
Crossing into War: Hostages in Civil War Virginia and West Virginia

Randall S. Gooden

Introduction

Secession and civil war presented Virginia with perhaps the most difficult crossroads in its history. The state's government wrestled with the choice over secession, and when secession came, a substantial part of the state's legislators and local officials—particularly in the west and along the Potomac River—resisted the decision. Resisters declared the state government in Richmond void and organized a state government, based in Wheeling and designed to keep Virginia in the United States. While the state government in Richmond declared allegiance to the Confederate States of America and gave support to its military, the government at Wheeling supported the military efforts of the United States. As an adjunct to the creation of Virginia's pro-Union government, a new state formed in the midst of the Civil War and the dispute over state government legitimacy. West Virginia came into being in 1863 with the permission of the Virginia government at Wheeling and was admitted to the Union as a new state. It established its capital at Wheeling, while the pro-Union government of Virginia moved its headquarters to Alexandria, which had been quickly occupied by federal forces soon after Virginia seceded.

In each of these transitions of government, the people of Virginia stood at forks in the road. Individually, Virginians had to choose whether to follow the government in Richmond, which possessed the institutional legacies of the state, in adhering to the South and the Confederacy or whether to follow the upstart government in Wheeling in order to remain aligned with the United States and retain connections with the North and Midwest. Once West Virginia was formed, residents in the west faced the same choices over allegiance to that new state. Regarding national loyalties, the people of Virginia had to decide whether they were citizens of the Confederate States or the United States and their degree of sacrifice in lives and property to their chosen countries.

For many Virginians, the choices seemed almost natural, determined in large part by geography. Proximity to the Mason-Dixon Line and the Ohio

In the counties in between, where affinities were less certain and political control depended upon which military force occupied the area, the choices were less clear. Peer pressure was much more localized. Loyalties could be quite different from one valley to the next. For some, allegiances depended upon local rivalries and personal ties and grudges. For many, a third possibility prevailed as secession and war created a suspended state where, instead of acting, they waited to be acted upon.

A Clarke County correspondent to the *Alexandria Gazette and Virginia Advertiser* shared this uncertainty as secession brewed in the state. “I have been, and am yet, a Union man—but the truth is, *I am at a loss now what to be*,” he wrote in exasperation. “I feel now like going with the waves, land where I may.” The writer added, “I would like to see the man now who can see beyond the end of his nose, I care not how short it is.” Then, capturing the mood in the middle counties, he wrote. “We on the border do not seem to see things, and feel, as our friends south of us do [emphasis in original].”¹

The contesting state governments of Virginia and, later in the war, the government of West Virginia each used their authority to persuade residents toward a preferred path, and when people hesitated or resisted, they employed strong-arm measures—enforced by military power—to force those individuals along the path or to block their way entirely. Legislatures and conventions defined disloyal and suspicious persons and enacted laws and ordinances to control and penalize those who fit the definitions. A hysterical atmosphere formed in which paranoia challenged practicality. Such was the atmosphere that John C. Vance, a legislator from Harrison County at the Second Wheeling Convention, where Virginia’s pro-Union government was formed, warned that the convention was becoming a “star chamber”—just as the state convention in Richmond had become earlier that spring—as it considered penalties against pro-Confederate citizens within its reach.² Vance, himself, spent several weeks under arrest in Fort McHenry in 1863 under suspicion of disloyalty to the Union.³

One particular measure evolved from the star chamber at Wheeling and is the focus of this article. That measure is hostage-taking, which the pro-Union state government and later the government of West Virginia employed.

Hostage-taking: A History of the Practice

Hostage-taking evokes thoughts of terrorism, of individual vulnerability, and of uncertainty of friend and foe in gray areas between conventional and guerilla warfare. Irene Herrmann and Daniel Palmieri, writing for the *International Review of the Red Cross*, referred to the hostage as a “haunting figure” and noted that among the victims of war, hostages occupy

a special place. “The interest aroused by them is in inverse proportion to their number, for even a single hostage becomes the focus of attention and mobilizes public opinion,” Herrmann and Palmieri contended. They suggested four reasons for this. First, hostage-taking, by its very brutality, holds a strange fascination. Second, a high degree of innocence of the victim, often accentuated by factors such as age, nationality, or profession, underscores the non-involvement of hostages in the events that brought about their capture. Third, the injustice done to the individual weighs upon the collective subconscious like a latent threat to one and all. Finally, a specter of death hangs over hostages. Yet, for all of the focus of attention and mobilization of public opinion about hostages, Herrmann and Palmieri concluded that the hostage, as an individual, remains a little-known figure.⁴

Military forces had practiced hostage-taking as far back as the eighth century B.C.E. During that century, the Chinese exchanged hostages to guarantee friendly relations between antagonists. Sometimes, Chinese armies unilaterally took hostages to ensure pacification during negotiations for an armistice or surrender. Dominant powers also held hostages to guarantee the allegiance of a vassal country. Governments also kept hostages from their own military forces or diplomatic delegations when they were sent to the country’s borders or beyond to ensure that the main body did not defect.⁵

Western powers also practiced hostage-taking in ancient times. In an exaggeration that pointed to the prevalence of the practice, it was said that Caesar had more hostages than soldiers. Throughout their history, the Romans seized hostages to guarantee good faith during negotiations and adherence to the terms of peace agreements once they were concluded. However, the Romans learned early that the keeping of hostages caused logistical problems and proved ineffective in preventing opposition.⁶

The Roman practice continued beyond the time of the empire and became a staple in the war powers of the nation-states of Europe. “Ever since antiquity, such action has constituted a permissible expedient, as frequent in peacetime as during war,” Ellen Hammer and Marina Salvin observed as they reflected upon the history of hostage-taking as European powers battled one another in World War II. In Europe, hostages were taken historically to secure treaties, to force the payment of requisitions, to protect or gain the return of people held by the enemy, for reprisals, and to maintain order in occupied territories. The British ended the use of hostages in treaty-making in the eighteenth century, but they were used for the other purposes into the twentieth century.⁷

The European practice spilled over into the American colonies and was used by colonial forces against one another and against Native

Americans, who had their own customs regarding hostages. When the United States was created, its military forces followed European customs of warfare. At the time of the Civil War, the War Department embodied its concept of hostages into General Order No. 100. Article 54 stipulated that a “hostage is a person accepted as a pledge for the fulfillment of an agreement concluded between belligerents during the war, or in consequence of a war.” It added, “[H]ostages are rare in the present age.” Article 55 followed with the admonition that “if a hostage is accepted, he is treated like a prisoner of war, according to rank and condition, as circumstances may admit.”⁸ Rather than emphasize the right of the U.S. Army to take hostages, the order put written rules in place for hostages for the first time. The earlier U.S. Articles of War in 1775, 1776, and 1806 made no mention of hostages, although the custom informally existed. General Order No. 100 recognized that the Civil War was different. It was a total war, an impersonalized war, which affected the military and civilians alike in very personal ways. Mark E. Neely Jr., in *The Fate of Liberty*, noted that “the practice of taking hostages never seems to have lived up even to the rough standard of justice in General Order No. 100.”⁹ While Neely observed that the practice of hostage-taking

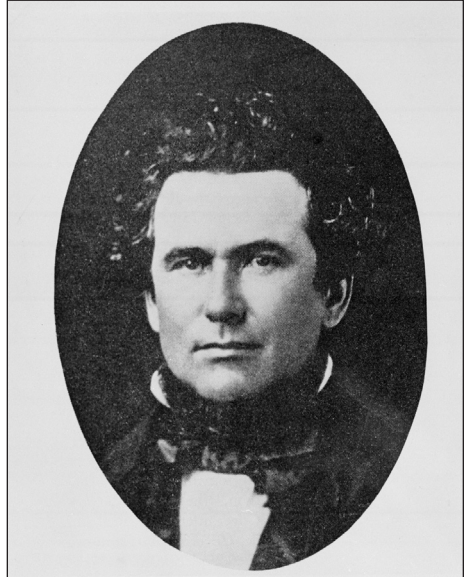


After holding its first meeting in Wheeling’s Washington Hall, the Second Wheeling Convention moved its remaining meetings to the Wheeling Custom House (above), known today as the West Virginia Independence Hall (source: Wikipedia).

declined after the Lincoln Administration issued General Order No. 100, Webb Garrison maintained in *Civil War Hostages* that the “use of hostages continued throughout the conflict.” He suggested that the number of hostages taken is sketchy because of the lack of records.¹⁰

Hostage-taking in Virginia and West Virginia

The evolution of Virginia’s—and later West Virginia’s—authority to seize hostages came from an ordinance of the Second Wheeling Convention, which allowed the governor to arrest suspicious persons. The pro-Union governor, Francis H. Pierpont, in one case, stretched the ordinance to use a suspicious person as a hostage to compel the release of a pro-Union Virginian whom Confederate authorities held as a political prisoner. That solitary case involved Thomas A. Roberts, a member of the Second Wheeling Convention. Following the first session of the convention in June 1861, Roberts returned from the convention to his home in Roane County and began recruiting for the Union Army and soon faced a dangerous situation. Confederate Capt. Albert G. Ingraham, a resident of the county, stationed a company at the town of Reedyville near Roberts’ residence.¹¹ Ingraham intended to capture Roberts, who did not stay in his own house for weeks while “his footsteps were continually dogged by his secession neighbors,” according to his own account, published in the *Wheeling Daily Intelligencer*. On July 29, Roberts “was pounced upon by twelve men at the house of a neighbor.” His captors tied Roberts to a horse and rode him through the night to Charleston, sixty miles away. There, he appeared before Brig. Gen. Henry A. Wise, who insisted that Roberts swear loyalty to the Confederacy. When he refused and argued with Wise, the general sent Roberts to Richmond for imprisonment.¹²



During Roberts’s confinement, Gov. Francis Harrison Pierpont ordered the arrest of Andrew Parks as a suspicious person. The elderly Charleston attorney had replaced

The Second Wheeling Convention, comprised of delegates representing thirty-four counties, unanimously elected Francis H. Pierpont as governor in June 1861 (courtesy of West Virginia State Archives).

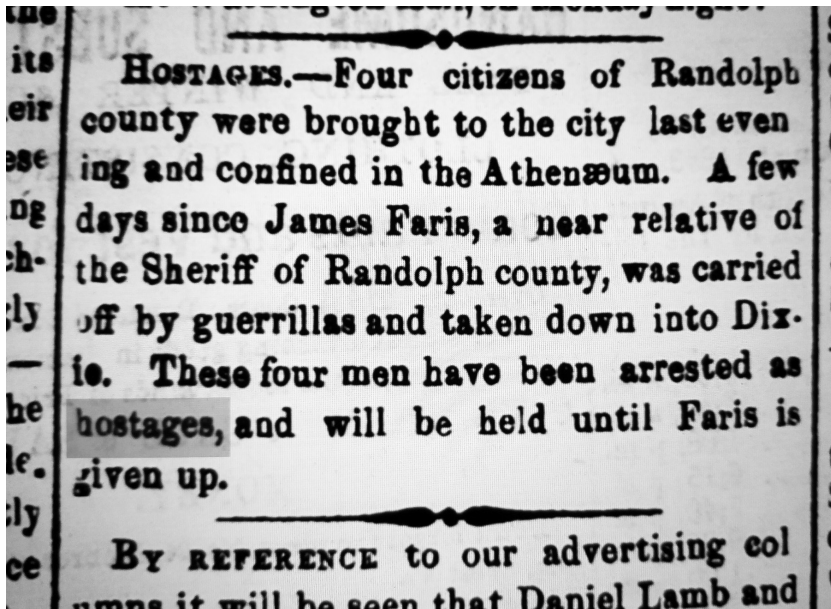
Unionist George W. Summers at the Richmond Convention in 1861 after Summers had left the convention. Parks was considered a leading supporter of the state government at Richmond. Pierpont used Parks as an unofficial hostage for Roberts, even while Parks spent most of his captivity in a Wheeling hospital. While newspapers boldly discussed Parks's status as a hostage, Pierpont avoided use of the term. He knew that his move had skirted the bounds of his authority.¹³

To be sure, hostage-taking was not unusual in the Civil War. The national armies regularly took hostages. For instance, Confederate soldiers captured Dr. William P. Rucker, a U.S. Army doctor, in Nicholas County, and state authorities insisted that he be turned over to the sheriff of Allegany County for trial for murder, horse stealing, and treason. While Jefferson Davis drew a line against the treason charges, Confederate authorities delivered Rucker to state officials. When the U.S. Army sought Rucker's release, the Confederates refused on the basis that Rucker's captivity was a civilian issue. Union commanders in the area responded by taking civilians in Greenbrier County as hostages, and when the case reached the attention of the War Department in Washington, several Confederate Army doctors in U.S. custody were held as hostages.¹⁴ Nevertheless, the taking of hostages under state authority was extraordinary, and the practice by the pro-Union Virginia government and by West Virginia placed Virginians—and West Virginians—at uneasy crossroads. Hostage-taking not only put partisan civilians at risk, but it also placed those who waited to be acted upon in vulnerable positions.

The practice of hostage-taking by the state came about formally as a result of increasing arrests of pro-Union Virginians by the Confederates in 1862. Two events contributed to this situation: President Davis's suspension of the right of *habeas corpus* in the region and the organization of partisan companies on the part of Virginia. The former allowed political prisoners to be detained more easily; the latter provided the means for arrest. To be fair, the Confederate moves took place in the atmosphere of federal arrests of political prisoners and the use of pro-Union Virginia's suspicious persons ordinance. Nevertheless, Governor Pierpont felt the weight of political pressures from his constituents over the arrests. In one such case, Eliza A. Leavens of the Paint Creek area of Kanawha County, whose husband and son had been carried away, pleaded to Pierpont, "Oh! Sir, is not your arm of power long enough, and strong enough, to rescue and protect those who are suffering for their steady adherence to the right, at the hands of these traitors and robbers?"¹⁵

Pierpont asked legislators for authority to take hostages in his address to them in December 1862, and an event soon afterwards pushed the legislature into action.¹⁶ Shortly after New Years Day in 1863, Confederate raiders arrested Sheriff James Trahern in Barbour County and robbed his home and family. The editor of the *Wheeling Intelligencer* expressed confidence “in the belief that our legislature will not let the Barbour county outrage go unavenged to the uttermost,” and with such admonitions, lawmakers passed a hostage law on February 4, 1863. The law stated that the governor

is hereby authorized and requested in all cases of the seizure of the persons of loyal citizens of this state by any parties acting under the authority of the so-called southern confederacy, the pretended state government at Richmond or other military organizations acting in sympathy or concert with them, or either of them, to seize and hold as hostages for the safe rendition of such person or persons so seized and held, so many persons of known disloyal sentiments as in his discretion may be necessary to effect said rendition.¹⁷



Among the advertisements and back-page news, Wheeling newspapers kept track of the hostages and other prisoners brought to the Athenaeum, the military prison in that city (source: *Daily Register*, Wheeling, West Virginia, October 10, 1863, 3).

When West Virginia became a state, it inherited Virginia's laws, and Gov. Arthur I. Boreman received the same authority that Pierpont had held. Under the law, when a Unionist was arrested by the Confederates, a citizen (usually claiming loyalty to the Union) could swear by affidavit before a justice of the peace or notary public that the arrest had occurred, designate people in the area "of known disloyal sentiments," and request the governor to order the seizure of those people as hostages. Usually, several people swore to the arrest and the disloyalty of the hostage candidates. In operation, the governor knew little of local circumstances and often sought the advice of Unionist leaders before taking hostages, but sometimes he simply relied upon the weight of appeals from local residents for hostages to be taken. The governor relied upon the cooperation of U.S. Army commanders in the actual capture and transportation of hostages. County sheriffs, militia forces, and home guard units generally lacked the security, transportation, and manpower to deal with hostages. Once hostages were in custody, the army sent them to Wheeling, where they were housed in the Athenaeum, a theatre converted into a military prison. Some found themselves at Camp Chase in Ohio when the Athenaeum became overcrowded. The state separated the hostages from other political prisoners on paper, but in actuality they found themselves living together along with military prisoners who stayed at the Athenaeum while in transit. In this situation, oversight of the prisoners became shadowy. On one hand, hostages were taken under the governor's direction, but the U.S. Army captured them in most cases, and the army provost marshal in Wheeling held responsibility for their custody. Actual supervision of the hostages and others at the Athenaeum fell to U.S. Army officers and soldiers of the Second West Virginia Exempt Company.¹⁸

Confederate and Union Governments Oppose State Hostage-taking

Neither the Confederate government nor the U.S. government approved of hostage-taking by a state. Brig. Gen. John H. Winder, provost marshal at Richmond, wrote to Confederate Secretary of War J. A. Seddon, "It [the Confederacy] cannot recognize the right or power of the enemy to coerce us into terms by the arrest of non-combatant private citizens." He shared his opinion that "this mode of warfare seems peculiarly acceptable to them and if tolerated must be prosecuted on our part," adding that "we cannot permit ourselves to be seduced into even a quasi recognition of such arrests as legitimate acts of war."¹⁹

On the Union side, officials became aware of and disturbed about Virginia's hostage policy when, soon after the enactment of the hostage

law, Governor Pierpont ordered the seizure of George W. Thompson, a former U.S. attorney, congressman, and Ohio County circuit court judge, as a hostage for the return of Barbour County Sheriff James Trahern, whom Confederate soldiers had arrested. Thompson had been deemed “suspicious” because of his vocal doubts about the constitutionality of Virginia’s pro-Union government and because two of his sons served in the Confederate Army. U.S. District Judge John J. Jackson Jr. issued a writ of *habeas corpus* on behalf of Thompson. Pierpont insisted that the case was a state matter and that the federal court had no jurisdiction. In the end, Judge Jackson ruled that Thompson was a federal prisoner because of the role and responsibility that the U.S. Army had for Thompson’s arrest and imprisonment. The judge released Thompson and banished him from the state, which meant that Thompson moved across the Ohio River to Belmont County, Ohio.²⁰

The situation embarrassed the U.S. Army, and its implications caught the attention of the War Department. On one hand, Thompson was complicating politics and the war effort for the Union, but on the other hand, the army believed that the state did not have the authority to take hostages in order to pressure the Confederacy to release prisoners. Joseph Holt, the judge advocate general of the U.S. Army, advised the secretary of war,

The proceedings of Governor Pierpont in seizing and confining suspected rebels in his vicinity, placing them in a chain gang and holding them at hard labor until certain civilians and officers of West Virginia are released and exchanged by the enemy is certainly an interference with the disposition and treatment of prisoners of war which must needs be very embarrassing to those officers to whom the control of prisoners and their exchange has been expressly delegated by the ordinary police power which he is authorized as governor to exercise.

Holt counseled intervention by the secretary on behalf of Thompson and added that “seizing and holding hostages in reprisal for captures made by the enemy is certainly an exercise of the war-making power, belonging exclusively to the General Government, and which cannot be shared by the Governor of the States without leading to deplorable complications.” In 1864, the War Department notified Judge Jackson that it had no objection to Thompson returning to West Virginia, and he was allowed to return to Wheeling.²¹

For the army, the matter of hostage-taking by the state remained complicated throughout the war. Union authorities at the highest levels, led by Abraham Lincoln, proved sensitive to state rights, particularly in the border states. The Lincoln Administration needed the support of loyal citizens and governments in the upper South and the image that secession was not

universally accepted there. The pro-Union government of Virginia and West Virginia served his purposes. In addition, the reality in the field was that many of the Union regiments in the area came from western Virginia, and their commanders respected the state governments and sympathized with the precarious political and social situations that the governors faced. As an example, when members of the 37th Battalion of the 19th Virginia Cavalry (Dunn's Partisan Rangers) arrested Barbour County Militia Col. William Price in July 1863, Capt. Fenelon Howes, commander of the company of the 15th West Virginia Infantry stationed at Belington, assisted in selecting hostages for Price. Howes insisted to Governor Boreman that the five men whom he had chosen had regularly fed information to the Confederates about Union troop movements in the vicinity of the B&O Railroad in neighboring Harrison, Preston, and Taylor counties. Indeed, Howes personally knew the men involved. Price's son was a lieutenant in his company. Two of the

hostages had belonged to the same Masonic lodge as Howes before the rancor surrounding secession had broken up the lodge. The captain even suggested that more hostages be taken for Price.²²



Arthur I. Boreman, a Parkersburg judge, became the first governor of West Virginia in June 1863 and systemized the hostage-taking procedure that Virginia's pro-Union government had begun (courtesy of West Virginia State Archives).

The dilemma in policy and personal views led Union commanders to take the middle ground. When Governor Boreman sent an order for the seizure of hostages to Brig. Gen. William W. Averell, commander of the Fourth Separate Brigade at Beverly, in September 1863, Averell forwarded the order to the headquarters of the Department of West Virginia in Clarksburg where Brig. Gen. Benjamin F. Kelley commanded. T. Melvin, assistant adjutant general, answered, "The General Comm'd'g cannot regard this

document as a military order, and hence commends the course pursued in forwarding it to these Hd.qrs.” Melvin continued,

But it may properly be regarded and treated as a request from the Chief Executive of the State of West Virginia, and deeming the object sought to be accomplished proper and advisable, and desiring to act in concert and harmony with the State Authorities in all matters relating to the public good, the General Commanding directs, that the arrests be made and the parties turned over, as indicated within.²³

Kelley’s instructions set precedent for the practice of Union commanders regarding state hostages.

The Effects of Hostage-taking on Civilians

Political leaders and military commanders and soldiers certainly faced difficulties regarding the hostage law, but ordinary people bore the brunt of the situation. Hostage-taking presented one more of many crossroads encountered by Virginians and West Virginians. The Jones-Imboden Raid in the spring of 1863 thrust the war upon parts of western Virginia that had enjoyed a respite from full-scale combat, and the Confederate foray into the west created a number of hostage situations. One such episode took place in the upper reaches of the Tygarts Valley in Randolph County, where soldiers under Brig. Gen. John D. Imboden’s command captured John G. Bradley and William S. Phares, both lieutenants in the pro-Union militia. Phares was the brother of Randolph County Sheriff and Deputy U.S. Marshal Jesse F. Phares. In retaliation, Governor Boreman asked the U.S. Army commander at Beverly to take Alfred Hutton, Andrew M. Wamsley, Samuel Wamsley, and Adam See, Confederate sympathizers in the vicinity, as hostages.²⁴

The hostages lived in the same community as the Union men, Bradley and Phares, and knew them and their families. Hutton, See, and the Wamsleys requested that one of them be allowed to travel to Richmond to seek the release of Bradley and Phares from Confederate custody, and the governor granted their request. Hutton and Andrew M. Wamsley undertook the task at their own expense. “I am pleased to inform you that we have been able to procure the release of John G. Bradley,” Hutton reported to Boreman from Richmond,

Wm. S. Phares was ordered to be released, but unfortunately for him during his imprisonment his course both in actions and sentiments was such, that the proof and memorials in his behalf, could not overcome them, and the result is that he is still held.



Castle Thunder was an old tobacco warehouse in Richmond that Confederates used as a military prison. Many political prisoners from western Virginia and West Virginia found themselves incarcerated there (source: Famousphotoprints.com).

Hutton added in a vein of familiarity with the Unionists, “I will return just as soon as I find that I can be of no more Service to my friend.”²⁵ Wamsley updated the governor a week later with news that he had taken Bradley with him to Beverly. He told the governor that he had walked approximately one hundred miles from the rail head at Millboro in Bath County while Bradley rode his horse, and Wamsley, who was fifty-one years old, was consequently unwell. Hutton had stopped in Pocahontas County to recuperate from the rigors of the journey and to petition Col. William L. “Mudwall” Jackson for Phares’s release, as Jackson’s men had captured Phares, and Richmond authorities required Jackson’s consent for Phares to be freed.²⁶

During the same time, George D. Mollohan, a Unionist from Braxton County in central West Virginia, suffered as an inmate in Castle Thunder in Richmond. He wrote of his plight to Governor Boreman and painted the picture of a family affected by the war: “Before I was arrested all of my personal private property had been destroyed or carried off, reducing me

to the necessity of supporting my children as a daily laborer.” Mollohan continued, “Thence I left them without any means of subsistence and also motherless and without any material protection.” Mollohan explained that he was beyond military age and “becoming much enfeebled” and feared that imprisonment would result in his death.²⁷

Mollohan’s harrowing experience before reaching Richmond contributed to his physical state. On the night that he was captured, Mollohan dined at the home of Capt. Nimrod H. Hyer of Company F of the 10th West Virginia Infantry along the Little Kanawha River. Hyer’s men had been scouting the area from which they had been recruited, and several had stopped to visit their families, including Hyer. Besides Mollohan, Hyer, and Hyer’s family, four other soldiers and two civilians were present when a force of Confederate partisans sought revenge for the capture and destruction of property at their homes by the 10th West Virginia. A firefight ensued, but Hyer surrendered to save his family, and the captain and his guests were taken on an arduous journey across the mountainous terrain of Webster and Pocahontas counties to the camp of William L. Jackson. The captors tied the prisoners in pairs, but four of the soldiers managed to loosen their ropes, and in the middle of the night, three of them escaped. The partisans released the other civilians but continued to hold Mollohan and refused to give him water. A local historian recorded that “the cruel treatment he received came near ending his life.”²⁸

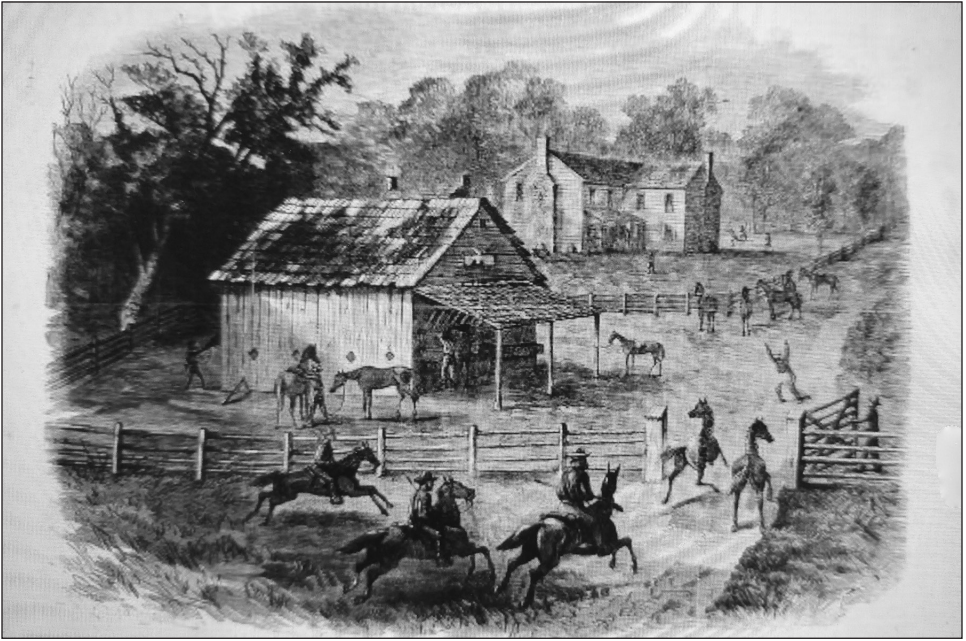
During his captivity, Mollohan appealed to Boreman to arrange for the exchange of him for Conrad Kuhl (pronounced Cool), a resident of Braxton or Gilmer County, who had been held as a war criminal in Camp Chase since 1861. Feeling powerless over the case, the governor instead ordered that two hostages be seized for Mollohan. These were John Laurance, a tanner from Bulltown in Braxton County, and former Virginia legislator and prominent salt maker and slave owner Addison McLoughlin, for whom the county seat of Webster County was named.²⁹

As seen in the Braxton and Randolph county cases, hostages often included older people. Younger men were more likely to be in military service and thus out of reach of arrest. Also, older residents more likely had the standing to make effective hostages since they were more likely to be exchanged and to be successful negotiators in their exchanges. Still, as in the case of Hutton and Wamsley (and Mollohan as a political prisoner in Confederate hands), they also were more likely to suffer from captivity. At least one man died as a hostage of the state of West Virginia. Maj. Joseph Darr, the district provost marshal of the Union Army, ordered the arrest of George Buchanon outside Wheeling in May 1863 without specifying charges

(although he later claimed that Governor Pierpont had ordered Buchanon's arrest in 1862 for failure to comply with a call for the militia to muster). After the state of West Virginia came into being, the commander at the Athenaeum made Governor Boreman aware of Buchanon's imprisonment without charges. Boreman's knowledge of Buchanon came from affidavits from eight men who claimed that Buchanon bore the character of a disloyal man, had denounced the government, and had said that President Lincoln had violated the Constitution by waging war and issuing the Emancipation Proclamation. On the other hand, one hundred thirty-nine people, including eighteen Union soldiers, petitioned the governor to release Buchanon. They claimed that he was, in fact, loyal. Boreman admitted later that he became so annoyed by the petitions that he decided to hold Buchanon as a hostage rather than release him.³⁰

In February 1864, Buchanon himself wrote to the governor and asked for the opportunity to see him. He wished to assist in gaining the release of the unknown man for whom he was held hostage. Boreman refused to see Buchanon. Two months later, Buchanon, who was more than fifty years old, fell ill. He was sent to Wheeling Hospital, but the prison physician, John Frizzell, believed that Buchanon would recover with care available in the Athenaeum and sent him back to the prison. He died on April 10, 1864.³¹ The Republican *Wheeling Daily Intelligencer* reported Buchanon's death with murky details about his arrest and confinement and noted the efforts for his release.³² The Democratic *Wheeling Daily Register* reprinted the report from the *Daily Intelligencer* and added, "[T]he complete history of the case is enough to cause any man to shudder." It admonished, "Some person has incurred a fearful weight of responsibility in this matter, which should rest heavily upon his soul [underlining in original]."³³

Much of the history of hostage-taking in Virginia and West Virginia involved guerrilla actions and civilian grudges and animosities and embroiled families, such as in the Mollohan case. A situation in Doddridge County, in the northwestern part of the state, showed that women often not only were victims but also participated in the grudges and animosities. A pro-Confederate guerrilla band under John Righter operated in the region, often targeting the B&O Railroad and Northwestern Railroad in Doddridge, Harrison, Marion, and Wetzel counties but also plundering homes and farms. In the fall of 1863, a group of women stepped forward and swore affidavits before a justice of the peace to report activity along one of the guerrillas' trails, including rendezvous. Martha E. Kile, Nancy Ann Kile, Ruth Bates, Belinda Booker, Elisa Jane Coffman, Matilda Williams, Susannah Coffman, and Sary Jane Shields identified men involved in a horse-stealing raid in the



Irregular and outlaw forces on both sides often raided homes and farms, as depicted in this sketch by W. D. Matthews, which appeared in *Harper's Weekly* in 1864. West Virginia officials used hostage-taking in an effort to stem the seizure of Unionists by Confederate partisans in such raids (source: Prints and Photographs Division, Library of Congress).

McElroy Creek neighborhood and accused one man, John Trader, of firing a gun at a house to warn women and children there away from watching him. Petitions to Governor Boreman with one hundred seventy-five names followed the affidavits. The petitioners told the governor that they felt that they were in a “helpless condition.” They pointed out that their “sons, brothers and neighbors has volunteered in the service of our country and has left their familys with the few Union men that is left at home.” The signers wrote that the “Rebels has come and stolen our property and carried it away to Dixey and they are fed and harbord by the Rebels and sympathizers amongst us.” Additionally, they reported that they were left “at the mercy of those prowling Hell hounds and Sesesh amongst us.”³⁴

The *Fairmont National* in Marion County noted the activities of Righter’s men and commented, “It is very evident to every sensible man that were it not that these guerrilla bands have their friends and sympathizers in our very midst, they would not molest us with their visits.” The newspaper suggested that if “these sympathizers do not join with the loyal people in their efforts to suppress this guerrilla warfare, they should be held responsible for the acts of those who are engaged in it.”³⁵

The petitions called for the governor to take C. B. Gain, Thomas Swiger, William M. Bonnell, Samuel Beverline, and Thomas Ash as hostages. The “Loyal citizens of Doddridge County” declared that the five men were “violent Seseshionist” and “un principold Scoundrels and leaders in the Rebel cause and threatens the peace and property of the poor soldier and his helpless family that is left amongst us.”³⁶ In response, Boreman ordered the arrest of Gain, Swiger, Bonnell, Beverline, and Ash as hostages for Thomas Kile and Duckett Gatrell, who were in Confederate custody, and ordered Lt. Jesse F. Snodgrass of West’s Company B of the West Virginia Exempts to execute the order. Snodgrass had added his name to those calling for the men’s arrest.³⁷

A new problem arose, however. Numerous people came forward and stated that none of the hostages was disloyal to the United States or West Virginia. Indeed, one resident pointed out that Swiger served in the Union Army. Others disputed the petitions to the governor and claimed that they had never signed them or consented to their names being included on them. These incidents point to the confusion, uncertainty, and even subterfuge used to implicate enemies as disloyal. The governor depended upon local information that was often flawed, biased, or falsified. Yet, it was not entirely people on the local level who were at fault. The governor often acted in haste in an effort to satisfy local demands or to exact penalties against supposed Confederates. At the crux of the matter, however, was a flawed law, one that allowed for extraordinary arrest and confinement without any appeal beyond the arresting authority.

Conclusion

The hostage law existed simply as a function of war. It is true that the Virginia government in Wheeling and the new state of West Virginia used it in their insecurity toward those who opposed their existence, but the law would never have been passed or enforced in peacetime. As it was, the governors in Wheeling applied the law against people of “known disloyal sentiments,” whether that disloyalty was to the Union or to the pro-Union states. While affidavits, newspaper reports, letters, and voting records show that levels of support that individuals manifested for pro-Union Virginia, West Virginia, and the United States were not always the same, Governor Pierpont and Governor Boreman and their governments equated the three. A person might be opposed to the secession of Virginia from the Union and still oppose secession from the state government at Richmond; a person might oppose the Confederacy and the creation of West Virginia at the same time. Still, within these very complicated dynamics, a simple fact remained.

State governments were vehicles for national governments. In a strict interpretation that perhaps allowed Pierpont and Boreman—and for that matter Gov. John Letcher and Gov. William Smith in Richmond—to make clearer sense of their work, the Wheeling governments supported the Union, and the Richmond government supported the Confederacy, and the national governments used the people and resources of those governments. So, in the end, it is understandable if loyalty to state and nation became clouded for the governors. In that sense, the governors and other state officials crossed into war and continued to cross new boundaries as the war progressed.

To the ordinary citizen, though, the boundaries were more complicated, and sometimes they crossed them without even realizing they had done so. In the case of hostages, they may have qualified as “disloyal” when their sons joined the Confederate forces, when Confederate guerrillas used the trails across their farms, when they provided care to wounded Confederate soldiers, or when an adversary maliciously labeled them. Those who thought that age or inactivity in the conflict proved their neutrality sometimes found themselves in the proverbial “wrong place at the wrong time” and even discovered that their neutrality made them suspect.

This introduction to hostage-taking in Civil War Virginia and West Virginia gives examples of the dilemmas faced by victims of the hostage law and the people for whom they were held as hostages. It is a snapshot of the human toll taken in a largely unknown corner of the war and in the struggle over state authority.

Notes

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About the Author: Randall S. Gooden, who earned a Ph.D. from West Virginia University, is a professor of history at Clayton State University in Morrow, Georgia, where he teaches courses in public history; Georgia history; and U.S. history, including the Civil War Era and the Reconstruction Era. His scholarship has focused on regional and local history with an emphasis on West Virginia and Appalachia. Professor Gooden's recent work has appeared in *Reconstructing Appalachia: The Civil War's Aftermath*, published by the University Press of Kentucky, and in the journals *Provenance: The Journal of the Society of Georgia Archivists* and the *Journal of Genealogy and Family History*. He is also a contributor to the book *Where East Meets (Mid) West: Exploring a Regional Divide*, now under preparation for publication by the Kent State University Press. He has made numerous presentations on hostage-taking in Virginia and West Virginia and is preparing a book, *The Governor's Pawns: The State and Its Hostages in Civil War West Virginia*, for Kent State University Press.