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**From Triumph to Tragedy: The “Real”
Legacy of the 1942 WVU NIT
Championship Basketball Team
by
Patricia Richards McClure**

Patricia Richards McClure is a retired associate professor of English at West Virginia State University. Currently a technical editor/writer, she is working on biographies for the West Virginia Veterans Memorial.

Introduction

Exciting sports stories often start with an end—of a game, a season, a year, or a player’s career. But this is a sports story unlike any other. For members of the West Virginia University (WVU) basketball team, winning the 1942 National Invitation Tournament (NIT) marked a beginning. (At the time the NIT was considered to be the national championship.) WVU players were about to embark on a venture that would overshadow the brief, shining moment when they captured national attention as tournament underdogs who persevered and won it all. Beloved in their home state—schoolchildren had sent them money and good-luck notes, and adults had regularly tuned their radios to follow the season’s exploits—their unique style of play enraptured the hearts of all sports-loving Americans and warranted them an article in *Time* magazine, which called them a “funny-looking basketball team.” That story described forward Roger Hicks—the hero of the final game—as “little larger or huskier than a jockey,” noted that guard Scotty

Hamilton was “a real fat boy,” and compared Coach Dyke Raese’s looks to Humphrey Bogart. While the initial remarks were uncomplimentary, the writer of the piece finally admitted, “But there is nothing funny about West Virginia’s performance.”¹

All week the *Morgantown Dominion-News* had devoted a large banner headline to the exploits of the team, culminating on March 26, 1942, with “WVU Wins National Cage Tournament.”² A quick glance at the news that followed, however, brought readers back to the reality that there was, after all, a war going on, as the larger story segued into the more serious events of the week—the U.S. involvement in the Pacific Theatre. No one could have been more aware of this reality than the WVU players (and coach). Nearly seventy years later George Hohmann wrote: “Amid the darkest and most perilous days of World War II, the WVU basketball team provided a welcome and uplifting diversion for West Virginians.”³

In 2012, Hugh Hicks, in an interview with Sandy Wells of the *Charleston Gazette-Mail*, recalled the 1942 NIT championship series in great detail. The WVU Mountaineers were ranked eighth in a highly competitive eight-team tournament, but they got off to a good start by beating Long Island 58-49 in overtime. They went on to beat Toledo and ended up facing favored Western Kentucky in the final game. Behind at halftime, West Virginia tied the game at 40-40 with eight minutes left. When Western Kentucky pulled ahead by one point, the Mountaineers tied it again with a free throw. With just ten seconds left, a “scrappy little Mountaineer named Shorty Hicks stepped up to the foul line.” Hugh Hicks said he knew Shorty would make the foul shot. West

Virginia pulled ahead. Another WVU player made yet another foul shot, but Shorty Hicks had immortalized himself by becoming the hero of the game. West Virginia ended up winning the game, 47-45.⁴

The team roster was not large. With five regulars and three substitutes, the team swelled to nine for the Madison Square Garden tournament. As Mickey Furfari detailed in his eulogy for Coach Dyke Raese, “Floyd ‘Scotty’ Hamilton, a roly-poly playmaker, was from Grafton. Rudy Baric, the tallest player at 6-foot-3, came from Benwood. Dick Kesling was from Shinnston, Roger ‘Shorty’ Hicks from Moundsville and Lou Kalmar from Scott’s Run, Monongalia County.” Furfari added: “Reserves included Walter Rollins of Ceredo, George Rickey of North Bergen, N.J., and Don Raese of Davis, the coach’s nephew. Neil Montone, an end on the football team, joined the squad as a ninth player for the NIT tournament.”⁵



Front row: F. Hamilton, L. Kalmar, R. Baric, R. Hicks, R. Kesling. Second row: Coach R. Raese, G. Rickey, N. Montone, D. Raese, W. Rollins, Manager Bud Lawall. Photo courtesy of Charles Raese.

Coach Richard A. “Dyke” Raese and manager Charles E. “Bud” Lawall Jr. brought the total university involvement to eleven individuals. It is those individuals who are the focus of this article, for it is they who left the basketball arena to become engaged in the country’s wartime effort, an engagement that would consume the energy of all the players and cost the lives of three (as well as the older brother of one of the casualties). In addition, a twelfth individual with a peripheral relationship to the team, co-manager Charles H. Wilson Jr., who apparently did not make the trip to New York with the team, also perished. The following biographical sketches are intended to give not only the extent of the involvement of the

individuals but also the inter-connectedness of that involvement and show how the highly acclaimed heroes of the court became the unsung heroes of a global endeavor.

Rudolph “Rudy” Baric

Known always as “Rudy” Baric, the center and captain was the only West Virginia player over six feet. A letterman for three years, he led the Mountaineers to a 45-20 record during that time. He is best known for his final year (1941-42), when he captained the team to regular-season wins over Penn State, Pitt, Army, and Duquesne and over Long Island, Toledo, and Western Kentucky in the NIT championship series and was named the NIT’s most valuable player. Baric had joined the team for Coach Raese’s second season and contributed a great deal to the team’s style of play: “Rudy Baric was not a giant by any means. However, he was over six feet (6’3”), and he had unusually long arms, much like those of Jerry West. Baric was an excellent shot from close range, a great defensive player and a solid rebounder. Furthermore, he gave the team a physical presence they had been lacking.”⁶

Hugh Hicks, brother of team member Roger Hicks, says of Baric: “He was a big fellow and very quiet. There was no pizzazz about him. But he won many a game on his ability to rebound the ball.”⁷ The following year (1942-43), Rudy Baric assumed coaching duties following Raese’s departure and had a 14-7 record, with only one returning player—Hamilton. For the first time basketball scholarships were offered (the sport having lived in the shadow of the football program), and the team fielded eight sophomores.⁸

Although the *U.S. Army World War II Enlistment Records, 1938-1946* database provides no information about army service for Rudy Baric, the *U.S. Department of Veterans Affairs BIRLS Death File, 1850-2010* notes an enlistment date for a “Rudolph Baric” (b. 1920) of August 28, 1942, with a release date of December 12, 1943, and a second enlistment on December 13 of that year and release on June 15, 1946.⁹ It appears Baric did not serve during the first enlistment period. He was a one-season coach; his tenure as coach coincided with the fulfillment of his Reserve Officers’ Training Corps (ROTC) program so that when he left the university, he would receive a commission as an officer.¹⁰

Floyd “Scotty” Hamilton

Born in 1921, Floyd “Scotty” Hamilton embraced basketball early in life. He was named as an all-state player from Grafton High School. It appears he was brought up in the household of his grandmother, Lula Hamilton Perrine,¹¹ and it was she who decided he would attend WVU. Stories around his recruitment have it that she was most impressed by Coach Raese’s impeccable grooming and polite demeanor.

Described by various sources as “roly-poly” to downright “fat,” Scotty was nonetheless brought on board for the 1940-41 season by Raese, who stated that Hamilton was the only player he ever recruited or ever wanted to. As a result of his performance on the 1941-42 championship team, he was named West Virginia’s first-ever basketball All-American. Overall during his basketball career at WVU, he averaged 9.1 points per game, but he also lettered once in football (1943).¹²

Charles Raese, the coach’s son, wrote of Hamilton:

[He] was an awesome ball-handler and [Coach] Raese knew he would fit perfectly into his offensive agenda. In fact, he would be the team’s floor general. With Hamilton at the helm, Raese was able to take his offensive scheme to a new level. Not only did his team’s ball-handling improve, but their fast break became lethal.

Raese believed in a dribbling fast break in which the guard would receive the outlet pass and drive down the middle with two players flanking him on each side. Hamilton fit the middleman role perfectly!¹³

Charles Raese continued, “Hamilton was smart and had an uncanny knack for knowing when and to whom he should pass the ball. . . . When Hamilton came out of the [1942 Army] game he was given a standing ovation.”¹⁴

Hugh Hicks remembers Scotty Hamilton as a friend with whom he would go to the wrestling mats in the upstairs of the gym after basketball practice for fifteen or twenty minutes of wrestling. Hicks recalls that, because Scotty was heavy and “out of shape,” he would get worn out during games and call a time out. Hugh would then take him a bucket of water and towel.¹⁵

Unlike many of his teammates, who had joined the Army, Hamilton graduated and enlisted in the Navy. According to the *Veterans Affairs BIRLS Death File*, he enlisted on November 30, 1943, and

was released on April 18, 1946.¹⁶ In 1940, he had married his childhood sweetheart, Barbara Jean, and they had three children. After a brief stint coaching basketball at Washington and Lee University, he moved to the Marietta, Ohio, area, where he was football coach, guidance director, and athletic director at Marietta High School. Scotty was inducted into the WVU Sports Hall of Fame in 1996, twenty years after his death.

Roger Louis “Shorty” Hicks

Army First Lt. Roger Louis Hicks was born in Moundsville on Flag Day—June 14—1920, the third son of Walter B. and Nellie B. Pickett Hicks. Known throughout life by his friends as “Shorty,” he joined older brothers Harvey LeMoyné (Lee) and Walter Edmund (Eddie); later younger brother Hugh D. Hicks would round out the family.

Roger Hicks attended First Ward Grade School and Moundsville Junior High and received accolades as an honors graduate in the 1938 class of Moundsville Senior High School. A local newspaper article reported that in 1938, Hicks captained the Moundsville Trojan basketball team. He spent a few months at Findlay College in Ohio but later transferred to West Virginia University, where he shared in “the brilliant task of giving WVU the national collegiate basketball title in 1942.”¹⁷

Even though he was named a college basketball All-Star and held the West Virginia University season free-throw percentage record (88 percent) for sixty years, Roger Hicks’s prowess did not end on the basketball court. He was voted president of the student body at the university and of Phi Delta Theta fraternity. He was a member not only of the Athletic Board but also of the prestigious Mountain, Sphinx, and lettermen’s honoraries and served as a proctor of Men’s Hall. In 2005, he was named posthumously to the WVU Sports Hall of Fame.¹⁸

He was freshman basketball coach at the university for a year while he was completing his fourth year in the ROTC. He was inducted into the army in the summer of 1943 and commissioned as a lieutenant in the infantry at Fort Benning, Georgia, on December 5.¹⁹

In September 1944, Lt. Roger Hicks headed overseas as a member of a platoon in the 328th Regiment, 26th Yankee Division, of Gen. George S. Patton’s Third Army. According to Hugh Hicks, on the night of November 10, 1944, the patrol the

young lieutenant was leading outside Metz, France, was pinned down by mortar fire, and he was killed. Among his medals, Lt. Hicks received the Purple Heart. The family had his remains returned to the States after the war, and Lt. Roger Louis Hicks was interred in Mt. Rose Cemetery at Moundsville alongside other family members.

All wars are fraught with irony, and there were numerous reasons Shorty Hicks should not have been in harm's way. Hugh Hicks notes that Shorty's four years in ROTC at WVU qualified him to be an instructor, and he served in this role at Fort Benning. His brother says Shorty volunteered for combat, indicating, "He didn't have to go." At the time Roger was reported missing, the three remaining Hicks sons were also in the service; Staff Sgt. LeMoyné was stationed with the U.S. Army Signal Corps in Paris. Capt. Edmund served as an intelligence officer with the Fifteenth Air Force in Italy, and Lt. Hugh, a navigator, also served in the Fifteenth Air Force in Italy. Recalling that War Department policy allowed families in this situation to request that not all the sons be placed in jeopardy, Hugh Hicks pointed out that the four Hicks sons being in Europe at one time was "unnecessary." But he added, "Mother and Dad didn't fuss about it." Of the four, Roger, he said, was the only one who didn't return home.²⁰

Louis "Lou" Kalmar

A March 2002 obituary in the *WVU Tally Sheet* indicates that guard Lou Kalmar was the last surviving member of the 1942 team. A native of Pursglove, just west of Morgantown, Kalmar graduated in 1942 with a major in forestry.²¹ Like Hamilton, he joined the Navy, enlisting on March 20, 1943. Kalmar received a Silver Star for bravery for his involvement in the D-Day landing at Utah Beach in Normandy; toward the end of the war he served in the Pacific Theatre in New Guinea and the Philippines. He was released from service on October 3, 1945.²² Married with one daughter, after the war Kalmar became a businessman, migrating to South Carolina and rising to the position of executive vice president of The Continental Group. Throughout his life he maintained his interest in forestry and was a member of the Society of American Foresters for over fifty years.²³ Hugh Hicks remembers Kalmar's excellence in rebounding and defense. Hicks refers to him as "quiet as a mouse, but a great athlete."²⁴

Richard "Dick" Kesling

Despite his basketball prowess, forward Dick Kesling was modest and unassuming. According to Hugh Hicks, the Clarksburg native was "a wiry 165 pounds" and "could leap like nobody's business." Hicks called Kesling "the quietest one," but he was the high-point man and "a prime target for Hamilton under the basket." Hicks added, "You never knew he was around except to watch him play basketball."²⁵ Throughout the 1941-42 season, Kesling set scoring records and eventually was named to the NIT All-Tournament Team.²⁶

U.S. Army World War II Enlistment Records, 1938-1946 indicate that a "Richard E. Kesling" of Harrison County registered on August 13, 1942, at Fort Hayes, Columbus, Ohio, and was branched to the fledgling Army Air Corps. At the time of his enlistment, he stated he was married and had two years of college.²⁷ After the war, Kesling remained in central West Virginia and eventually became personnel director for Owens-Illinois in Fairmont.²⁸

Charles E. "Bud" Lawall Jr.

Born in Pennsylvania in 1921 to Charles Sr. and Marjorie Lawall, team manager Charles E. "Bud" Lawall Jr. just happened to be the son of the president of West Virginia University. As was the case with his teammates, Bud saw military service looming even before he left the university; his enlistment record of February 10, 1943, states that he had three years of college; was in civilian life a "collector of bills and accounts"; and was single, without dependents.²⁹ His tenure as manager of a championship basketball team appears to be a point of pride with the family as it is mentioned in both his engagement and wedding announcements. Graduating with a B.S. degree in business education from the university in 1943, he was a member of the economics honorary. Bud went to Fort Benning, Georgia, where after OCS he was commissioned as a lieutenant. In 1944, he married Lucille Hosey, a home economics senior at WVU. After the war, he joined the Jeffrey Manufacturing Company, where he served in various management positions.³⁰

Neil Montone

Neil Montone was the most unlikely member of the team; in fact, Hugh Hicks related he wasn't on the team at all—for the regular season. Like his fellow sub George Rickey, Montone hailed from New Jersey. But football was Montone's forte; he

was added to the basketball team for tournament purposes only to give the team depth and provide respite for players who, because of their small number, needed some time out from play. (Hamilton also played one season of football, at a time when it was possible for a college athlete to letter in more than one sport.) Hicks stated: "Montone was on the football team and had played some high school basketball. Raese took him to New York because he wanted someone with height to go in for a couple of minutes when a player needed rest."³¹

It is not clear whether Neil Montone saw service in World War II, but the *Veterans Affairs BIRLS Death File, 1850-2010* shows two enlistment and release dates for a "Neil Montone": enlistment on November 27, 1942, with release on February 4, 1944, and enlistment on February 5, 1944, with release on January 12, 1947.³²

Donald Walter Raese

Army Air Corps First Lt. Donald Walter Raese was born in Davis in Tucker County on October 9, 1921, the second son of Cleon Wilson Raese and Salena Matilda Viering Raese. As did his older brother, Cleon Jr., he attended Tucker County schools; Donald graduated from Davis High School with the class of 1939. Like Cleon, he then attended Massanutten Military Academy, but Donald later transferred to West Virginia University.

At WVU, Donald was one of three subs on his uncle Richard A. "Dyke" Raese's legendary 1942 NIT championship basketball team. Like that of his teammates, his time for celebration would be short lived. As team members enlisted in different branches of the military, they scattered, facing combat in various distant locations. Donald registered for the Army Air Corps in the District of Columbia on January 26, 1943. His enlistment record states he had two years of college and was single, without dependents.³³ Although it appears that he made it through the war years unscathed, Lt. Raese lost his life in a training crash in El Paso, Texas, on September 15, 1946, which is considered to be within the period of conflict for World War II.

On September 19, the local newspaper in Tucker County reported that Lt. Raese had died as a result of a "sham battle" at Winks, Texas, near El Paso. He had written his parents that he would be on night maneuvers during that week. Stationed at Lake Charles, Louisiana, at the time of his death, Lt. Raese had transferred to the

Army Air Corps in January of 1944. He won his Silver Wings as a bomber pilot in August and was promoted to first lieutenant, having received a citation as the best flier in his graduation class. The *Parsons Advocate* article notes: "Lieut. Raese is the second member of his family to die while serving with the Army Air Corps. A brother, First Lieut. Cleon Raese, Jr., met death July 1, 1944, in an airplane accident in England. Mrs. Raese said that both boys were approximately the same age when they met death."³⁴ Donald Raese's remains were returned to West Virginia, where he was buried alongside his brother Cleon in the Davis Cemetery in Tucker County.

Richard Ambrey "Dyke" Raese

Coach Richard A. "Dyke" Raese is the pivotal figure in this story, for without him the 1942 WVU basketball team would not be the legendary force it has become (and indeed the WVU basketball program today owes a great deal to this man). The tenth of eleven children (born 1909) in the Davis, West Virginia, family of Minnie and John Raese, he worked in his family's general merchandise business and in 1932 earned a degree in economics at WVU, where he played just one semester of basketball. Family lore has it that he chose his nickname because he wished to emulate a favorite player on the semi-pro basketball team known as the Keyser Collegians; thus he assumed the name from Dyke Shaffer and was never called "Dick." For a time after college graduation, Raese coached at his home high school in Davis with a strong record of wins, and his teams were noted for their unusual style of play.

In *The Dyke Raese Story*, Charles Raese wrote of his father: "In 1938 Raese was offered the job as head football coach at Spencer High School. The job came with a decent salary at the time. However, he turned it down to accept a coaching job at another school and a salary that was half as much as the Spencer High position. The offer came from West Virginia University, and Raese knew a good opportunity when he saw it."³⁵ While serendipitous for WVU, the decision was risky for the new coach because of the low salary (\$1,400 per year) and the low status of the sport at the university. Raese took over for Marshall "Little Sleepy" Glenn, who was rapidly burning out as a coach due to the fact that he was the head coach in both football and basketball, all the while studying medicine at Rush Medical School.³⁶ Clearly, a full-time, well-paid, high-profile

basketball coach was not a priority for the university.

At WVU, Raese coached for four seasons and had a winning record of 55-29, with his greatest accolades coming during the well-chronicled 1941-42 season and the NIT championship.³⁷ Even during his coaching days, though, military service was not far from his mind; he had planned to resign from coaching for a career in the Army Air Corps. According to Norman Julian, “He received an appointment to Randolph Field, Tex., but his dream of being a pilot vanished after he took an eye test and failed it.”³⁸ He was expecting to be drafted after the 1942 tournament, but received a “much more appealing proposal”: heading up the Navy Pre-Flight School Basketball and Physical Education Program at Chapel Hill, North Carolina. As all future naval fliers spent some time there, he mentored a number of officers, some of whom became professional athletes themselves after the war. Raese was about to be assigned duty on a carrier when bombs were dropped at Hiroshima and Nagasaki, thus ending the war. He could have returned to his coaching duties at WVU, and he also had an opportunity to coach a new professional basketball team in Cleveland, Ohio. Instead, Raese, who was married to Jane Greer, chose to pursue a career in industry, and became president of Greer Industries.³⁹ He had five sons—David, John, Charles, Robert, and Richard—and later married a second time. Inducted into both the WVU Hall of Fame and the WVU Sports Hall of Fame, in 2000 he was named to the Naismith Memorial Basketball Hall of Fame.

George T. Rickey

Like his fellow substitute Montone, George T. Rickey came to WVU from New Jersey, the latter hailing from North Bergen. The National Archives and Records Administration’s *Access to Archival Databases (AAD)* indicates that Private George T. Rickey, a native of Hudson County, New Jersey, enlisted at Morgantown on July 13, 1942.⁴⁰ Although it is often thought that Rickey died while fighting in North Africa, information provided by his sister Evelyn R. Dentz to the National World War II Memorial states: “After serving in Africa was sent on to Italy where he was killed in action at Anzio.”⁴¹ *U.S. Rosters of World War II Dead, 1939-1945* indicate that George T. Rickey was buried in New York.⁴²

Walter F. “Lefty” Rollins Jr.

Walter “Lefty” Rollins is undoubtedly best known for his service in the West Virginia Legislature, where

he spent eighteen years in the House of Delegates (and became majority leader) and four years in the state Senate. Born in 1922 in Catlettsburg, Kentucky, he was the son of Walter F. Sr. and Nellie Hatfield Rollins. After graduating from Ceredo-Kenova High School, he attended WVU, where he was a sub on the acclaimed 1941-42 team. As was the case with several teammates, he served in World War II in the U.S. Army Air Corps. In 1950, he graduated from the Cincinnati College of Mortuary Sciences and spent his professional career as co-owner of the Rollins Funeral Home in Ceredo-Kenova. Along the way, Walter married Martha Lacock, and they had two sons—Walter F. Rollins III and John Allen Rollins. Walter “Lefty” Rollins became a staunch supporter of Marshall University in nearby Huntington, where an athletic facility—the track—bears his name. Walter Rollins’s long-time friend Lew McManus, a former speaker of the West Virginia House of Delegates, told a *Charleston Daily Mail* reporter that Rollins relinquished his role as a funeral director after attending to the victims of the 1970 Marshall University plane crash. The West Virginia Legislature chose to honor “Lefty” Rollins by instituting a graduate student internship, the Walter Rollins Scholars Program.⁴³

Charles Henry Wilson Jr.

Previously mentioned as having a peripheral relationship to the 1942 basketball team, co-manager Charles Henry Wilson Jr. remains a somewhat elusive figure. Various accounts of the NIT that year indicate he did not travel with the team to New York, but other documents establish his connection to the team. A May 30, 1945, article in the *Moundsville Journal* is subtitled: “Two County Boys Killed in European War after Death of Other Cager [George Rickey]” and goes on to say, “Charles, the last of the three to go overseas, left this country in December, 1944, and was killed in France just two days after he was under enemy fire.”⁴⁴ Hailing from McMechen, Marshall County, where he was born on December 7, 1920, Charles Henry was the son of Charles H. Sr. and Margaret Stephens Wilson. Charles Jr. was one of ten siblings, but two older brothers died in childhood, so it appears he was the only family member to enlist in the service in World War II. (Younger brother Thomas was born in 1928.)

Enlisting in 1942 with an active duty date of May 11, 1943, Private First Class Charles Henry

Wilson Jr. was inducted into the U.S. Army at Fort Hayes, Ohio, with basic training taken at Camp Wolters, Texas, according to postings by nephews on the National World War II Memorial site. He was assigned to the Sixty-third Infantry Division (Company G, 254th Infantry Regiment), the history of which is well chronicled. In November 1944, Task Force Harris (an advance party of the division, consisting of the 253rd, 254th, and 255th) left for New York, with France as their ultimate destination, arriving in Marseille on December 8. By the end of December 1944, the task force was disbanded, and the 254th was attached to the Third Infantry Division in the Colmar Region. (The three regiments were reunited with the Sixty-third Division in February 1945.) Pfc. Charles Henry Wilson Jr., however, had been killed in action by small arms fire on January 26, 1945, near Vesoul, France.⁴⁵ With his birth coinciding with what two decades later would be known as Pearl Harbor Day and his death coinciding with the liberation of Auschwitz, Wilson's life acquired a certain symmetry.

Conclusion

This article results from research into the lives of the many World War II veterans whose names are indelibly carved on the West Virginia Veterans Memorial, a monument to casualties of twentieth-century conflicts. The names of two of the principals in this story (Roger Hicks and Donald Raese) are so engraved, as are those of Charles Wilson, the co-manager, and Donald's older brother Cleon. George Rickey, the team member from New Jersey, also perished in the conflict but does not qualify for the West Virginia Memorial because he did not reside in the state. Although the current discussion makes no attempt to explore the role of fate, there were so many coincidences in the post-tournament stories of the principals that the various connections deserved to be explored. It is expected that this research is a work in progress as more facts come to light.

This we can say for certain: Members of the 1942 WVU championship team left the basketball arena and almost immediately made the decision to serve their country. Studs Terkel's 1970s compilation of World War II biographical sketches calls the conflict the "Good" War—good in the ironic sense that it helped end the Great Depression, allowed a generation of young Americans to experience broader vistas, and

provided greater educational opportunities for those who returned home. But however necessary, global conflicts are inherently not good, as members of the 1942 WVU basketball team would quickly learn. It is easy to conjecture that on road trips the discussion had often turned to the war that had already begun and was looming in their future; it also seems likely that the leadership skills honed on the court transferred readily to their military service. Those who returned to civilian life appear to have led productive lives and continued to serve their communities. However, an extraordinary percentage—four members of that small nucleus—did not return and paid with the ultimate sacrifice of their lives.

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42. Ancestry.com, "George T Rickey," *U.S. Rosters of World War II Dead, 1939-1945* [database online], accessed July 16, 2012 (Provo, UT: Ancestry.com Operations, Inc., 2007).

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**Anthony L. Rader and the Test Oath
A Nicholas County Tale
by
Kenneth R. Bailey**

Kenneth Bailey is a retired professor and dean at WVU Institute of Technology. He is the author of several books and articles and was the editor of the Historical Society newsletter for many years.

In 1865, during West Virginia’s first election after the Civil War, voters selected a number of former Confederates for state and local offices. Though a “Voter’s Test Oath,” designed to eliminate those who served in the Confederate Army or who supported the Confederacy had been enacted in February 1865, election officials misunderstood or simply ignored the legislation.

Being elected did not mean eligibility to serve. Those who had been elected were required to take an oath (enacted in November 1863 and required of all state and local officials) that they had not served in the Rebel army nor had given aid or support to the Confederate cause. The legislature meeting in January 1866 would not seat some delegates and senators who would not or could not take the oath. Governor Arthur I. Boreman also refused to issue commissions to former Rebels who had been elected judges of the circuit courts, most notably Samuel Price of Greenbrier County.

The election results, combined with a growing public attitude to “let up” on former Rebels and their sympathizers (many saw the proscriptive measures as counter productive), frightened the Radical Republicans. In his address to the legislature in 1866, Governor Boreman actually argued for more, not less, stringent measures to ensure Republican

control. Fearing that enacting a law to deprive citizens of one of their basic rights would not survive a test in court, the legislature determined to enshrine the concept in the state constitution. Accordingly the legislature passed a resolution to submit the following amendment to the people:

No person who since the first day of June, 1861 who has given or shall give voluntary aid or assistance to the rebellion against the United States shall be a citizen of this State, or be allowed to vote at any election here therein unless he has volunteered into the military or naval service of the United States, and has been or shall be honorably discharged therefrom.¹

Though this would seem to resolve the issue once and for all, the measure was, again, only partially effective. The process was to appoint a Board of Registration for each county. The board then appointed “registrars” in each township (the Constitution of 1863 had replaced districts with townships) whose responsibility was to certify an individual’s right to vote. If the registrars determined that a potential voter was unable to satisfy the requirements of the “test oath,” that individual was stricken from the rolls.

The registration process in Nicholas County failed to eliminate former Rebels from the polls. Unionists blamed Dr. Anthony L. Rader, who represented Nicholas County in the legislature. A group of these “loyal” men wrote Governor Boreman explaining their position.

Nicholas C. H. W. Va.²
May 26th, 1866

His Excellency, A. I. Boreman,
Gov. of West Virginia

Dear Sir: We, the undersigned, loyal and law-abiding citizens of Nicholas County, West Virginia, would respectfully represent that the election on the 24th instant has been decided in favor of the rebels, and that this result is to be attributed to the foul and corrupt conduct of two of the members of the board of Registration, viz. – Michael L. Rader and George A. Stephenson. These men in obedience to the wishes and dictates of Dr. A. Rader, the deceitful and fraudulent delegate from this district, and their uncle, took special care to select in each township such Registrars as were known to be opposed to the Constitutional Amendment, and in one instance a volunteer in the rebel services, and in another a man who

had declared, in the presence of a noble and truthful union man, that “he ever had been a rebel, and did not care who knew it.” M. L. Rader was an officer in the rebel Home Guard of this county during the first months of the rebellion, and many of us can testify as to his brutal, insulting and cowardly conduct toward union men while he and his party held the sway; and all of us can testify as to his close and intimate relations with rebels and sympathizers since his pretended conversion to unionism, and as to his open and barefaced frauds and perjuries as a member of the Board of Registration. George A. Stephenson was also a volunteer in the rebel army in 1861, and went with a band of outlaws & thieves into Braxton County for the purpose of murdering & robbing union men and union soldiers; and while he was sitting as a member of the Board of Registration, openly, publicly and boastfully declared, within the hearing of loyal men, to a gang of traitors, that he went with the “full-bent determination of killing a yankee if he got the chance;” and we also testify as to his defiant frauds, corruptions and perjuries as one of the Board of Registration.

As soon as we learned of the appointment of these men by your Excellency, we respectfully remonstrated and protested against it – knowing they were appointed upon the recommendation of their vile and corrupt uncle. Upon the first meeting of the Board, for the purpose of reviewing the work of the Registrars, we again wrote your Excellency, requesting that M. L. Rader and Geo. A. Stephenson be removed from said Board, and that Hiram Pearson and James R. Ramsay be appointed to fill their places – for it was plainly to be seen by all that Rader and Stephenson were determined to throw the county into the hands of the rebels, regardless of our law and their oaths. At a subsequent day we prepared a protest against the one-sided, corrupt and fraudulent conduct of said Board; (a copy of which was mailed to your Excellency) but all was to no purpose. They contemptuously spurned the advice and council of union men, and listened with patience and respect to the perjured utterances of murderous and thieving traitors. They refused to require the most noted bushwhackers to take the test oath. They refused to strike the names of rebel officers from the books upon the most positive evidence of their guilt. They even refused to give the most notorious traitors notice to come forward and prove their loyalty, or that their names would be struck from the registry books, when the same were noted by honorable and loyal gentlemen as disqualified voters. They ignore the presence of James L. Craig – (one of this body, and the only one disposed to act honorably) – until he declared that “he would no longer act with any such men,” and finally the Board broke up in a row – leaving thirty four rebel votes on the books altogether unexamined – to say

nothing of twenty six that they had previously refused to strike off upon the strongest evidence against them.

When the elections came off the rebels elected their tickets in every township, except one, by from three to twenty seven votes. Every township is now under the control of rebels. Their crowing and rejoicing is almost unbearable. The Spirit of '61 is exhibited on all sides. They are swearing vengeance on the "Radicals" and "Negro Party." James McClung, the Chief Justice of the old rebel County Court, and one of the Princes of Treason, is elected justice in Wilderness Township. Wm. R. Callaghan, who declared that "he was always a rebel," was elected Superintendent of Schools. M. L. Rader was elected Supervisor of Summersville Township. Issac Heart – a traitor of mixed blood – was elected justice of Summersville Township. George A. Stephenson was elected Constable, and Wm. F. Morton, a life-long old loco-fuco traitor, was elected Justice of Grant Township. Wm. M. Brown, one of the most corrupt scoundrels and unmitigated villains that ever missed his just deserts, was elected Supervisor, and John R. Mason, a perjured traitor, was elected Justice of Jefferson Township. And in a word, every Justice, every Constable, every Supervisor, every Inspector of Elections, every officer of every grade and name, throughout the county – (save in one township only) – and the Superintendent of Schools, are all – each and everyone one – vile and perjured traitors, or mean and corrupt sympathizers.

The loyal men of Nicholas are radically union and West Virginian, and every man of us voted for "ratification" and sound township tickets. But we were entirely over-powered through the shamefully corrupt and consistently fraudulent conduct of the majority of the Board of Registration, under the advise and counsel of the insidious and hypocritical Anthony Rader.

In view of these facts, we do hereby most respectfully and earnestly request and pray, in the name of right, law and justice, that your Excellency set the election in Nicholas county aside forthwith, and thereby prevent the rebels elected from qualifying; - give us Hiram Pearson and James R. Ramsay in the places of M. L. Rader and George A. Stephenson and we assure you that matters will be honorably and carefully conducted; - and appoint, or order, a new election at the earliest day practical (say the 28th day of June) and we promise to ratify the Amendment by a good majority, and to elect a sound union ticket in every township. *Fiat justitia!* We beseech you!

Every union man in the county, having registered his name, the new election will be attended with but little expense, and will consume but little time of the new Board of Registration – their duty, as we understand it being simply to inspect the Books, and give disqualified voters due notice to establish by evidence that they are

unjustly charged, etc. etc.

We respectfully repeat our requests: - 1st. That the election on the 24th instant be set aside, for the reasons enumerated, and many more of like nature that we might have named if regarded necessary; - 2nd. that James R. Ramsay and Hiram Pearson be appointed members of the Board of Registration in place of M. L. Rader and George A. Stephenson, for causes above cited; - and 3rd That a new election be ordered in Nicholas county at the earliest day practicable, that the union men of the county may have the honor of giving, under the laws, and a fair election, a majority for the Amendment, and the privilege of electing union men for the different township officers, and a loyal man for Superintendent of Free Schools.

Trusting implicitly upon your Excellency in this emergency, and hoping to hear from you upon the subject by return mail, we have the honor to remain, very truly and respectfully

Your friends and obt. Servts.

Leftridge Bails	W. S. William
George A. Bails	William R. Price
George P. Bails	George J. Malcom
Samuel Bails	F. A Price
A. F. Mannipan	Andrew Tiernan
M. D. Bails	Alex Williams
L. J. Grose	James Grose
R. V. Crisaman	W. J. Grose
R. B. Crisaman	D. Grose
Joseph Backus	B. Seebert
Franklin Backus	Alfred Bailes
James Backus	Andrew Tiernan Jr.
Johnathan Pearson	Abner Dunbar
L. B. Pearson	William G. Hoffman
R. G. Pearson	Alexander Dunbar
R. T. Pearson	Sinnet Rader
William P. Rucker	M. H. Vanbibber
John Malcom	Alexander Nicholas
Thomas G. Putnam	Anderson Nicholas
James L. Craig	John W. Odell
John M. Dundas	Andrew M. Dorsey
Abraham Seebert	John B. Odell
John Seebert	Feli Odell
Samuel Seebert	Jacob Grose
Y. A. Ramsey	D. M. Dunbar
Addison Ramsey	William Grose
Wesley Ramsey	John Mannipan
Ephraim Malcolm	
A. B. Williams	

May 28th, 1866. This day personally appeared before me, a Justice of the Peace, in and for Grant Township, Nicholas County, W. Va. Wm. P. Rucker, James R. Ramsay, Hiram Pearson, John Grose, John S. Malcom, S.

J. Grose and A. F. Manipan, who made oath that the above charges are true and correct.

Given under my hand & seal.

John H. Dunbar, J. P.

Anthony L. Rader, in view of what little is known about him, seems an unlikely target of such verbiage. Rader (1810-1895) was a farmer and blacksmith who studied medicine, became a doctor and then practiced in Nicholas County from about 1842 until his death in 1895. He was elected as a delegate to West Virginia's first legislature in 1863 and was reelected in 1864, 1866, 1871 and 1872. His election in 1863 and 1864 indicates that he supported the new state though it is estimated that two-thirds of the population in Nicholas County were Confederates and, according to the above letter, that would include Rader's two nephews. Most males could vote in 1863 and 1864 in the counties under the control of the Wheeling government. Technically, those who wished to vote could be required to swear loyalty to the United States and the government of West Virginia. Practically, however, the control of registration was left to local officials. Thus, it is likely that even Confederate sympathizers in Nicholas could vote for Rader in the early years. The more restrictive voters "test oath" was not enacted until February 1865.

When the proposed constitutional amendment was brought before the House of Delegates for a vote in 1866, Anthony Rader avoided voting for the resolution, absenting himself from the chamber.³ He had been present and recorded votes earlier the same day so his absence must be regarded as a deliberate effort to avoid antagonizing any of his constituents. Rader's diary contains some interesting information about his political leanings.⁴ Though a member of the West Virginia Legislature, he used his influence on behalf of Nicholas County residents who had been arrested on suspicion of disloyalty and sent to Camp Chase. He wrote letters seeking to have them released and otherwise intervened on behalf of persons whose Union sympathies were questioned. Rader's actions, from the perspective of 150 years, seem reasonable. The voter's test oath lasted only until the Flick Amendment repealed the restrictions on ex-Confederates and sympathizers. Likewise, many persons were incarcerated by both sides for alleged disloyal activities and suffered great physical, mental and financial harm for what were really no offenses that were sometimes fabricated by their neighbors.

The protest to Governor Boreman must have had some effect. Details are not clear, but Rader (who represented the 3rd Delegate District which included Clay County) was defeated and removed from the legislature by James Grose, one of those whose names were affixed to the letter. Grose, a farmer from Kessler's Cross Lanes, was followed by William Waggy, a Clay County farmer. Waggy was in turn replaced by a true "carpet bagger" named Thomas G. Putnam, a former Union army officer and lawyer from New York, who arrived in Nicholas County in 1865 or 1866.⁵ After the Flick Amendment ended the voting restrictions in 1871, Rader was elected to the House of Delegates once more in 1871 and 1872.⁶

The Anthony Rader story was played out in a number of West Virginia counties where divided loyalties and hostile acts pitted neighbors against one another. The Civil War Sesquicentennial has afforded an opportunity to look beyond the clash of armies into the lives of common citizens caught up in what is arguably the most critical period in American history. Those stories await more research and writing.

1. *Wheeling Intelligencer*, February 14, 1866. For a full length biography on Andrew Lewis, see Patricia Givens Johnson, *General Andrew Lewis of Roanoke and Greenbrier* (Christiansburg, VA: The Author, 1980).
2. Secretary of State Collection, AR 1769, Board of Registration, Box 10, Folder 9, West Virginia State Archives.
3. *Ibid.*, February 9, 1866.
4. Anthony Rader Diary, MS 90-14, West Virginia State Archives. Sadly, only one year (1864) of this diary is available.
5. *Report of the Denver Bar Association*, 1903 (Denver: Smith-Brooks Printing Cop., 1903), 133. After his defeat in the 1870 election, Putnam moved to Denver, Colorado, where he practiced law until 1903.
6. *West Virginia, Second Biennial Report of the Department of Archives and History* (Charleston, 1908), 227-247.

Submissions

The West Virginia Historical Society newsletter welcomes manuscript submissions for publication consideration that deal with state or local history-related topics. Submissions, which should be of a length suitable for publication in the newsletter and include footnote/endnote citations of referenced materials, should be sent to the newsletter editor, West Virginia Historical Society, P.O. Box 5220, Charleston, WV 25361.



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