of the new state’s borders as well as the emancipation clause, see CG, 37th Cong., 2d sess., 3311–3312, 3313–3314.
- 99 *Clarksburg National Telegraph*, June 13, 1862 (first quotation), March 7, 1862 (second quotation). For a more detailed discussion of the measure, see *ibid.*, Nov. 14, 1862.
- 100 Curry, *House Divided*, 10–11. For editorial statements of the conservative Unionist position, see the *Clarksburg National Telegraph*, April 25, May 30, Oct. 31, 1862.
- 101 CG, 37th Cong., 2d sess., 112.
- 102 *Ibid.*, 1160.
- 103 On Lincoln and border-state emancipation, see Oakes, *Freedom National*, 277–300, 362–363, 366–367; Guelzo, *Lincoln’s Emancipation Proclamation*, 56–59, 94–95, 103–104, 108–109, 171, 176–177, 230; William C. Harris, *Lincoln and the Border States: Preserving the Union* (Lawrence: University Press of Kansas, 2011), 159–193; and Louis Gerteis, “Slaves, Servants, and Soldiers: Uneven Paths to Freedom in the Border States, 1861–1865,” in Blair and Younger, *Lincoln’s Proclamation*, 170–194.
- 104 Border State Congressmen to Abraham Lincoln, July 14, 1862, Abraham Lincoln Papers, Library of Congress, accessed January 10, 2015, http://memory.loc.gov/cgi-bin/query/P?mal:14:./temp/~ammem_oSZW::. Contrast this with the more favorable response from a minority of seven border-state congressmen, who included several future West Virginia delegates, including Willey and Jacob B. Blair: Border State Congressmen to Abraham Lincoln, July 15, 1862, in *ibid.*, accessed January 15, 2015, http://memory.loc.gov/cgi-bin/query/P?mal:12:./temp/~ammem_qeVm::
- 105 Curry, *House Divided*, 11.
- 106 Jacob B. Blair to Waitman T. Willey, July 30, 1862, Box 2, Folder 5, Willey Papers. Carlile’s course won him the swift condemnation of many western Unionists. For evidence of popular and editorial hostility to Carlile’s actions, see *Wheeling Daily Intelligencer*, July 19, July 28, July 31, Dec. 1, 1862, Feb. 13, 1863; *Point Pleasant (VA/WVA) Weekly Register*, Aug. 7, 1862.
- 107 Rice and Brown, *West Virginia*, 151.
- 108 Entry for March 24, 1863, Amos A. Vandervort Diary, Civil War Collection (Artificial), Ms79-18, WVSA. Evidently, soldiers voted prior to the general election.
- 109 Hewitt, *History of the Twelfth West Virginia Volunteer Infantry*, 36–37.
- 110 *Ibid.*, 60–61.
- 111 Shaffer, *Clash of Loyalties*, 127.

- 112 Nicole Etcheson, *Bleeding Kansas: Contested Liberty in the Civil War Era* (Lawrence: University Press of Kansas, 2004), 8. More generally, see Manning, *What This Cruel War Was Over*, 12, 44, 45, 51 and Earl J. Hess, *Liberty, Virtue, and Progress: Northerners and Their War for the Union*, 2nd ed. (New York: Fordham University Press, 1997), 97–102.
- 113 Western Virginia representatives favored the plan. In the March 1862 House vote to endorse the proposal, Virginians William G. Brown, Jacob B. Blair, and Kellian Whaley voted with the majority to pass the resolution eighty-nine to thirty-one. None of the dissenting votes came from Virginians. CG, 37th Cong., 2d sess., 1179. All three had West Virginia ties and later represented the new state in Congress. Brown hailed from Kingwood and Blair from Parkersburg. Whaley was from New York but lived in Point Pleasant.
- 114 Oakes, *Freedom National*, 277–300, 362–363, 366–367; Guelzo, *Lincoln's Emancipation Proclamation*, 56–59, 94–95, 103–104, 108–109, 171, 176–177, 230; Harris, *Lincoln and the Border States*, 159–193; and Gerteis, “Slaves, Servants, and Soldiers.”
- 115 *Milford* (DE) *Peninsular News and Advertiser*, December 19, 1862. Some West Virginians applauded this precedent. David Hunter Strother, a Union soldier from Martinsburg, supported statehood as a means to accelerate emancipation elsewhere. He believed that “the people of West Virginia were ready and willing to abolish slavery immediately,” and once this was done, “the question of slavery in the Border States would be definitely and speedily settled because with a free state so situated, Maryland, Kentucky, and Lower Virginia would be obliged to get rid of the institution.” Diary entry for July 12, 1863, in *A Virginia Yankee in the Civil War: The Diaries of David Hunter Strother*, ed. Cecil D. Eby Jr. (Chapel Hill: University of North Carolina Press, 1998), 191.
- 116 Talbott, “Legislative and Legal Aspects,” 19.
- 117 Entry for January 1, 1863, Diary of J. B. Willoughby.
- 118 H[iram] H. Guitteau to Dear Sister, January 4, 1863, Hultberg Family Papers, Civil War Collection (Artificial), Ms79-18, WVSA.
- 119 J. Drummond to Jeremiah Conley, April 8, 1863, J. Drummond Letters, Ms79-147, WVSA; “Report of Brig. Gen. Alfred N. Duffié, U.S. Army, commanding expedition from Charleston,” November 13, 1863, in *OR*, ser. 1, vol. 29, pt. 1, p. 524; Diary entry for May 20, 1864, in Hayes, *Diary and Letters*, 464.
- 120 Isaac White to Jinnie White, May 2, 1863, Isaac White Papers, Ms97-013, SCVT.
- 121 John P. Sheffey to My dear wife, July 21, [1863], Box 1, Folder 6, Sheffey Papers.
- 122 Guelzo, *Lincoln's Emancipation Proclamation*, 214–215.
- 123 Thomas F. Wildes, *History of the 116th Regiment Ohio Infantry Volunteers in the War of the Rebellion* (Sandusky, OH: Mack & Bro., Printers, 1884), 39–42.
- 124 Across the South there was an upsurge in self-emancipation after January 1,

1863. This stemmed in part from Federal advances. But the proclamation's spirit and contents provided additional assurance of a warm welcome. Prior to September 1862, between sixty thousand and two hundred thousand fugitives entered Union camps; after January 1, 1863, some two hundred thousand to four hundred thousand more did so. Guelzo, *Lincoln's Emancipation Proclamation*, 212–213.

- 125 *Wheeling Daily Intelligencer*, Sept. 16, 1861.
- 126 Supporters of the new state constitution made this point: see *Fairmont National*, repr. in *Point Pleasant (VA/WVA) Weekly Register*, March 19, 1863. On dreams of gradual emancipation in the early republican South, see Lacy K. Ford, *Deliver Us from Evil: The Slavery Question in the Old South* (New York: Oxford University Press, 2009).