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West Virginia: The Mountain State

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BOOK REVIEW

WEST VIRGINIA: THE MOUNTAIN STATE. By Charles H. Ambler, Professor of History, West Virginia University. New York, Prentice-Hall, Inc. 1940. Pp. xviii, 660.

According to the preface, the present volume is in no sense merely a second edition of the author's HISTORY OF WEST VIRGINIA, published a few years back: on the contrary, both in arrangement and content it wholly supersedes the earlier work. During the last decade, many contributions of historical research of considerable value have been forthcoming, and these with other materials have now been incorporated into an outstanding story of West Virginia's origins and development. Particularly is this true as to the various war-time periods in the middle century of the state's history, discussion of which is materially clarified by additional maps and illustrations. The new book should amply satisfy serious scholars and general readers alike, by its evidence of labor and learning.

Members of the legal profession will find much of interest in the accurate narrative of the various lawsuits connected in one way or another with the establishment of regional self-government here. For example, the account of the Indiana Company and of Vandalia,—picturesque beyond any colonial speculation that was ever described,—is set forth in a plain business-like manner as partial background for the sequence of the Declaration of Independence, Articles of Confederation and the Constitution itself. Afterwards, through their proceedings against the Commonwealth of Virginia and the fortuitous event of *Chisholm v. Georgia*,¹ these same Indiana claimants achieved the doubtful distinction of bringing about the Eleventh Amendment. Similarly important litigation grew out of the Fairfax grant, and the disputed title to the "waste and ungranted lands" of the Northern Neck. Over and above the issue of ownership, *Martin v. Hunter's Lessee*² settled once and for all the jurisdiction of appeal to the federal Supreme Court, from lower state court decisions in conflict with the fundamental law. Later, in Reconstruction times *Virginia v. West Virginia*³ determined the status of Jefferson and Berkeley counties; yet even more significantly, that case inferen-

¹ Page 153; 2 Dall. 19, 1 L. Ed. 419 (1793).

² Page 176; 1 Wheat. 304, 4 L. Ed. 97 (1816).

³ Page 399; 11 Wall. 39, 20 L. Ed. 67 (1871), Davis, Clifford and Field, JJ., dissenting.

tially gave pragmatic approval to West Virginia's admission into the Union. *Maryland v. West Virginia*⁴ then preserved intact the Eastern Panhandle as against serious boundary dispute. Complete financial autonomy has ultimately been achieved only during the present century, with final settlement of the Virginia debt question that dragged on in the courts so long under the old caption of *Virginia v. West Virginia*.⁵ Moreover, the constitutional conventions which have meant so much in the development of the state are most ably treated throughout the book.

Dr. Ambler has also explained in interesting fashion the rather unusual classification of property for purposes of taxation in the early decades of the nineteenth century,—important as a factor in promoting geographic sectionalism. With his earlier writings as source material, (such as SECTIONALISM IN VIRGINIA, 1776-1861 and FRANCIS H. PIERPONT: UNION WAR GOVERNOR OF VIRGINIA), he has carefully traced the course of events that led to the formation of West Virginia and its subsequent sanction by Congress as a war-time political stratagem. In this, the influence of the free schools and evangelical churches was always paramount. Perhaps these forces more than any others continue to shape the progress of the state.

Our limits prevent any further description of the contents of this volume, yet its style and accuracy are praiseworthy in every respect. The full bibliography and complete index are most valuable for reference and research. In brief, Dr. Ambler's scholarship has made this book essential for those at all interested in the history of West Virginia.

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⁴ Page 408; 225 U. S. 1, 32 S. Ct. 672, 56 L. Ed. 955 (1912). See also, *Maryland v. West Virginia*, 217 U. S. 1, 577, 30 S. Ct. 268, 630, 54 L. Ed. 645, 888, (1910).

⁵ Pages 399, 528-529; 209 C. S. 514, S. Ct. 614, 52 L. Ed. 914 (1908); 220 U. S. 1, 31 S. Ct. 330, 55 L. Ed. 353 (1911); 246 U. S. 565, 38 S. Ct. 400, 62 L. Ed. 883 (1918).