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RECONSTRUCTION IN RICHMOND CITY GOVERNMENT

P. T. KING

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OUTLINE

- I. 1865
 - A. CAPTURE OF RICHMOND, BEGINNING OF MILITARY RULE
 - B. SEQUENCE OF IMPORTANT EVENTS
- II. 1866
 - A. PROSPECTS AND OUTLOOK
 - B. SEQUENCE OF IMPORTANT EVENTS
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- VI. 1870
 - A. PROSPECTS AND OUTLOOK
 - B. SEQUENCE OF IMPORTANT EVENTS
 - C. END OF RECONSTRUCTION

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1865
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It is ironic to read in the Saturday morning Dispatch on April 1, 1865, concerning the fight in Petersburg: "All continues and seems likely to continue, quiet in the North side of the James river." The writer could not foresee that on the following day there would be no issue of the Dispatch in Richmond, nor any other Richmond paper.

The next day General Ewell received from Lee the following communication:

Gen. Ewell;

Move your command to the south side of James river to-night...take road to Amelia Court-house... The cavalry must;;;(destroy) bridges..."1.

The news of the defeat at Petersburg fell like the blow of a bludgeon on the city. As soon as the shock had been absorbed, things began to happen. President Davis and his associates prepared to leave. At four p.m. the City Council sent out an order that the Mayor should surrender the City to the Federal General and that all liquor should be destroyed.² The Confederate Congress demanded that the evacuating army of General Ewell burn and destroy all of the cotton and tobacco in the City in order that it might be kept out of the hands of the enemy. All protests to this order by Mayor Mayo were useless and at three a.m. the torch was applied³ to Schockoe, Public, Mayo's and Rebell's warehouses.

By this order was brought about one of the greatest fires in American history. Due to the change in direction of the wind, the fire got unexpectedly out of control. The rest was a riot of confusion, factories being broken into, merchan-

dize being strewn over the streets, and a magazine explosion killing twelve persons. By noon all of the City bounded by Seventh and Fifteenth Streets, and Main and the river was a^{4.} desert waste.

The Federal cavalry entered while the conflagration was at its height. The American flag was placed on the Capital and General Weitzel ordered his troops to aid in subduing the fire. Soon order was restored and the fire was under control. The deportment of the conquering troops was orderly and no violence was noted.^{5.} On April 3, Mayor Joseph Mayo and his flag-of-truce party met the Union military authorities at the junction of Osborne Pike and New Market Road and presented the surrender letter.:

"General,-The Army of the Confederate Government having abandoned the city of Richmond, I respectfully request that you will take possession of it with an organized force, to preserve order and protect women and children and property.

Respectfully
Joseph Mayo, Mayor '6.

The deed was done . Now , for four long years Richmond was to experience the humiliation of reconstruction. a catastrophe worse than war.

The military authorities were quick in restoring things to some semblance of their former activity. No paper had appeared in Richmond since the first of April, but on^{7.} April 4, the Whig reappeared in a reduced form. The paper

1. Christian, W.A., Richmond, Past and Present, p. 260.

2. Ibid., p. 259.

3. The Richmond Whig, Apr. 4, 1865.

4. Ibid.

5. Ibid.

6. Ibid., Apr. 6.

7. Ibid., Apr. 4.

stated that it would hence forth be a Union organ. Stores sprang up offering food at lowered prices. But these were still too high and hunger was on all sides. A bread riot was led by Mrs. Jackson, a painter's wife, because of this fact. The disturbance was, however, soon put down by the Federal troops.

Many formerly wealthy and prominent people were wondering from whence might come their bread. To take care of starving people a relief commission was formed which divided the City into thirty-four districts and organized house to house visiting. Ration tickets were issued to entitle the bearer to pork, fish, beef, corn-meal, flour, sugar, and tea. By April 21 more than one hundred thousand rations were issued daily.

The utter lack of value of all Confederate money was early realized. On the day following the capture, the streets were littered with worthless bonds. "They were picked up by everybody who had any inclination to subject themselves to the trouble, and can be purchased from the boys for a very insignificant sum."

No problem was more acute than that of the freed negro. Halleck wrote Grant that there were some "thirty to thirty-five thousand idle negroes, free but with no knowledge of what to do with this freedom." These negroes on the loose remained and ever present problem during the whole period of military rule.. They refused to work as long as they were assured that they might not starve and as long as the "Freedman's Bureau" continued to function.

8. Christian, W.A., Rich., Past and Present, p. 264.

9. Walthal, E.T., Hidden Things Brought to Light, p. 24.

11 ~~10~~. The Whig, Apr. 6.

10 ~~11~~. Stanard, M.N., Rich., Its People and Its Story, p. 212.

Marshal law had been proclaimed in Richmond April 3, and on April 5, orders for the military rule for Richmond arrived from Washington. By the orders the City was divided into four military districts. At the head of each was placed a Provosts Marshal whose duty it was to preserve peace and good order, to conduct registration, administer oaths of allegiance and to issue such orders as were necessary to carry out these duties. Arrangements were made for the food, water, and gas supply; all loyal persons were allowed to reopen public hotels and restuarants under licenses granted by the Provost Marshal General of the department; the sale or use of intoxicating liquors were prohibited, and supervision of all permits and licenses for trade were placed in the hands of the Provost-Marshal -General. Instructions were forwarded for the organization of the fire- departments and military courts.

14.

Thus by these orders , military rule in Richmond started in earnest. On April 6, The Whig announced that the function of police and Mayor had been suspended, but expressed the hope of resumption of municipal government upon a "Union" foundation at an early date. In fact the whole tone of the papers of this period seemed to be expectant of quick deliverance from military rule. Richmond carried on in an every-day manner. Churches were opened the Sunday after the evacuation, April 9.

15.

April 11 , Gen. Weitzel commanded the order be sent

out:

12. Carrington, R.W., Richmond in By-gone Days,.

13. The Whig, Apr. 13.

14. War of Rebellion, pp.1210-1211.

15. The Whig, Apr. 10.

"Protection is hereby extended to all Churches and places of public worship.

"Religious services may be continued without interruption as in times of peace. This must not, however, be perverted by utterances (in) forms of worship of treasonable sentiments or (expressions) when thus perverted it will be withdrawn..."16.

The Whig expressed the hope that prejudices or custom would not influence the clergy, but that they would yield with ready compliance to this not unreasonable order of the military authorities. ^{17.}

But on the second Sunday the Episcopal Church was not allowed to open because during the war it had changed its creed to include the blessing of the President of the Confederacy. The Clergy was unable to change the prayer without the express permission of the Bishop Johns, who was in Canada. By the following Sunday, however, things were amended and services were renewed. ^{18.}

In this time of depression the possibilities of rebuilding that part of Richmond destroyed by the fire seemed almost insurmountable. But on June 20 all owners of real-estate within the limits of the "burnt district" were requested to meet to study means of procuring capital for reconstruction. ^{19.}

By the second meeting it was reported ^{20.} that sums to the amount of \$250,000 had been gathered.

To borrowing there developed an obstacle. The Attorney General of the United States had given his opinion that citizens with more than \$20,000 property who had not been pardoned or taken oaths were unable to sell their property, make bills of exchange, or promissory notes. The meeting, therefore, adjourned to come together again the twenty-eighth. for the purpose of drawing upon a plea to be given to President Johnson. This plea was ignored by the President

on the ground that the opinion of the Attorney General was justified because of the aid of the rich to the cause of the rebellion.^{21.}

An early revival of business was forecast for the City. "With unrestricted introduction of goods," wrote the Whig, "business will start in Richmond, the like of which has not been witnessed since the war began."^{22.} "There is a disposition to rise Phoenix like from its ashes and to reassert itself in iron and marble fronts. We want..Richmond...to sit proudly again, like Rome, upon her seven hills."^{23.} The streets which were regaining new life. "Drays fill the streets"; there is a contagious activity. Old warehouses which had been closed since 1861 were opening on a very hand.^{24.}

Soon most of the bridges destroyed by the fire and the Confederate troops were replaced. The Times reappeared April 21. The banks of the city had been swept away by the fire. On April 17, the First National reopened.^{25.} The railroads began to revive under Union supervision. A court of conciliations was appointed to decide in all cases not criminal nor involving public property.^{26.} All restrictions on domestic commerce and trade except as to articles contraband of war, were removed by authority of the President on April 25.^{27.}

By a military order of April 28, 1865 all clerks of courts of records in Richmond were permitted to resume their

16. Ibid., Apr. 13.

17. Ibid., Apr. 15.

18. Christian, W.A., Rich., Past and Present, pp. 263-267.

19. The Richmond Times, June 20, 1865.

20. Ibid., June 23.

21. Op. Cit., Christian, p. 272.

22. The Whig, Apr. 11.

23. Ibid., Apr. 17.

24. Ibid., Apr. 18.

25. The Times, Apr. 21.

26. Op.

duty on taking oaths of allegiance. This granting of privilege was also extended to attorneys and all persons making the practice of law.
28.

It was thought by Richmonders that it would be only a matter of a short time before the Alexandria government of Virginia would be returned to its old Capitol. This step having been taken, it was further believed that Virginia would soon fulfill all requirements necessary for readmission into the Union. The fact that the President and his cabinet were determined to maintain the loyal government of Governor Pierpont served to give additional hope of an early reinstatement of Virginia's status.
29.

May 9, 1865 Governor Pierpont was recognized by the President as the head of the "Restored Government", and on the twenty-fifth the new government arrived in Richmond.
30.
31.

Among the first acts of the Governor were those of restoring the City government of Richmond. On May 31, he issued an order recognizing the need of law enforcing officers and designated: "that such civil magistrates as have been (chosen) by the military authorities" should execute the police power.
32. Mayor Mayo was authorized to hold court on June 7, the first court since April 1. The tone of the Mayor as he addressed the court was hopeful. He spoke with determination of the restoration of the civil government and law and order.
33.

The Governor further appointed a manager of the City
26. Op. Cit., Christian, p. 268.

27. The Times, Apr. 28.

28. Ibid., May 1.

29. Ibid., Apr. 29.

30. Cary, H., Observations on Parties, p. 7.

31. The Times, May 25.

32. Ibid., June 1.

gas and water works and all other City offices.

Another important event of 1865 presaged a speedy readmission of Virginia. On May 26, elections were held for delegates to the State Legislature. As a result of the election not a single person was chosen for the Senate and only one for the House of Delegates who, during the war, had professed opposition to the North. With such a sympathetic legislature, opposition to its entering into the Union could hardly be expected.

The first municipal election since the fall of Richmond was held July 25. In this election it was also noted that no one of the Candidates for office had been prominently identified with the cause of secession. Things went off quite smoothly, William Taylor was elected Mayor by a vote of 1,685 to 921, and John W. Wright was elected Sheriff. Judge Lyons was chosen to preside over Hustings Court; attorneys for court, and council were also elected.

The military authorities had expressed no desire to interfere with the results of the election and things seemed "rosy". Jubilation was short lived, however, for when the Council met they were read the following letter, written to Captain Hager by General Turner at the consent of the Governor of the State of Virginia.

"...you will present yourself at the council chamber and notify them that no action looking toward an organization will be permitted."

Captain Hager further read an extract from the order suspending the organization and declaring the election null and void,

with the exception of the Clerk of Hustings Court. General

33. Ibid., June 8.

34. Op. Cit., Christian, p. 272.

35. The Times, June 2.

36. Ibid., June 25.

37. Ibid., June 26.

Turner promised, however, that civil authority would be reestablished in October, his reason for the above order being that some of those chosen had been in the Confederate Army.^{39.}

Hustings Court was allowed to meet the second Monday in August.^{40.} The only other courts during this period being the court of conciliation, the Provost Court, and the Freedman's Court.^{41.}

Richmond took a step definitely towards its own civil control when on December 18, 1865 Major Clarborne was appointed Chief of Police, and civil officers were substituted of the military police.^{42.}

38. The Whig, July 29.

39. Op. Cit., Christian, p. 284.

40. The Times, July 28.

41. Op. Cit., Christian, p. 274.

42. The Times, Dec. 18.

—
1866
—

The year 1866 brought to the hearts of the people of Richmond a mixture of emotions. Certainly they were justified for the bright outlook which they expressed for the return of local government. The Mayor's Court with D.J. Saunders, elected by the Council, presiding, had been opened and the military police had been withdrawn. President Johnson had issued a long list of persons whom he pardoned for the part they had taken in the Confederate Government.^{43.} Early in 1865 the people had come to the conclusion that "there is no possible alternative but to return to the Union and to make up losses in the most expeditious manner possible."^{44.} No words are more prophetic than those written at this period:

"The heaviest blow which has ever fallen upon the people of the South has descended. Abraham Lincoln, the President of the United States, has been assassinated!"^{45.}

The last obstacle having been removed, the tide of radicalism began to rush forward. "Every where in the South," wrote the Times, "the people are slowly submitting to the stern verdict of the sword, accepting the alternative of fortune and adapting themselves to changed conditions."^{46.}

In the tone of the papers we note that there had crept into the ordinary mind a feeling of despair and hope-

43. Ibid., Dec. 20, 1865.

44. Ibid., Apr. 26, 1865.

45. The Whig, Apr. 17, 1865.

46. June 13, 1865.

lessness, fear of the radical groups in Washington.

"If radicalism is not successful in stripping us of the consolation even of hope, we are ready to make 1866 forever and nobly memorable..., by honest toil and determined energy.

"To hail the New Year...., while a merciless congress tramples upon the patriotic policy of the President, and degrades us to the status of taxed but unrepresented colonies, would be unworthy of the South."⁴⁷.

Before the end of 1866 military authority and a radical Congress had become symbols of terror and one person wrote :

"F^orgetting that abstinence from all interference with the politics of the country , which usage demands of military authorities, many of these men have been violent and embittered partisans, and have not hesitated to feed by...., the devouring flame of revolution and sectional hatred, which have been kindled by such monsters of depravity as Thaddeus Stevens."⁴⁸.

To add to the fears which Richmond and the South entertained toward the Congress in 1866, was the wide spread and growing impression that high rates of rent brought on by the depression and the crash of southern money, were not only oppressing individual merchants, but crushing the business prosperity of the City. It was the feeling that led to a meeting of "anti-high renters" on January 9. ⁴⁹ As a result of this meeting rents were lowered within a few months throughout the ⁵⁰ City.

Another abuse of the stringent conditions was the high rates of interests asked by banks and other organizations for loans. A public meeting was also held to try to rectify this handicap on returning business. At this meeting resolutions were passed asking that the legislature change the existing laws, which allowed as much as twenty-five percent,

in order that a rate of six percent might be the maximum. To this not unusual request the radical Legislature turned a deaf ear. Wrote the Whig.

"The action of the House of Delegates on the usury question brings us reluctantly to the conclusion that a majority of the members would be better employed in anything else than in making laws for a people situated as those of the State at present. Poor Virginia!"^{52.}

As if Richmond did not already have enough on its hands, an epidemic of Asiatic Cholera struck to arrest reviving business. On August 3, 1866 a warning of the plague from the New York was accepted with apprehension.^{53.} By the middle of the month the City was rife with this dread disease. Every paper carried a long list of the cases and the list of the dead. People ceased to come to the City from the country, and those who were able left, so that by mid-summer it was sparsely populated. The spread of the disease did lead to one good result. That was the thorough cleaning of the City street, sewer systems, etc..^{54.}

The greatest change in the civil government in Richmond in 1866 was the appointment by the President of Gen. Schofield to succeed Gen. Halleck. With this appointment there was a general changing and shifting of military officials presiding over the City.^{55.}

- 47. Ibid., Jan. 1, 1866.
- 48. Ibid., Aug. 2.
- 50. Op. Cit., Christian, p. 276.
- 49. The Whig, Jan. 9.
- 51. Op. Cit., Christian, p. 275.
- 52. The Whig, Ja. 22, 1867.
- 53. The Times, Aug. 3.
- 54. Ibid., Aug. 16.
- 55. Ibid.

The South stood by during the year 1866 to witness the struggle between the President and his radical congress. "The old year passed without repairing the breaches in the American Union...The year 1867 saws upon a dismembered country." Still, there is a strain of hope for "while there is little in the aspect of affairs to cheer us, we must not despair. Who shall tell what a day may bring forth? Man proposes, but God disposes, and with one touch of his finger he can change the whole face of affairs." ^{56.} We find the South entering into 1867 with not too bright aspects. A radical congress, seemingly bent on breaking the back of the South, was cloaking it under a cloud of sectional hatred. The federal armies had instructions to ^{57.} erase every memory of the Confederacy.

By an act of congress of March 13, 1867 every semblance of local and state government in the South passed away. Richmond and Virginia entered under military reconstruction, according to the plan of Thaddeus Stevens and the Sherman Shellabarger Act, on that day. Below is quoted in part that act which introduced the darkest pages in American history.

56. The Whig, Jan. 1, 1867.

57. Op. Cit., Christian, p. 281.

"Whereas no legal State governments or adequate protection for life or property now exists in the rebel states...Be it enacted by the Senate and House of Representatives of the United States...that said rebel states be divided into military districts and made subject to military authority...

Section 3...be it further enacted, that it shall be the duty of (the commanding general of the district) to (preserve the public order and law) and to this end he may allow local tribunals to take jurisdiction...when in his judgement it may be necessary for trial of offenders...All interference under color of State authority...shall be null and void.

Section 5. Be it further enacted that when the people of any one of said rebel states shall have formed a constitution of government in conformity with the constitution of the United States ..., framed by delegates elected by male citizens of said state twenty-one years old or upward, of whatever race, color, or previous condition..., and when such constitution shall provide election franchise (for all)..., and when such constitutions (have been approved by the congress), and when such state shall have (ratified the fourteenth amendment), such state shall be declared entitled to representatives in congress..., this act shall be inoperative in said state.

Section 6. And be it further provided, that until people of said rebel state shall be by law admitted to representation in congress of the United States any civil government which might exist therein shall be deemed provisional and in all respects subject to paramount authority of the United States."58.

By an order of the President, in accordance with this act of congress, General Schofield was appointed as comman-

58. The Richmond Dispatch, March 14, 1867.

der of the first division on March 12, 1867.

The machinery to carry out the measures of this act were soon set in motion. Under an order of General Schofield the council required that elections be held off until negroes had been properly registered under military supervision.^{60.} To ensnare the negro vote two opposing factions soon appeared. On the night of the fifteenth of April a gathering of colored and whites crowded a political meeting at the Theatre for the purpose of choosing suitable candidates for the legislature. This group was made up of a higher class type^{of negro} and conservative whites.^{61.} On the night of the seventeenth a gathering of unrespectable negroes and whites met at African Church. The convention was taken up with incendiary and wild speeches. Possibilities of cooperation between the two branches of the party dimmed.^{62.}

When the registration had come to an end in Richmond there were found to be five thousand sixty three white and six thousand one hundred and twenty negroes. This one sided result may be attributed to the fact that many of the white people refused to register, feeling that it would have been cooperation with the Republicans.^{63.} In the state of Virginia, however, in 1867 there were 45,000 more whites capable of voting than negroes. In lieu of this fact one

60. Op. Cit., Christian, p.281.

61. The Dispatch, Apr. 16.

62. Ibid., Apr. 18.

63. Op. Cit., Christian, p.290.

man wrote :

"If the white voter with this very large majority in their favor, permits the State Government to pass under the control of the pestilent set... I have only to say that they will most richly deserve their fate."64.

As a result of an order from General Schofield on October 22 for the election of delegates, two distinct opposing tickets appeared. The Radical ticket for delegates from Richmond contained the names of J. W. Hunnicutt, J. C. Underwood, James Morrossey, Lewis Lindsey (colored), and Joseph Cox (colored). The conservatives named M. Johnson, Thomas J. Evans M. A. sturdivant, William Taylor, and Alex. H. Sands.^{65.}

Of the respective merits of these two tickets the Whig wrote: " There ar but two tickets before the people of Richmond-the run-mad Radical and the conservative tickets."^{66.}

In spite of the admonitions of the newspapers, the Radicals swept the field through-out the whole state. This caused the conservatives to comment:

"We look forward to the approaching convention in this stat with no pleasure. It will not be a Virginia State Convention, but a mass of black ignorance and Hunnacutt breastliness and incendiariism."67.

In the meantime, Richmond was stillpressing forward.

64. The Whig, June 7.

65. Ibid., Oct. 25.

66. Ibid., Oct. 22.

67. Ibid., Oct, 29.

The limits were extended by an act of the legislature; the Tobacco Exchange was organized, The Corn and Flour Exchange was organized July 18. There were by this time eleven banks: First National, National Bank of Virginia, National Exchange Bank, Planters National, Union Savings, Richmond Banking and Insurance Co., Insurance and Savings Bank, Merchants and Planters Saving Bank, City Bank, Merchant and Mechanics, and the Dollar Savings Bank. Sept-^{68.}ember 6 the Richmond Chamber of Commerce was established. In^{68.}September also the colored population had their first opportunity to exercise the right of suffrage on a municipal matter. The City Council was trying to decide whether or not it should subscribe to \$2,000,000 of Chesapeake and Ohio railway stock. The vote authorized the council to follow such action by a count of 1,805 to 175. This vote was set aside by General Schofield, however.^{69/} December 31 another election on the question was allowed. In this ballot the original vote was strongly reaffirmed and the^{70.} act was passed.

68. Op. Cit., Christian, pp.291-292.

69. The Whig, Sept. 17.

70. The Dispatch, Jan. 1, 1868.

Concerning the South in 1868, J. M. Hanna wrote:
"Moreover, the sword hath become the political scissor
that cutteth and shapeth the law."^{71.} However, by 1868
in Richmond and Virginia the dawn was becoming barely
perceptible. "The past three years", wrote the Whig,
"have been fruitful of all that could harass, depress,
and afflict the southern people, and the year just end-
ed has abounded in the severest trials of our patience
and constancy." Whereas the outlook for 1867 had been
gloomy, the more and more apparent inability of the
congress to convict the President and the continuance
of his liberal policy in spite of them gave the South
to believe that "a conservative reaction has occurred...,
which promises to triumph over Radicalism and to frus-
trate its nefarious projects of negro domination in the
ten excluded Southern States."^{72.}

January 1, 1868 the four year term of Governor
Pierpont legally came to an end. The people were now
faced with the question: who is Governor of Virginia?
No provision had been made for the election^{of} a new man
to fill his place, and Virginia was virtually without
a head.^{73.} It was decided to place the problem of Gover-

71. Acts of Kings.

72. The Whig, Jan.1, 1868.

73. Ibid., Jan.8.

nor Pierpont's right to remain in office before the Supreme Court of the state.^{74.} On the fifteenth of January the court affirmed the right of the governor to continue with the discharge of his duties until a successor might be appointed.

April 4, 1868 General Schofield issued the following order:

" The office of the Governor of Virginia having become vacant by expiration of the term of service of His Excellency Francis H. Pierpont., His Excellency Henry H. Wells has this day been appointed Governor of Virginia..."^{75.}

This appointment was rightly interpreted by the conservatives to be the result of pressure brought to bear by the radical groups. Wells was not a Virginian, having migrated from Michigan; he was a radical in his views toward reconstruction and in his sympathy for the radical legislature.^{76.}

This period was one of general removal and replacement by the commanding general. The only bright spot in Richmond city government had been the well run courts, the Court of Appeals, presided over by Judges Moncure, Joynes, and Rives, the Circuit Court, presided over by Judge Meredith, and Hastings Court, presided over by Judge Lyons.⁷⁷ January the twenty second the recorders

74. Ibid., Jan. 24.

75. Ibid., Apr. 4.

76. Ibid.

77. Op. Cit., Christian, p.280.

and judges of Hustings Court were removed, and military appointees were substituted.^{78.} As might have been expected, the municipal officers of Richmond were made to walk the plank for the sake of the Carpet-bagger. Outstanding among these were the City Sergeant, the Superintendent of the Gas Works, the Collector of City Taxes, and the High Constable.^{79.} Nor were the people surprised that on May 1 Mayor Mayo was removed from office and that Major Cahoon, a Radical, should be substituted. The citizens might well regret the removal of their mayor for he had been faithfully performing the duties of his office for twelve years.^{80.}

Prior to 1867 the only organized party in Virginia was that of the Republicans. A new party of Democrats and of the old Whigs held a convention in Richmond December 11, 1867.^{81.} This party sent out a state wide call for a convention to be held in Richmond on May 7, 1868.^{82.} In his inaugural address to this convention Alexander H. H. Stuart outlined the purpose of the Virginia Conservatives. "We have met", he said, "to appeal to the North not to inflict this disgrace upon us. Our rights may be wrested from us, but we will never submit to the rule of an alien and inferior race (meaning the negro and Carpet-bag legislature). We prefer the rule of the bayonet."^{83.}

The prospects for deliverance from the "black plague"

78. The Whig, Jan. 22.

79. Ibid., May 4.

80. Ibid., May 1.

81. Op. Cit., Cary, Hundson, p.11.

82. The Whig, Apr. 17, 1867.

83. Op. Cit., Cary, Hundson, p.12.

had by this time brightened to such an extent that there was some hope of fulfillment of the Conservative plea. The registration, which in 1867 had given a majority for the colored folk of the city of 961, was made null and void by an order of General Schofield. By a similar registration during the early weeks of March, 1868 it was found when the work was finished that the colored lead had been reduced to 36. This filled the hearts of all Conservatives with joy, and they were certain that they could carry the elections for state appointments and for governor after the ratification to the new constitution, thus saving the state from Radical rule.^{84.}

On the day after the Conservative convention the Radicals assembled to nominate Governor H. H. Wells for re-election.^{85.}

General Schofield by this time had become very unpopular with the Radicals because of comparatively liberal views. He had actually been booed out of the convention hall of the Capitol when he had plead that the "iron clad oath", an article which disqualified from holding office and jury trial nearly every white man in the state and which disfranchised several thousand of the states most capable men, not be included in the constitution. After this event he had further expressed the desire that the

84. The Whig, March 16.

85. Ibid, May 8.

voters of Virginia should vote down the constitution which
the convention had framed.^{86.}

The General was opportunely delivered from "the slings and darts" of his critics when on May 29, 1868 he was chosen by President Johnson to succeed Stanton as Secretary of War.^{87.} In his place as commander to the first district was placed another liberal, General Stoneman.⁸⁸

No news of 1868 was more pleasing to the ears of the liberal than the news, received May 18, of the failure of congress to ~~impeach~~^{convict} President Johnson. That meant the continuance of liberal policies.^{89.} On July 4 President Johnson proclaimed a general amnesty, granting full and unconditional pardon to all persons who had participated in the rebellion, except those under indictment for treason or felony before federal courts. This amnesty also restored property rights, except ex-slaves and property legally divested by the United States. This proclamation was a boon to the people who had been deprived of participation in government by "iron clad oaths", and disfranchisement.^{90/}

November 3, 1868 the election of the President of the United States was to be voted upon. The Conservatives met in the Capitol Square and ratified the nomination of Seymour, and the Republicans did the same for Grant. That was all that Virginia could do. Her status was a question, and

- 86. Ibid., Apr. 20.
- 87. Ibid., May 30.
- 88. Ibid., June 2.
- 89. Ibid., May 18.
- 90. Ibid., July 4.

Grant was elected without her assistance. 91.

91. Op. Cit., Christian. p.301.

With the advent of 1869 the scene had had little change, but Richmond maintained her hope and trod forth to future days. "The old year", commented the Whig, "like Old Malley, is dead, and we are not sorry for it, further than that three hundred and sixty five days unprofitable to our State and people have been buried with eighteen hundred and sixty seven predecessors."^{92.} Because of general laxity and military interference crime had become rampant. Hold-ups, thefts, burglaries, and murders were the order of the day.^{93.}

The gubernatorial election drawing nigh, the Radicals held a convention in Petersburg in which on March 10 they reiterated their nomination of Governor Wells for candidate for Governor and a negro, Dr. J. H. Harris, for Lieutenant Governor. Resolutions were adopted favoring the restoration of the State under the new constitution, without change or amendment, and asserting the equality of rights of all citizens and jury for all males no matter what color, race, or creed.^{93.}

Many Republicans were dissatisfied with the nominations of the convention in Petersburg. The conservative Republicans, therefore, renounced the Radical ticket and put forth one of their own. For Governor they proposed Gilbert G. Wal-

92. Jan. 1, 1869.

93. Op. Cit., Christian, p.303.

93. The Whig, March 11.

ker of Norfolk, for Lieutenant Governor, John F. Lewis of Rockingham County, and for Attorney General, James C. Taylor of Montgomery County.

"We believe", stated the party, that large majority of intelligent and reflecting people of Virginia are...desirous of adopting the great principles of the Republican party...The time has come when a determined effort should be made to rescue the Republican party of Virginia from the management and control of designing and selfish politicians."94.

Twelve days after his nomination by the Radical convention Governor Wells was arrested on the charge of having interfered with the United States mail by purloining a political letter. In reference to this arrest the Whig remarked: "If the Carpet-baggers remain in power, they will teach us a thousand new tricks- very laughable ones... Wells is decidedly a wag of the first water."His jokes are sly- develish sly."^{95.}

Less surprise than pleasure was elicited by the removal of Governor Wells by General Stoneman on March 27. No reason was given for the action, but it was not hard to guess the why and wherefore.^{96.}

The case of Wells came before Major Cahoon and on March 30 the United States District Attoeney ordered Cahoon that the prosecution against the Governor be dropped.^{97.} This request was readily complied with by the court.

Mysteriously enough, orders arrived to General Stone-

94. Ibid., March 22.

95. May 26.

96. Ibid., March 29.

97. Ibid., March 31.

man March 31 to proceed with his regiment to California, thus relieving him of his duties as Commander of the first military district.^{98.}

Things then began to happen fast and furious. By an order of General Sherman and of the President of the United States General Webb was made provisional Commander until the arrival of General Sanby, both strangers. The first official act of the provisional commander was to place Governor Wells back into office, furnishing a suspicion of the reason for Stoneman's dismissal.^{99.}

The feeling was more more being expressed in sympathetic newspapers that the conservative Republicans and the Democrats must unite if, under the constitution proposed by the legislature, they were to predominate over the Carpet-baggers and Scally-wags. All members of these two parties were urged, regardless of their pride, to take oaths of allegiance and to renounce their Civil War Status in order that government might finally be restored to the hands of the people. Already there was evidence that the negro was losing faith in the Carpet-bagger and that he was turning for the support of the conservative Walker Ticket.^{100.}

The first days of July were occupied with a series of political meetings, conventions, and barbecues on the part of both parties. By July the sixth, the day of the election, the union of the Conservative Republicans and Democrats on Walker was almost certain.^{101.}

98. Ibid., Apr. 1.

99. Ibid., Apr. 3.

100. Ibid., May 15.

101. Ibid., et passem, July 1-6.

July 7, 1869 might well be aday for feteing in Virginia. The people of the State and of Richmond awoke to the reality that that day the radical forces had been defeated in the election and that conservatism had triumphed. Walker's ticket swept the field and the more conservative expurgated edition of the constitution, without the test oath and disfranchisement , was adopted. 102.

In lieu of the adoption of the liberal constitution without the test oath, the citizens of Richmond were somewhat mystified when General Canby removed the whole City Council and appointed on himself. "We used to have "City Fathers", wrote the Whig, "but they have been gathered "to their fathers", and, like orphan children, our people have to content themselves with step-fathers." 103. Canby's ruling that no council-man could take his seat without first taking the "iron clad oath" was repudiated by orders from General Grant and the Attorney General--Richmond breathed a sigh of relief. 104.

Sept. 21 Governor Wells resigned from office and Canby installed Walker as provisional Governor to last until the acceptance by congress of the constitution. 105.

By an order of Commander Canby the legislature was invoked to adopt the fourteenth and fifteenth amendments to the Constitution of the United States. All members were seated on taking the oath of allegiance with the exception of

102. Ibid., July 7.

103. Ibid., Aug. 23.

104. Op. Cit., Christian, p.307.

105. The Whig, Sept. 21.

twenty seven members whose certificates were withheld by
the General.^{106.} In his inaugural address Walker asked that
the legislature adopt the amendments as speedily as pos-
sible that the state might sooner be readmitted.^{107.}

The Court of Appeals, presided over by military ap-
pointees of General Canby, met on October 12 of this year.
Out of deference, however, for the popular opinion and the
work of the legislature the court decided to adjourn until
January, expecting that by that time the state would have
become part of the Union.^{108.}

106. Ibid., Oct. 5.

107. Op. Cit., Christian, p.309.

108. The Whig, Oct. 13.

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1870
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By 1870 the "corner" had been rounded. The end of reconstruction was in full view and was momentarily expected. Still, the hope for the reestablishment of Virginia's former status was based entirely upon rumor.^{109.} It was a period when people held their breaths. Re-admission was being fought bitterly in the congress. To summer the election in Virginia had been just one big fraud and the state was still "smoking with rebellion".¹¹⁰¹

But on the twenty fourth the act to admit Virginia was passed by congress. This act was amended to the extent, largely through the work of Alexander H. H. Stuart and his "committee of nine" so that it was more acceptable to the people.^{111.} The amendment changed the clause on the taking of the oath so that the oath should represent no more than the affirmation on the part of the signer that Virginia should have representation in the Congress of the United States.^{112.}

The general attitude of the press on receiving the news of admittance was some-what philosophic. "All's well that ends well", noted the Whig, "the result is one, if not for rejoicing, at least for that sort of thanksgiving which a great deliverance prompts and justifies."^{113.}

109. Ibid., Jan. 1, 1870.

110. Ibid., Jan. 21,

111. Stuart, A.H.H., Popular Movement In Virginia.

112. Daniel, J.W., Documents and Newspaper Clippings Relative to Virginia Reconstruction, documents 3-4.

113. Jan. 25.

Richmond was not to get off as yet. Early in the session of the new legislature a bill was passed, known as the "enabling act", empowering the Governor to appoint a new council for the city to serve until July 1. The appointments for councilmen by Governor Walker brought about a thorough reorganization, all the former military appointees with the exception of three being replaced. ^{114.}

When the new council met on March 16 they elected H.K. Ellyson the Mayor and Major Poe the Chief of Police. ^{115.} Great was the surprise of the community on learning that instead of yielding to the majesty of the law the late military mayor, Major Cahoon, refused to resign. Even further was there amazement at the arrest of Major Poe and Mayor Ellyson by the ex-Chief of Police, Egbert. Here was a ^{116.} nice condition of affairs".

Poe and Ellyson being released, two local governments were set up, Cahoon claiming one and Ellyson the other. Cahoon applied to the Governor to maintain order, but the Governor sustained the election of Ellyson. Major Poe then sent a force which placed Cahoon under voluntary arrest. General Canby, as a result, sent a military force to sustain Cahoon and Poe was forced to retire. "As Governor of the Commonwealth", wrote Walker, "I ask by what law or authority have you taken such action?" ^{117.}

114. Ibid., March 16.

115. Ibid., March 17.

116. Ibid., March 18.

117. Ibid., March 21.

Canby admitted that he had transgressed his powers and Cahoon applied to Judge Underwood for an injunction to restrain Ellyson from assuming office.^{118.} The Injunction was granted but Ellyson continued to hold court and keep his police on duty.^{119.} An order of ejection was issued against Ellyson on April 4 to which order he failed to comply and the council applied to the Chief Justice of the United States, Justice Chase, to dissolve Underwood's injunction.^{120.} Major Cahoon on April 11 suggested that the case be submitted to the newly elected Virginia Court of Appeals. Ellyson agreed and Chief Justice Chase consented, saying that it was purely a state problem.^{121.}

During the hearings on the case the floor of the court room, which was located in the Capitol, broke through injuring some two hundred and fifty and killing sixty one.^{122.} This catastrophe put an end to all thoughts of the case until the Court of Appeals met May 29 in the City Hall, deciding that an election should be held.^{123.}

Ellyson won the election by thirty nine votes, though there were no returns from Jeffersonward. Ellyson refused to take office until properly and fairly elected.^{124.} On July 5 the court decided against an investigation of fraud in the election and on July 29 the city offices were declared vacant and a new election was ordered.^{125.} Ellyson

- 118. Ibid.
- 119. Ibid., Apr. 1.
- 120. Ibid., Apr. 6.
- 121. Ibid., Apr. 14.
- 122. Ibid., Apr. 22.
- 123. Ibid., Apr. 30.
- 124. Ibid., June 3.
- 125. Ibid., Jl. 29.

was defeated in this vote by a Mr Keily who ran on the
Conservative ticket.^{126.} At last Richmond had been re-
constructed and a long, dreary, wearisome period in
her history had come to an end.

126. Ibid., Sept. 2.