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During the US Civil War, the state of West Virginia took hostages. Randall S. Gooden, currently professor of history at Clayton State University, analyzes West Virginia's hostage taking and the pressures and tensions that led the state government to take hostages. He foregrounds the stories of individuals—hostages, their neighbors, their families, and military and political officials—and embeds these stories in West Virginia's particular history as a border state caught between the North and the South.

Gooden begins by discussing the roots of Virginia's internal animosity, which featured both North/South and East/West tensions. These tensions, he asserts, ultimately led to hostage taking. Both the Restored Government of Virginia and, later, the state government of West Virginia established “the political and legal structures that justified the practice as a security measure to protect themselves and their adherents” (p. 14). Furthermore, just as East/West sectional tension in Virginia was political, social, and economic, so, too, he asserts, the dynamics of hostage taking were more than just governmental or military; they were also social and economic. Community rivalries exploded into open conflicts. Animosity sprang up due to squabbles over money, property, or the sense that someone had been wronged by someone else.

The Second Wheeling Convention elected Francis Pierpont as governor of the Restored Government of Virginia in June 1861. The convention also passed an ordinance authorizing the apprehension of suspicious persons. Pierpont recommended that the state legislature enact additional security measures to strengthen the Restored Government. The capture of Thomas A. Roberts, a member of the convention, by rebels highlighted the insecurity and fragility of the Wheeling-based government. After Roberts's capture, Andrew Parks, a delegate to the Richmond Convention and a supporter of the rebel government, was arrested under the suspicious person ordinance and became an unofficial hostage. Critically, Pierpont did not use the word “hostage” and, Gooden notes, Pierpont's inclinations as a lawyer kept him from
actively taking hostages. As 1861 gave way to 1862, it was clear that, despite frequent calls for one, the time had not arrived for a blanket policy about hostage taking. The capture of James Trahern spurred the legislature to pass a hostage-taking law in February 1863. The act authorized the governor to take “as many hostages from among people ‘of known disloyal sentiments’ as he thought necessary to ensure the ‘safe rendition’ of Unionists in Confederate custody” (p. 37). State authorities relied on local people to assess each other’s loyalty and discovered that people were sometimes imperfect judges of each other’s loyalty. A few employed charges of disloyalty as a weapon to settle old scores.

The first hostage case featured Pierpont and Judge George W. Thompson. Unionists initially embraced Thompson as an opponent of secession. However, they grew disgusted when Thompson refused to take the new oath that required public officials to swear allegiance to the government at Wheeling and to the United States. The provost marshal at Wheeling, Major Joseph Darr, included Thompson “in his roundup of Confederate sympathizers during the Jones-Imboden Raid” and then used the new hostage law to keep Thompson in custody after the raid ended (p. 51). Thompson’s attorneys filed suit and his case went before Judge John J. Jackson Jr. Jackson found that the federal authorities were not interested in holding Thompson and released him, although Jackson told Thompson to either swear an oath of allegiance to the US or post a five-thousand-dollar bond and leave the state. Thompson posted bond and relocated to Ohio. Pierpont mocked Jackson’s decision, stating that “the record of all courts for the trials of witches, in this country or in Europe, cannot furnish a parallel for absurdity and ridiculousness compared with this case” (p. 59). The Thompson case, which should have stymied the hostage law, did not, Gooden asserts, because of the “political and bureaucratic atmosphere of the nineteenth century,” the US Civil War, and the transition of state governments in Wheeling from Governor Pierpont and the Restored Government of Virginia to Governor Arthur I. Boreman and West Virginia (p. 61).

The new state of West Virginia adopted the laws of the Restored Government of Virginia and the rest of the book considers Governor Boreman’s seizures of hostages. Boreman executed the hostage law differently than Pierpont because he implemented a consistent, written process. Boreman “required an affidavit, sworn before a justice of the peace or a notary public by loyal citizens, attesting to the capture of a person by Confederates and suggesting disloyal people from the same area of the state as potential hostages” (p. 75). In September 1863, Boreman took hostages for George Bradley and William S. Phares, who had been captured during the Jones-Imboden Raid. Some of the hostages then traveled to Richmond to seek the release of the captured West Virginians. The legitimacy and existence of West Virginia, Gooden notes, were tenuous and much depended on the governor’s power. “That power grew and it grew largely because of Governor Boreman’s efforts to secure the state” (p. 83).

Gooden’s analysis of hostage taking reveals how the process differed from county to county. In Barbour County, the capture of William Price led to the seizure of hostages. Interestingly, “it appears that the governor and the army sometimes took hostages in advance of the legal formality of an affidavit” (p. 91). In Gilmer and Doddridge Counties, Boreman and army officers may have been the victims of deception by Doddridge County Unionists. As Gooden observes, the use of the hostage law to “level false or at least questionable accusations was common” (p. 118). In the South Branch region, the taking of hostages for Michael Yoakum became controversial. Colonel Joseph Thoburn and Colonel James A. Mulligan resisted Boreman’s request to seize hostages. Perhaps they resented Boreman or perhaps they had a different understanding of local conditions. In southwestern West Virginia, when Sheriff William
H. Shaw was seized by the rebels, Boreman rolled out a new idea, namely, that use of the hostage law should be preemptive rather than punitive. In Berkeley Springs, the government of West Virginia had better cooperation from the army, possibly because they were embarrassed about the rebels capturing prisoners right under their noses. Gooden’s final chapter analyzes the case of George Buchanon, a man from Dallas, West Virginia, who had a reputation for disloyalty. Buchanon was arrested and sent to the Atheneum, the military prison in Wheeling, where he died in April 1864. Buchanon’s family sued Boreman, and, interestingly, the case landed before Justice Jackson (who also decided the Thompson case). It did not take much to convince Jackson that “a prisoner in a federal facility under control of federal soldiers was a federal prisoner,” although Gooden notes that Jackson was not privy to Boreman’s confirmation during the war that Buchanon was a state hostage (p. 187). Ultimately, Gooden concludes, the hostage law “was a hastily drafted measure that resulted from emotion more than sound legal and practical reasoning. It smacked of vengeance more than logic” (p. 188).

Hostage taking was not the exclusive province of the state government of West Virginia. The US Army took hostages, the rebel army took hostages, and the rebel legislature in Virginia asked the rebel army to take hostages for them. Furthermore, hostage taking could and did occur as part of larger patterns of retaliation. For example, the rebels took two US soldiers hostage because the US imprisoned two Portsmouth women who had been arrested in retaliation for the murder of an African American member of the Fifth Ohio Infantry who had been murdered in revenge for the execution of a Georgia soldier who had committed atrocities. Scholars of the US Civil War, most recently Lorien Foote in Rites of Retaliation: Civilization, Soldiers, and Campaigns in the American Civil War (2021), have revealed that retaliation could and did modify the behavior of armies and governments. There are examples in The Governor’s Pawns that suggest that hostage taking might have done so as well. For example, Charles O’Ferrall’s raid into Berkeley Springs captured, among other prisoners, Aaron Bechtol, a member of the West Virginia State Senate, and Joseph S. Wheat, a member of the West Virginia House of Delegates. West Virginia took hostages. Judge Richard Parker, the man who presided over John Brown’s treason trial in 1859, wrote a forceful letter to James Seddon, arguing that the rebels should not seize prisoners and advocating for the release of Bechtol and Wheat. Gooden might have spent more time discussing the role the seizure of hostages played in changing the practices of the rebel government. He also might have thought about how his account of hostage taking fits into the broad scholarly literature on retaliation. Furthermore, Gooden is no doubt correct that some people manipulated the law to settle old scores. However, reading the examples he presents, one is struck by the fact that many people seemed to believe that the people they accused were disloyal and a threat to West Virginia and the United States. This tendency speaks to the overheated nature of politics and loyalty during wartime, but one wonders if Gooden overemphasizes the number of people who abused the law. Finally, he might also have thought more about the extensive historiography of loyalty and disloyalty during the US Civil War and the way his book fits into these larger conversations.

The Governor’s Pawns offers a thought-provoking story about hostage taking by the Restored Government of Virginia and West Virginia during the US Civil War. By focusing on the stories of individuals—hostages, their families, local people, and political and military officials—Gooden illuminates the human dimension of hostage taking and the practice as a crucial part of West Virginia’s early history.
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