A Sesquicentennial

DEC. 21-27, 1862

In late December 1862, President Abraham Lincoln turned to his Cabinet for advice on whether legislation that would create the state of West Virginia was constitutional.



Secretary of State William H. Seward, Secretary of Treasury Salmon P. Chase and Secretary of War Edwin M. Stanton said it was constitutional.

Attorney Gen. Edward Bates, Secretary of the Navy Gideon Welles and Postmaster Gen. Montgomery Blair said it was not constitutional.

The creation of a new state requires the approval of Congress and the legislatures of the states involved. Seward argued that the Restored Government of Virginia established in Wheeling after Virginia seceded from the Union gave the only approval necessary.

Bates argued that body was a provisional government whose purpose "was not to divide and destroy the State, but to rehabilitate and restore it."

He said the statehood petition needed approval from Wheeling and Richmond.

Lincoln would weigh both sides before announcing his decision on New Year's Eve.

This sesquicentennial moment is brought to you by the West Virginia Sesquicentennial Commission and the West Virginia Division of Culture and History, Archives and History Section.

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