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Henry Taylor Wickham and the Virginia Senate, 1888-1907

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Henry Taylor Wickham and the Virginia Senate

1888-1907

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1994

Dr. W. Harrison Daniel, Thesis Director

The decade of the 1890s was a complex period in the political history of Virginia. Virginia had experienced prosperity because of the development of railroads after the Civil War. Because of this contribution to statewide growth, the railroads had developed monopolistic characteristics which prompted an ambivalent response from most Virginians. It was said that during the 1890s Virginia's railroads controlled the state legislature through the medium of the Democratic Party.

During this period before the creation of laws dealing with political conflicts of interests, Henry Taylor Wickham represented the counties of Caroline and Hanover in the Virginia Senate. In 1937, when the Senator was eighty-eight years old, an associate suggested that Wickham should write a memoir of the Senator's career in the era of "railroad politics." Wickham refused to devote his declining years to a project

which he felt would create unnecessary controversy. Wickham had considered it best to bury the past, and he left no personal account of his role in Democratic state politics. Wickham, a high ranking railroad official, had been in the "inner sanctum" of the Virginia Democracy. This thesis represents the first attempt to interpret Wickham's role as a statesman during the controversial era of the 1890s. The author has drawn extensively from newspaper accounts in his research.

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HENRY TAYLOR WICKHAM AND THE VIRGINIA SENATE

1888 - 1907

By

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Preface

Henry Taylor Wickham and the Virginia Senate,

1888-1907

The decade of the 1890s was a complex period in the history of Virginia. Twenty-five years after the Civil War, the state had emerged as a prosperous leader in the rebuilding of the South. Railroads had been the chief catalysts in the development of Virginia's mineral resources. By 1890 what was considered good for the railroads was considered beneficial to all, and railroad leaders and their friends in the Democratic Party would join to confront a populace angered by the increasing economic and political hegemony enjoyed by Virginia's transportation system. Railroad attorneys were frequently chosen as candidates for the state legislature, and nearly all the state Democratic chairmen were railroad men. Thomas Staples Martin, for example, was an attorney for the Chesapeake and Ohio Railway. Martin has been described by historian Allen Moger as the "chief and most prestigious defender of railroad interests." Martin represented Albemarle County on the Democratic Executive Committee. He had never held a public office, yet, in a controversial maneuver, Martin opposed former Virginia

governor Fitzhugh Lee in the contest for the United States Senate. Martin won the nomination, and, almost immediately it was alleged by the Richmond Daily Times that Martin had used railroad money to "secure" his election.

The election of Senator Thomas Martin signalled changing times in Virginia. It was considered folly to "stand forever gazing at the past," and though Virginia's political scene was dominated by few strong personalities, a new breed had taken control. For more than twenty years Senator Martin would wield Democratic authority through "lieutenants" in the state legislature.

Among the Martin men was Senator Henry Taylor Wickham, a young railroad attorney whom the Democratic Executive Committee had put in place after Wickham's father, state senator Williams Carter Wickham, had died suddenly of a heart attack. Henry Wickham believed in state's rights, in fiscal responsibility, and in the example set by his relative, General Robert E. Lee. Wickham would remain in the Senate for nineteen years, despite what today would be called a "conflict of interests." Wickham, a railroad lawyer and farmer, represented an agricultural constituency, yet in his entire term in the Senate he promoted no legislation for the farmers, whose economic hard times had been exacerbated by high railroad freight charges.

Senator Henry Wickham left no personal record of his life during Virginia's era of "railroad politics." Even as an old man of nearly ninety years he refused to write his memoirs, stating that he did not wish to devote his remaining years "to a work which might create discord." The elderly statesman preferred silence, and he felt that at best

he had been an "armor bearer in the great battle" for the survival of the Virginia Democracy, which Wickham hailed as the guardian of civilization. For the would-be biographer or historian, Senator Wickham arranged his loose correspondence, newspaper clippings, speeches, and selected memorabilia into twelve 100-paged scrapbooks. Scrapbooks were all that had been preserved by Senator Thomas Staples Martin. Martin and Wickham believed in Democratic politics as the best means of government, and this was their only premise.

In addition to Senator Wickham's scrapbooks, the Richmond Daily Times, the veritable Congressional Record for activities in the halls of Virginia's government during the 1890s, has been consulted heavily during research for this treatise. It is hoped that Henry Wickham and his times will be presented in a fair light.

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Chapter I

Politics, State Debt, and Railroads

On 23 July 1888 Williams Carter Wickham, vice-president of the Chesapeake and Ohio Railway, dropped dead in his office in Richmond, Virginia. Wickham had been a brigadier general at the end of the Civil War, and had represented the Richmond district in the Confederate States Congress. His popularity among stockholders of the Virginia Central Railroad had won him the election as president of that carrier in 1865. Under the leadership of Wickham and financier Collis P. Huntington, this company, organized to serve a few Virginia counties, had emerged in 1878 as a major railroad system, known as the Chesapeake and Ohio Railway. In a telegram to the Wickham family, Virginia Governor Fitzhugh Lee hailed the dead general as one of Virginia's "most public-spirited and useful citizens."¹

Public mourning for Williams Wickham was said to rival the grief occasioned by the death of General Robert Edward Lee. On the morning of Wickham's funeral, people

¹. "Meeting of the Stockholders of the Virginia Central Railroad," Richmond Daily Enquirer, 25 November 1865, 1 (Microfilm Collection, Virginia State Library, Richmond, Virginia).

Obituary, General Williams Carter Wickham, New York Times, 24 July 1888, 5 (Microfilm Collection, Boatwright Memorial Library, University of Richmond).

"General Wickham's Funeral," Richmond Daily Times, 25 July 1888, 1 (Microfilm Collection, Virginia State Library).

flocked to the "C & O" depot in Richmond to get a free seat on one of two trains provided by the railroad for the transport of Wickham's friends, his "comrades in war as well as in peace," and all who were interested, to his grave at "Hickory Hill," the Wickham estate located twenty-three miles north of Richmond, in Hanover County. Two locomotives draped in white and black pulled ten coaches each. On the second train, a special car was attached for Governor Lee, for officers of the R. E. Lee Camp of Confederate Veterans, and for officers of the railroad. To honor Wickham's memory, Governor Lee had sent flowers arranged in a cross and anchor. Wickham's associates had sent "a lovely floral engine and tender, all in white flowers and roses, and numbered 26," the number of the locomotive which had brought Wickham's body home to "Hickory Hill."²

A writer for the Richmond Daily Times lamented the "sudden taking off" of one whose loss would be "hard to supply."³ Indeed, Williams Wickham would be missed by the Chesapeake and Ohio, since just a few months before his death, a Richmond court had appointed Wickham receiver for the railroad for the second time in ten years. The railroad had recovered once, and, even without Wickham, it would prosper once again.

². "General Wickham's Funeral," Richmond Daily Times, 25 July 1888, 1.

"At Hickory Hill: Obsequies of General Williams C. Wickham," *Ibid.*, 26 July 1888, 1.

³. Editorial, "General Williams C. Wickham," Richmond Daily Times, 24 July 1888, 2.

Wickham would be missed more by the executive committee of Virginia's Democratic Party.

In 1881 Williams Wickham and his son, Henry Taylor Wickham, had joined the Democratic Party because of the elder Wickham's disgust for the political machine forged within the Republican Party by Virginia's United States Senator William Mahone. Williams Wickham had been a Whig before the Civil War, and had considered the Republican Party the natural successor to the Whig faction. He had served as chairman of the Republican Executive Committee of Virginia, and had been unsuccessfully nominated by President Rutherford B. Hayes to the office of Secretary of the Navy. In speaking of his father, Henry Wickham said that "no man had a larger or more influential following among the white Republicans in Virginia than did General Wickham."⁴

On 8 August 1883 the Democratic Central Committee approached Williams Wickham about running on the Democratic ticket for the senatorial district made up of the counties of Caroline and Hanover. Wickham's acceptance of this nomination created bitterness within Republican ranks, and his election on 6 November 1883 came at the end

⁴. "General Williams Carter Wickham," The Baltimorean, 16 October 1886. Volume I, 73, Scrapbook Collection of Henry Taylor Wickham (Wickham Family Papers, Virginia Historical Society, Richmond, Virginia).

Henry Taylor Wickham quoted in Richmond Dispatch, 18 September 1888. Scrapbook Collection, Volume III, 1.

of what the New York Times called the "hottest contest in the state."⁵ During his first month in office, Wickham was appointed chairman of the Senate Committee on Finance.⁶

Wickham was returned to his seat by the election of 1887.⁷ On 17 February 1888 the House of Delegates passed a bill intended to increase the regulatory powers of the state railroad commissioner, a position created by the general assembly in 1877 as a response to public comment about the "high and discriminatory" rates charged by Virginia's railroads since the Civil War. In its undiluted form, a measure introduced in 1873 had called for a commission of three members who would monitor railroad activities on behalf of the Board of Public Works. Williams Wickham had been part of the railroad lobby which killed any prospects for such a commission, and it is certain that he used his influence to defeat the attempt made at railroad regulation in 1888.⁸

⁵. "An Anti-Mahone Nomination," New York Times, 21 September 1883, 2. (Microfilm Collection, Boatwright Memorial Library, University of Richmond).

"General Williams C. Wickham Accepts a Democratic Nomination," New York Times, 12 August 1883, 1.

"The Overthrow of Mahoneism," New York Times, 9 November 1883, 1.

"Virginia: An Exciting Contest and Democratic Gains Claimed," New York Times, 7 November 1883, 5.

⁶. Article clipped from the Richmond State, 10 December 1883, Scrapbook Collection I, 77, Wickham Papers.

⁷. "War-Horse Wickham," Richmond Whig, 10 December 1887, Scrapbook Collection I, 77.

⁸. Ralph Clipman McDanel, The Virginia Constitutional Convention of 1901-1902. (Baltimore, Maryland: The Johns Hopkins Press, 1928), 60.

Charles W. Turner, Chessie's Road. (Richmond, Virginia: Garrett and Massie, 1956), 83.

In choosing a replacement for Senator Wickham, the Democratic Central Committee no doubt hoped to maintain the momentum gained by the Party during the past decade. Since Wickham had represented both Caroline and his native Hanover, committee members from Caroline hoped to fill the seat with Dr. William Quesenberry, a "high toned gentleman and scholar and patriot" who had represented Caroline in the Senate during the 1870s.⁹ Because of this experience, Dr. Quesenberry may have satisfied the Central Committee ten years earlier. But, Virginia's developing system of railroads had been responsible for the prosperity which the state was enjoying by 1888. Young railroad attorneys were more useful to the Democracy than "old warhorses," and on 11 September 1888 the Central Committee announced at Bowling Green that Henry Wickham had been nominated to serve out his father's term.¹⁰

Henry Wickham entered the Virginia Senate at the end of a decade of increasing influence of railroads in the Virginia economy and in the political affairs of the state and the Democratic Party. In 1880 the taxable value of Virginia's railroads was \$9,876,300; by 1885 this figure had increased nearly fourfold to \$35,955,900; and in 1890 taxable railroad property amounted to \$42,500,845.¹¹ Railroad companies provided one-fifth of the state's revenue.

⁹. "Henry Taylor Wickham," Caroline Sentinel, 19 September 1888. Scrapbook Collection III, 1.

¹⁰. Ibid.

¹¹. "The Debt Settlement," Richmond Daily Times, 15 January 1892, 6.

Henry Wickham's life had revolved around railroads. When he was ten years old, Henry's grandfather had granted a right-of-way through "Hickory Hill" to the Virginia Central Railroad.¹² On this road and on its successor, the Chesapeake and Ohio Railway, Henry's father had commuted to Richmond for more than twenty years. A whistlestop called "Wickham's" was maintained for the people of "Hickory Hill," who had been granted free travel on the C. & O. for their lifetimes. A water station was installed in the lowgrounds at "Hickory Hill," and the presence of Federal troops during the Civil War had created the only obstruction to railroad activities on the Wickham plantation.¹³

Like his father, Henry Wickham had studied law at the University of Virginia, and graduated in 1870. Late in 1873 Henry qualified to handle cases brought before the Virginia Supreme Court of Appeals. Both alone or with a partner, Henry had practiced law in Richmond's central business district for more than fifteen years. For a few years he occupied an office on Main Street, although since 1874 he had worked in the legal department of the Chesapeake and Ohio Railway.¹⁴ By 1877 Henry had moved to Room 4 in "Shafer's New Building" at the corner of Tenth and Bank Streets. For a brief period

¹². Deed, 28 February 1859, William Fanning Wickham to Edmund Fontaine, President, Virginia Central Railroad. Hanover County Deed Book 1, 396-397.

¹³. Report of General L. O'B. Branch, C. S. A., activities of 27 May 1862, in War of the Rebellion: Official Records of the Union and Confederate Armies, Series I, Volume XI, Part I, 1108. (Washington, D. C.: Government Printing Office, 1884).

¹⁴. Dr. Lyon G. Tyler, Encyclopedia of Virginia Biography.

he moved from "Hickory Hill" to rooms at the Exchange Hotel, while he shared an office in the Shafer Building with his brother and with his relative, Thomas Nelson Page.¹⁵

Henry Wickham's life "in the railroad business" took on a new perspective when the Chesapeake and Ohio was created in 1878. Henry Wickham and another attorney, Joseph Bryan, were named as trustees of the railroad, answerable to the stockholders of the new company and responsible for the debts of the Virginia Central Railroad.¹⁶ While serving as assistant counsel to the C & O, Wickham represented Hanover County in the House of Delegates during the session of 1879-1880. The C. & O. had begun an extension of its line from its terminal at the corner of Sixteenth and Broad Streets in Richmond to the city of Newport News. Wickham was kept busy with negotiating rights-of-way down the Virginia peninsula, and because of this increased responsibility he did not stand for reelection to his seat in the House. Wickham was named general solicitor for the Chesapeake and Ohio in 1886.¹⁷ This meant that he was the official legal entity

¹⁵. Richmond City Directories, compiled by Benjamin R. Sheriff and J. H. Chataigne, 1873-1874; 1874-1875, 223; 1875-1876; 1877, 218; 1879, 257; 1881, 325; 1885, 436; 1886-1887, 418; 1888, 526; 1895-1896. (Microfilm Collection, Virginia State Library, Richmond, Virginia).

¹⁶. Deed, 1 July 1878, officers of the Chesapeake and Ohio Railway Company to Henry Taylor Wickham and Joseph Bryan, Trustees. Hanover County Deed Book 11, 190-199.

¹⁷. Dr. Lyon G. Tyler, Encyclopedia of Virginia Biography. (New York: Lippincott and Company, 1915).

of the company. Two years later Wickham was named director of the railroad, an enviable position for someone not yet forty.¹⁸

When Henry Wickham entered politics the Chesapeake and Ohio Railway was second only to the Norfolk and Western Railroad in the amount of taxes paid to Virginia's state and local governments. That Henry Wickham controlled the interests of a growing railroad corporation was evident during his first months as a public servant. The Virginia legislature convened biennially, and although he had been nominated in 1888, Wickham did not enter the Senate until December 1889, during the closing weeks of Fitzhugh Lee's administration. Lee's successor, Philip Watkins McKinney, would sign an unprecedented 2,000 pages of legislation dealing mainly with "charters for various corporations, towns, and railroads."¹⁹

During the early weeks of 1890, senators and delegates were absorbed by what James Hay, Democratic delegate from Madison County, called the "grandest railroad scheme" presented to the legislature for many years. In an attempt to get a "through line to the North," officers of the Chesapeake and Ohio Railway wished to "construct, or acquire by purchase or otherwise, . . . as a branch of its road, a railroad from any point

¹⁸. John W. Leonard, ed., Who's Who in America: A Biographical Dictionary of Notable Living Men and Women of the United States, 1906-1907. (Chicago: A. N. Marquis and Company), Volume IV, 1937.

¹⁹. "The Governor Hard At It," Richmond Daily Times, 5 March 1890, 4.

"Communication from Railroad Commissioner," 8 January 1890. Senate Document Number 6, 4. Journal of the Senate of the Commonwealth of Virginia, (Richmond: Superintendent of Public Printing, 1889).

on its line east of the Blue Ridge mountains to Alexandria or Quantico."²⁰ To this end, three bills were introduced which would allow the C. & O. to construct the Potomac and Piedmont Railroad through the counties of Albemarle, Madison, Greene, and Rappahannock. These counties made up "an isolated yet rich and prosperous region," which the new railroad would link with northern markets. Through the efforts of Senator Wickham, legislation empowering the C. & O. to build a new line was passed in the Senate on 23 January.²¹ The legislature allowed five years for the completion of the Potomac and Piedmont. Since its completion in 1852, the Orange and Alexandria Railroad had accomodated the area targeted by the C. & O., and for many years the two companies had shared the track of the O. & A. above Gordonsville. Efforts to construct a new road had been the product of pressure applied by stockholders of the C. & O. to build a line to Washington. Even though the proper legislation had been enacted, directors of the C. & O. decided to cut costs by leasing the seventy-six miles of track owned by the Orange and Alexandria Railroad.²²

²⁰. Acts and Joint Resolutions passed by the General Assembly of the State of Virginia, During the Session 1889-1890, (Richmond: Superintendent of Public Printing, 1890), 146.

"General Assembly: Chesapeake and Ohio," Richmond Daily Times, 15 January 1890, 4.

²¹. "Project for a New Railroad Produced in the House," Richmond Daily Times, 9 January 1890, 4;

"General Assembly: Chesapeake and Ohio," Ibid., 15 January 1890, 4.

Journal of the Senate, 1889-1890, 205.

²². Charles W. Turner, Chessie's Road, 41, 126.

Before the end of January Senator Wickham had helped bring to their engrossment three bills promoting additional expansion for the Chesapeake and Ohio. One measure authorized a union of the C. & O. with the Richmond and Allegheny Railway Company, whose road extended along the old towpath of the James River and Kanawha Canal, a route which avoided "the steep grades of the Blue Ridge" between Richmond and Lynchburg. The C. & O. leased, and later purchased, the Richmond and Allegheny.²³

As the session drew to its close, the senator from Hanover focused on other matters. On 25 February he called up out of its order a House bill designed to make the birthday of General Robert E. Lee a state holiday. The measure passed unanimously.²⁴

Wickham had been appointed to a committee to investigate the condition of the office of the state treasurer. On 26 February he reported that everything seemed in good form.²⁵

Senator Wickham had entered politics with definite ideas about Virginia's public debt. Twice since the Civil War, Virginia's unpaid antebellum public debt, generated by the state's investment in internal improvements, including the construction of railroads, had been negotiated on terms amenable both to the state and to the state's creditors. Virginia's creditors, the English Committee of Virginian Bondholders, had been mindful

²³. Journal of the Senate, 1889-1890, 70.
Chessie's Road, 125.

²⁴. "The General Assembly," Richmond Daily Times, 26 February 1890, 4.

²⁵. "The General Assembly," Richmond Daily Times, 27 February 1890, 4.

of the state's rapid post-war recovery. Because of the state's "increase in taxable values and the consequent increase of available revenue," the bondholders approached Governor McKinney in December 1889 about reopening negotiation for a "definitive settlement" of the debt.²⁶

In order to protect Virginia's "fiscal honor," Wickham introduced a resolution providing for a debt commission composed of the governor, the chairman of the finance committees of the House and Senate, and one member each from the two legislative bodies. The Senate adopted this proposal on 27 February.²⁷ Senator Wickham's measure was put before the House of Delegates on 1 March. An amendment calling for an additional member from each house of the legislature was adopted. Senator Wickham agreed to this, so long as the lieutenant-governor would be the new member from the Senate. On 5 March 1890, by joint resolution of the general assembly, Governor McKinney, Lt.-Governor J. Hoge Tyler, Senators Henry Wickham and Taylor Berry, and Delegates W. D. Dabney, Robert H. Tyler, and Richard Henry Cardwell, Speaker of the

²⁶. Letter, John Lubbock, Chairman, Council of Foreign Bondholders, 17 Moorgate Street, London, England to His Excellency the Honorable P. W. Mckinney, Governor of the Commonwealth of Virginia, December 23, 1889. Senate Document Number 7, Journal of the Senate, 1889-1890.

²⁷. "The General Assembly," Richmond Daily Times, 28 February 1890, 4.

House, were appointed to meet with the state's creditors to receive proposals for funding the debt.²⁸

Henry Wickham and his associates on the Virginia Debt Commission worked for nearly two years to reach a settlement which would satisfy the state's obligation without imposing a heavy burden on Virginia's taxpayers. The Commission met with representatives of the state's creditors in Richmond on 2 June 1891. One F. P. Olcott of New York, chairman of the "committee for bondholders," offered a proposal which was rejected by the Virginians on the next day. The two bodies met again in November 1891, and reached an agreement after prolonged debate. This agreement, called the Olcott Settlement, set the debt's principle at \$23,000,000. The bulk (\$19,000,000) of this figure would be raised by the sale of century bonds, to mature on 1 July 1991. Interest on these bonds would be paid at the rate of two percent for ten years, and three percent for ninety years. This graduated interest feature, absent in previous debt settlements, would give the Virginia government an additional \$91,450 in annual income. The plan was approved by the advisory board of the Olcott Committee on 7 January 1892.²⁹

On 25 January a subcommittee drawn from the finance committees of the Senate and the House of Delegates was appointed to prepare a bill following the lines of the

²⁸. "The General Assembly," Richmond Daily Times, 2 March 1890, 4; 4 March 1890, 4;

"The Debt Settlement," Richmond Daily Times, 15 January 1892.

²⁹. "The Debt Settlement," Richmond Daily Times, 15 January 1892, 6.

Olcott settlement. Henry Wickham was among two senators in this body. On 13 February Senator Wickham presented the bill, and on his motion the measure was made the special order for Monday, 15 February.³⁰ After two days of debate, Senator Wickham called up the debt bill at 1:15 p.m. on 17 February. The measure, Senate Bill No. 369, passed with thirty-seven affirmative votes, with no changes to the text prepared by Senator Wickham's committee. The public debt had been removed from Virginia politics. With the Olcott Settlement, the Virginia government could operate without financial embarrassment. There would be more money in the Virginia treasury for schools, colleges, charitable institutions, and for the state's Confederate veterans. One senator stated that the members of the Virginia Debt Commission "deserved a monument of bronze and the eternal gratitude of the people of Virginia."³¹ Senator Wickham felt "the curtain had been rung down on a drama" that had occupied the public's attention for too long.³²

At 2:15 on the afternoon of 6 March 1890 the Senate had adjourned with orders to reconvene on the first Wednesday in December 1891.³³ After three months in the

³⁰. "Senate Notes," Richmond Daily Times, 26 January 1892, 4; "Virginia's Law-Makers," 14 February 1892, 6.

³¹. "The Debt Settlement," 15 January 1892, 6; "State Debt Settled," 20 February 1892, 5, Richmond Daily Times.

³². "State Debt Settled," Richmond Daily Times, 20 February 1892, 5.

³³. "The Session Ended: Last Day of the Session of the General Assembly," Richmond Daily Times, 7 March 1890, 4.

Virginia Senate, Henry Wickham had been instrumental in settling what had been considered the most important issue in state politics in the early days of his career.

By 1890 many Virginians were of the opinion that railroad influence had been achieved at the expense of the agricultural community, and that railroad activities should be monitored or supervised to insure that no one segment of the economy would be permitted to abuse or exploit the other. In 1890, for example, it was reported that a ninety-mile shipment of sheep "on the Atlantic and Danville Railroad in Virginia" cost nearly seven times as much as the same freight between Chicago and New York.³⁴ Such exorbitant rates accounted for the fact that apples from the Valley of Virginia could be bought more cheaply in New York than in Richmond. Richmond served as a hub for the Chesapeake and Ohio Railway, yet high freight rates, a lack of proper connections, and the absence of any form of regulation kept resident's of Virginia's capital isolated from the western part of the state. Samuel W. Travers, chairman of the Commission on Inland Trade of the Richmond Chamber of Commerce, believed the railroads intentionally shut Richmond out in favor of northern cities.³⁵ Despite any intentions to the contrary, the railroad interests seemd always at odds with the agricultural interests of the state. The 3,383 miles of railroad constructed across Virginia by 1890 were hailed the state's

³⁴. William DuBose Sheldon, Populism in the Old Dominion: Virginia Farm Politics, 185-1900. (Princeton University Press, 1935), 18, 19.

³⁵. Charles W. Turner, Chessie's Road. (Richmond, Virginia: Garrett and Massie, 1956), 88.
"Railroad Grievances," Richmond Daily Times, 29 January 1892, 5.

"arteries and veins" by a writer for the Richmond Daily Times. "Old towns and cities," said the reporter, "are being infused with new life, young ones are being rapidly built and new towns are being laid off. The natural resources of the mountains are being developed, giving rise to furnaces, mills, and factories, and railroad extension is offering a chance to the farmers to find a market for their products."³⁶ Quite to the contrary, farmers were the losers in this "campaign of progress" attributed to the railroads. An unprecedented wet spring and summer in 1889 had followed years of bad crops for many farmers in Virginia. Ironically, as Virginia led the South in railroad development, the state's agricultural interests were said to be in rapid decline.³⁷ The price of corn, for instance, had fallen sharply below the price commanded by that commodity fifteen years earlier. In 1889 corn prices were the lowest since 1860, while prices for tobacco and wheat had remained constant for forty years.³⁸

Virginia's farmers attributed the decline of the state's agricultural sector to the state's poorly organized railroad system.³⁹ The farmers had been victims of a long depression which had followed the Civil War, and they sought relief. As part of a

³⁶. "Invasion of Virginia: Capitalists Raiding the Commonwealth," Richmond Daily Times, 19 February 1890, 3.

³⁷. Ibid.

³⁸. The South in the Building of the Nation, Volume 6, Economic History, 1865-1909. (Richmond, Virginia: The Southern Historical Publication Society, 1909), 403.

³⁹. "Invasion of Virginia: Capitalists Raiding the Commonwealth," Richmond Daily Times, 19 February 1890, 3.
William DuBose Sheldon, Populism in the Old Dominion, 18.

movement which had swept the entire country, a chapter of the National Farmer's Alliance had been organized in Virginia in 1887. Chapters of the state organization were formed in ninety-eight of Virginia's one hundred counties. By banding together, farmers sought to pressure the state legislature for the creation of a railroad advisory commission to work for fair rates of shipping. At its statewide convention held in Lynchburg in 1890 the Virginia Alliance reaffirmed the principle of the national body not to support for office "the representatives or paid attorneys of railroads, transportation companies, or other corporations."⁴⁰

Henry Wickham, having served the remainder of his father's last elected term in the Senate, would stand for election in his own right in November 1891. In August of that year the Virginia Alliance gathered at Richmond's Ford's Hotel for its fourth convention. The meeting was so well-attended that the hall of the House of Delegates was commandeered for three days. Delegates came from all over the state to demand legislation which would tighten constraints on the ability of the state's railroads to set rates, and to ask for legislation which would require carriers to conform to Virginia's railroad laws. While the alliance men had strong opinions, not one of them favored the formation of a third political party to achieve their ends. S. C. Goggin of Campbell County, for instance, stated soundly that the South could not afford "going outside of the Democratic Party." Dr. M. Q. Holt of Sussex felt the Democratic Party would have no

⁴⁰. "Farmers in Council: Many Subjects of Importance Discussed," Richmond Daily Times, 19 August 1891, 5.

objection to any proposal made by the Alliance. Senator Wickham's neighbors in Hanover County felt they had more to gain by "sticking with the Democracy" than by adopting a third party.⁴¹

The Virginia Alliance was led by Major Mann Page, president, and by J. Bradshaw Beverley, vice-president. Both men cultivated large tracts of land and commanded wide respect among Virginia's farmers. Major Page took exception to the "double position" of railroad attorneys who served in "Virginia's halls of government." Furthermore, Major Page felt that railroad corporations had robbed Virginia of millions of dollars "which would otherwise be expended among our people."⁴² Despite public disfavor of representation by railroad men, the Hanover Alliance had endorsed Henry Wickham for the Senate in July 1891. Wickham's neighbor, Richard Henry Cardwell, Speaker of the House, had been endorsed for the House of the Delegates. Cardwell was considered a friend to railroad interests. Wickham, on the other hand, a salaried railroad attorney, had been the first legislative candidate in Virginia to receive Alliance support. Major Page felt Wickham's endorsement by the Hanover chapter would embarrass the Alliance statewide. Consequently, the Hanover Alliance was asked on 18 August to reconsider its position. This gesture provoked a "long and heated debate," in which

⁴¹. "The Third Party Movement: Virginia Farmers Do Not Take Kindly to the Idea," Richmond Daily Times, 16 August 1891, 7;

"The Farmers of Virginia: Fourth Annual Convention of State Alliance," Daily Times, 18 August 1891, 5.

⁴². "Farmers in Council," Richmond Daily Times, 19 August 1891, 5.

Julian Ruffin of Hanover, a member of the executive committee of the State Alliance defended his county's endorsements.⁴³ Despite Ruffin's efforts, the resolution prevailed.

On 19 August Hanover farmers "turned out by the hundreds" to address the mandate of the State Alliance. The gathering was considered the "largest and most enthusiastic" group ever assembled at Hanover Court House. Senator Wickham spoke for ten minutes. In his flowery style Wickham assured the farmers that "all that was near and dear to him was within the limits of Hanover. He had passed the sunny days of his youth near the old courthouse, and wished to pass his declining years in the same spot." Between rounds of applause, Wickham reminded his listeners that it was "an honor, not a disgrace" to serve as the counsel of a large corporation. He assured the group that he "would do everything in his power for the farmers." Mr. Cardwell paid tribute to General Williams Carter Wickham and cited Henry Wickham as "an able and prudent senator." Cardwell had been nominated by acclamation, and after his speech nineteen delegates were elected to the senatorial convention scheduled to meet in Ashland on 14 September. The group was instructed to secure the nomination of Henry Wickham for the thirty-fourth senatorial district.⁴⁴

⁴³. "Notions of the Farmers: Meetings of the Alliance and the People's Party," New York Times, 19 August 1891, 1. (Microfilm Collection, Boatwright Memorial Library, University of Richmond); "Hanover Alliance," Richmond Daily Times, 19 August 1891, 5.

⁴⁴. "The Hanover Democrats," Richmond Daily Times, 20 August 1891, 5.

The Caroline County Alliance refused to support Wickham. In a broadside directed to "Taxpayers and Voters of Hanover and Caroline Counties," the call went out for the support of George R. A. Ricks, a farmer, lumberman, and Democrat from Ruther Glen. As a railroad attorney, Henry Wickham was viewed as the "advocate of a weak cause." The election of Ricks would show the people of Virginia that "there is still patriotism left in the country of Henry and of Clay to assert and defend the rights and interests of American citizenship."⁴⁵ The Democratic Executive Committee suspected trouble. Virginia's national senator, the Honorable John W. Daniel, accompanied Senator Wickham to Bowling Green, Caroline's county seat, on 15 September. Senator Daniel spoke for ninety minutes. Wickham was then introduced by Captain John M. Hudgins, chairman of the Democratic Committee of Caroline. Wickham approached the podium amid "deafening huzzas" bellowed for his support by the "dense throng" assembled. In his remarks, the senator reminded the crowd of the role played by his father and the Democratic Party in the fight against William Mahone in 1883. Wickham challenged George Ricks and all those present to produce evidence of "any act of his that was not in keeping with true fidelity to the people. . . ."⁴⁶ The five hundred Caroline alliacemen held fast in their support of Ricks. For their part, Henry Wickham's single

⁴⁵. "Broadside to Tax-payers and Voters," Scrapbook Collection III, 5. Papers of Henry Taylor Wickham, Wickham Family Papers, Virginia Historical Society.

"The Railroad Fight," Richmond Exchange Reporter, 19 September 1891. (Scrapbook III, 10-11).

⁴⁶. "Senator Daniel in Caroline," Fredericksburg Free Lance, 16 September 1891. (Scrapbook III, 7,8).

disqualification was that "while he was servant of the railroad, he could not be servant of the people."⁴⁷ Despite this objection, Wickham won the nomination to run on the Democratic ticket.

The election of 3 November 1891 was a fight between Alliance (Independent) candidates and the Democrats, who were challenged in sixty of Virginia's one hundred counties. The chief demand of the Farmer's Alliance was the creation of a state railroad commission authorized to attack the discrimination of the railroad companies against the agriculturists, in favor of the "large commercial centers of the North and West." It was predicted that many of those who would be elected as Democrats would be sympathetic to this issue. On 3 November the Democrats won thirty-eight of the forty seats in the Senate and eighty-five of the one hundred seats in the House of Delegates.⁴⁸ In Hanover the election produced 1474 votes for Wickham, and 682 votes for Ricks. Wickham received large majorities in the Haw's Shop and Ashland precincts. In Caroline County he won a majority of 230. In the race for the House of Delegates, Richard Henry Cardwell garnered 1816 votes.⁴⁹

⁴⁷. "The Railroad Fight," Richmond Exchange Reporter, 5 September 1891. (Scrapbook III, 4).

⁴⁸. "No Doubt in Virginia: Democrats Express Little Fear of the Alliance or the Republicans," New York Times, 2 November 1891, 2, 3;

"The Virginia Legislature Will be Two-thirds Democratic," New York Times, 4 November 1891, 1;

"The Victory in Virginia," New York Times, 5 November 1891, 2.

⁴⁹. "Democratic Victory" and "A Splendid Triumph," Richmond Daily Times, 4 November 1891.

The legislative session of 1891-1892 would be one of the busiest which Richmond had seen for sometime.⁵⁰ In his address to the legislators Governor Philip Watkins McKinney outlined issues which would set the tone not only for the current general assembly, but for most of the 1890s. The Senate dispensed with the reading of the governor's message, in which Governor McKinney touched on everything from the "wretched condition of the country roads" to the valuable, yet poorly managed asset held by the state in several hundred thousand acres of oyster beds which lay in Virginia's Chesapeake Bay. Oddly, McKinney devoted only a few paragraphs to the subject of a state railroad commission, an item which would be the most divisive issue addressed by the legislature.⁵¹

During the previous election Wickham and other Democrats had promised to effect legislation which would favor Virginia's agricultural sector in its struggle with the railroads. In many parts of the state high short-haul rates forced farmers to market their crops outside the state. Few complaints had been made about the Richmond and Danville Railroad or about the Atlantic Central Railroad. However, because of high freight rates on the Chesapeake and Ohio Railway, Richmond was almost totally cut off from western Virginia. No connections beyond Gordonsville or Staunton

⁵⁰. "Virginia's New Legislature," New York Times, 7 November 1891, 2.

⁵¹. "Governor's Message: An Interesting Document to All Virginians," Richmond Daily Times, 3 December 1891, 6;
"Virginia's New Legislature," New York Times, 7 November 1891, 2; "The Virginia Legislature," 4 March 1892, 9.

were offered by the C. & O., which had attempted to correct the situation by a lease of the Virginia Midland Railroad, whose tracks spanned the nine miles between Gordonsville and Orange. Freight charges had not been adjusted, and the Virginia Midland continued to charge twelve cents per hundredweight. This was the same rate charged by the C. & O. between Richmond and Gordonsville, and between Richmond and Staunton. Coffee, molasses, and flour were shipped from Baltimore to Orange at the same rate. Because of the additional charges on the Virginia Midland, it cost twenty-four cents to ship 100 pounds from Richmond to Orange, a distance of ninety-five miles. The rate from Louisville and Cincinnati to Richmond, distances of 580 and 653 miles respectively, was only eighteen and a half cents per hundredweight. In the summer of 1891 a farmer who lived within ten miles of Gordonsville refused to pay these high rates to transport 4000 bushels of wheat to the depot. He purchased additional wagons and hauled his grain to Gordonsville himself.⁵²

In mid-January 1892 Robert C. Kent of Wythe County introduced in the House of Delegates a measure calling for a three-member railroad commission empowered to set rates and to act as a court of justice in settling disputes. The bill went down in the House on 4 February. Following revision by the Senate Committee on Roads and Internal Navigation, the Kent measure was rejected by the Senate on 28 February. Two days later

⁵². "Railroad Commission," Richmond Daily Times, 30 January 1892, 4.

a substitute bill was introduced in the House of Delegates by John E. Mason, a Democrat from King George County.⁵³

Senator Wickham had been quiet during the debate over the Kent Bill. He supported the Mason substitute, however, much to the dismay of Senator Tyler of Charles City. Senator Tyler felt the entire legislature had failed its electorate by defeating the Kent Bill. Senator Wickham felt that Mason had adopted the language of the Interstate Commerce Act, a measure "written by a Democratic United States Senator, passed by a Democratic House of Representatives, and approved by a Democratic President."⁵⁴ Senator Tyler reminded Wickham that the railroad issue was not a "matter to be laughed superciliously down the winds." The people had demanded a railroad commission, and they would continue to press this issue. Senator Wickham felt the will of the people had been expressed by the House defeat of the Kent Bill. For his part, Wickham was proud to be a railroad attorney, and he would proclaim his pride "from every stump" in his district. The Mason substitute to the Kent measure was passed unanimously on 1 March 1892.⁵⁵ It provided that the "railroad companies must be just and reasonable, that they must not discriminate," and that they must do nothing wrong.⁵⁶ The railroad issue

⁵³. "Railroad Commission," Richmond Daily Times, 30 January 1892, 4.

⁵⁴. "With the Legislators: Another Busy Day in Both Houses," Richmond Daily Times, 2 March 1892, 5.

⁵⁵. Ibid.

⁵⁶. Ralph Clipman McDanel, Ph.D. The Virginia Constitutional Convention of 1901-1902. (Baltimore: The Johns Hopkins Press, 1928), 60.

would not be settled until the creation of the State Corporation Commission in 1902. Until then, the authority to provide redress would rest in the hands of the state railroad commissioner, described as a "kindly old gentleman who travelled about the State as the guest of the railroads, inspected them through rose colored glasses, forgave them their sins," and dealt with them as an indulgent father might deal with a disobedient son.⁵⁷

The legislative session was nearing its end, and, for the time being, legislators seemed interested only in the discussion of a "fair" railroad bill. A "fair" sum to be spent on Virginia's exhibit at the Chicago world's fair seemed more the order of the day. On 20 February 1892 Henry Wickham was among seven senators named to a sub-committee of the Senate Committee on Finance and Banks to fix such a sum. Wickham felt the state could afford \$50,000, a figure which would enable Virginia to appear before the world in "becoming habiliments and not as clothed in rags." The Senate approved Wickham's sum. The House of Delegates had agreed on \$35,000. The figure of \$25,000 was allotted by joint resolution, and the legislature adjourned on 4 March.⁵⁸ At the great Chicago Exposition of 1893, created "to commemorate the discovery of America by

⁵⁷. Ibid.

⁵⁸. "The State Lawmakers," Richmond Daily Times, 21 February 1892, 5;

"In the Legislature," Richmond Daily Times, 28 February 1892, 5;

"The Law-Maker's Work and What They Accomplished," Ibid., 6 March 1892, 5;

"The Law-Makers Gone," Richmond Daily Times, 5 March 1892, 5.

Columbus," Virginia's "natural and material resources" would be embodied in a single exhibit, a replica of "Mount Vernon."⁵⁹

⁵⁹. "Reproduce Monticello," Richmond Times-Dispatch, 10 May 1903, 2. (Microfilm Collection, Virginia State Library);
"Jamestown Fight Opened," Richmond Times-Dispatch, 22 April 1903, 9.

Chapter 2

Rise of the Martin Machine

In March 1892 the Richmond Daily Times described Virginia's departing legislators as the busiest since 1869. As the state's lawmakers returned to Richmond in December 1893, it was said that they would form the most important legislature since 1869.¹ Decisions made by this legislature would influence state government for many years, however the session would be dominated by scandal within the Democratic Party.

John Strode Barbour, Virginia's senior United States Senator, died on 14 May 1892. Two weeks later General Eppa Hunton of Fauquier had been named by Governor McKinney to serve out Barbour's unexpired term. This term would not end until 3 March 1895, yet the Democratic caucus planned to choose Hunton's successor in December 1893. The caucus' nomination pitted General Fitzhugh Lee, a Confederate hero, former Virginia governor, and the "pride of Virginia's aristocracy," against one Thomas Staples Martin, a long-term member of the State Democratic Committee, who had never held public office. Unlike Fitzhugh Lee or Henry Wickham, Martin had begun life as the son of an obscure Scottsville merchant, woolen manufacturer, and

¹. "Virginia Legislature: the Important Session of '93-'94 is Now at Hand," Richmond Daily Times, 6 December 1893, 5.

magistrate. He had been educated at the Virginia Military Institute and at the University of Virginia. His time at V.M.I. had been cut short by the closing of that school in April 1865, when the "Confederacy was crumbling rapidly." Martin entered the University of Virginia in October 1865, and remained there until his father died in July 1867. While in Charlottesville Martin had roomed at William Jeffries' boarding house along with J. Richard Wingfield, Micajah Woods, and John S. Wise, "all destined to be prominent in Virginia public life in the next twenty-five years." Like his former housemates, Martin studied law, and was admitted to the Virginia bar in 1869. Martin had returned to Scottsville, where he was a local attorney for the Chesapeake and Ohio Railway. As a member of the State Executive Committee, Martin had acquired a following among the "younger element" of the Democratic Party. His political star had risen in 1890, when he was appointed legal advisor to the Virginia Debt Commission.² Despite Martin's credentials, most Virginians considered the Scottsville lawyer unequal to the likes of "Fitz" Lee. After Martin's election on 7 December 1893 his hometown went "wild with enthusiasm." To supporters of Fitzhugh Lee, Martin's victory came as a great shock.³

². James Adam Bear, Jr., "Thomas Staples Martin: A Study in Virginia Politics, 1883-1896." (Unpublished Master's thesis, University of Virginia, 1952), 7, 18, 24, 27, 30, 32, 34, 40.

³. James Adam Bear, Jr., 167;
"Mr. Thomas S. Martin," Richmond Daily Times, 8 December 1893, 5.
"Albemarle Rejoices," Richmond Daily Times, 20 December 1893.

The defeat of Fitzhugh Lee came as no surprise to A. F. Withrow of Allegheny, one of the most respected members of the House of Delegates. In the summer of 1893 Withrow had been approached by two Covington attorneys who told Withrow that if he would support Thomas Martin, campaign money would be provided him. On further inquiry, Withrow learned that the money would come from Martin's own pocket. Withrow's meeting had left him puzzled as to the actual source of funds tendered by Martin, and on the motion of the Allegheny delegate, a committee of seven legislators was appointed on 16 December to "search deeply into the political methods" of the election.⁴

The investigative committee was chaired by Senator George Mushbach, an Alexandria businessman. Mushbach, James Hay of Madison, Henry Fairfax of Loudoun, Henry Delaware, or "Hal," Flood of Appomattox, James Stubbs of Gloucester, and Henry Wickham were considered the most important members of the Senate. Mushbach had opposed Martin. Senator Hay had nominated Martin for his election by the General Assembly, and this nomination had been seconded by Senator Flood. Martin had won a majority in each of six ballots cast by 124 members of the legislature.⁵

During the first day of hearings, Fitzhugh Lee told the investigating committee that \$5,000 had been contributed by the Chesapeake and Ohio Railway to the Democratic

⁴. Testimony of A. F. Withrow, in "Investigators," Richmond Daily Times, 17 December 1893, 1.

⁵. "Our New Senators," Richmond Daily Times, 8 December 1893, 4; "Mr. Thomas S. Martin," Ibid., 5.

State Committee. A like sum, Lee alledged, had been tendered by the Richmond and Danville Railroad. Lee espoused the widely-held opinion that Senator Martin had used these funds to influence his nomination to the United States Senate.⁶ In further testimony, Fitzhugh Lee pointed a finger at Barbour Thompson, a superintendent of the Richmond and Danville Railroad, and a member of the Democratic Executive Committee. Thompson, nephew and private secretary to the late John Strode Barbour, worked closely with Thomas Martin on railroad matters. According to Lee, money had influenced the election of 1891. Contributions made by the railroads had not gone to the Democratic Executive Committee, but had been put at the disposal of Barbour Thompson and Thomas Martin. Of \$10,000 given by the Chesapeake and Ohio and the Richmond and Danville in 1891, only \$4600 had reached the state chairman, J. Taylor Ellyson. It was said that Thompson and Martin had corroborated in defeating the Kent Bill in 1892. Funds tendered by the railroads in 1893 had gone directly to Barbour Thompson. Consequently, Thompson was among the first to be hauled before the investigating committee after the evidence supplied by Fitzhugh Lee. Members of the Democratic caucus objected to every question put before Thompson by Senator Mushbach. Thompson was "not allowed" to state the sources of the campaign money, nor was he

⁶. "The Investigators: Looking Into the Nomination of Senator By the Democratic Caucus," Richmond Daily Times, 17 December 1893, 2.

allowed to state why he did not turn the money over to the chairman of the Executive Committee.⁷

The nomination of Thomas Martin had been supported wholeheartedly by Henry Wickham. Wickham admired Martin because Martin had not "accepted a cent, not even for personal expenses" for his services as counsel to the Virginia Debt Commission. Because of his allegiance, Wickham was implicated as one who would know the facts behind the Martin nomination. When Wickham was questioned by the investigative committee on 16 December, he stated that his position as a railroad employee barred him from taking part in election management. Consequently, Wickham maintained that he knew none of the details of the "canvass for Martin." Wickham did say that, despite rumors to the contrary, he knew of "no improper methods or measures used" in the push for Martin. Martin and the Hanover senator were friends of long-standing, and Wickham had supported Martin's candidacy "rather against the wishes of gentlemen prominently connected" with the Chesapeake and Ohio Railway. Wickham maintained that he had acted as a "private citizen in the exercise of (his) rights as a citizen of Virginia."⁸

Senator Wickham had favored Thomas Martin over his own relative, Fitzhugh Lee, who, had advised Wickham months before the election not to use his official position to help Martin. According to Wickham, Lee had not announced his candidacy at that point,

⁷. "The Investigators," Daily Times, 17 December 1893, 1.
"Hearing Testimony: the Second Day of the Investigation," Daily Times, 19 December 1893, 2.

⁸. "Investigators," Daily Times, 17 December 1893, 2.

so Wickham felt free to support his friend, whom he considered one of the greatest men he had ever known.⁹ Wickham's loyalty was not understood by the family of Lee's uncle, General Robert E. Lee, whose daughters' visits to their "Hickory Hill" cousins were curtailed during this tense period.¹⁰

Anyone looking for holes in Wickham's testimony could have spotted a gaping one in the Senator's comment about the candidacy of Fitzhugh Lee. If Lee was concerned about his cousin's choice of a candidate "months before" the election, Lee knew that he would be a contender. Wickham, a political "insider," must have had an inkling of this, despite his statement to the contrary. Such "half truths" surfaced repeatedly during the investigation, and after three days of fruitless questioning, Senator Mushbach called the joint panel "a committee of conceal and not reveal."¹¹ Questions about the source and application of campaign funds went unanswered, and Senator Mushbach dismissed the frustrated panel. The election of Senator Martin was officially declared on 19 December 1893. The investigation was denounced as an attempt by the Richmond Daily Times to "fly the stigma of fraud and corruption on the Democratic party of Virginia."¹²

⁹. Ibid.

"Campaign 1899 - Martin," Scrapbook Collection, III, 5,6.

¹⁰. Statement, Lois W. Wickham, widow of the Senator's grandson, Williams C. Wickham, Jr.

¹¹. "Senator Mushbach's Speeches Favor Searching Enquiry," Richmond Daily Times, 17 December 1893, 1.

¹². "Hunton and Martin," a paraphrase of an article which appeared in the Lynchburg Advance, in Richmond Daily Times, 23 December 1893, 4.

The details of the Martin election, available to anyone who could read a newspaper, lifted the veil on the influence of Virginia's railroad politics. Thomas Martin had used railroad money to gain control of the state legislature. "A general's commission in the Confederate Army," said the Fredericksburg Free Lance, "was no longer the passport to office or the talisman of popular favor."¹³ Martin and fellow Democrats had created a political machine forged by unquestioned loyalty to railroad interests. Even the governor of the state was of the opinion that the "princely contribution (of the railroads) to public expense entitles them to consideration."¹⁴

The powerful "Martin Machine" would control Virginia politics for two decades. Henry Wickham would give Martin his unwavering support during Martin's subsequent bids for re-election. On 9 December 1893 Wickham was placed on the Senate Committee for Finance and Banks, for Roads and Internal Navigation, and for Executive Expenditures. Wickham soon became chairman of the finance committee, called by historian Allen Moger "the graveyard of much of the restrictive (railroad) legislation" proposed during the 1890s.¹⁵ Influential and respected, if not liked universally, Wickham became a "silent partner" in the body of Martin "lieutenants" led in the

¹³. Clipping, Fredericksburg Free Lance, 12 December 1893. (Scrapbook Collection III, 20).

¹⁴. "To the Legislature of the State of Virginia," address of Governor Philip Watkins McKinney, Richmond Daily Times, 6 December 1893, 4.

¹⁵. "Senate Proceedings," Richmond Daily Times, 10 December 1893, 16;
Allen Wesley Moger, Virginia: Bourbonism to Byrd, 1870-1925. (Charlottesville: University Press of Virginia, 1968), 99.

Virginia legislature by Hal Flood, John B. Moon, James Hay, Claude Swanson, and Walter Watson.¹⁶

Despite controversy over the election of Thomas Martin, business in the Senate proceeded as usual. The treasurer of Caroline County had resigned, leaving his office in a state of confusion. Senator Wickham asked for an extension of the tax deadline for Caroline, and his request was granted by Senate Bill No. 1, passed on 7 December.¹⁷

The Martin investigation dominated the month of December, and the legislature actually got down to business on 1 January 1894, when a new governor, Charles T. O'Ferrall, was inaugurated.¹⁸

January passed "without interest or excitement" in the Senate.¹⁹ Henry Wickham was among the few senators present at most roll calls. By the end of the month, he had won the passage of two bills of benefit to the Chesapeake and Ohio Railway. A merger was authorized between that company and the Buckingham Railroad Company. Because of increased business along the Virginia coast, directors of the C. & O. deemed it necessary to expand facilities in the Tidewater area. A bill passed by the Senate on 29

¹⁶. James Adam Bear, Jr., "Thomas Staples Martin: A Study in Virginia Politics, 1883-1896." (Unpublished Master's thesis, University of Virginia, 1952), 127.

¹⁷. "New Made Lawmakers," Richmond Daily Times, 8 December 1893, 5.

¹⁸. "Governor O'Ferrall's Inaugural Address," Richmond Daily Times, 2 January 1894, 3.

¹⁹. "In the State Senate," Richmond Daily Times, 17 January 1894, 5.

January allowed the C. & O. to extend its line from Newport News into the city of Norfolk, "to enjoy wharf, warehouse, and all other terminal facilities therein."²⁰ Two new piers and a grain elevator had been built at Newport News. These improvements gave the C. & O. a total of eight piers for the transport of coal, merchandise, and passengers.²¹ The company was experiencing prosperity after a long receivership.

The month of February 1894 was enlivened in the Senate by Henry Wickham's report on a bill referred to the finance committee two years earlier. This measure provided for a settlement of West Virginia's portion of Virginia's antebellum public debt.²² Wickham's feeling on this subject may be summed up by paraphrasing an old hymn: "Must Virginia bear the debt alone, and all the world go free?" Wickham was determined that, since Virginia had been a larger state when the debt had been created, the new state drawn from her territory should bear its share of the burden.

Wickham's report came in the form of a resolution presented as "the special and continuing order" on 13 February. Wickham "characterized in scorching terms" the proceedings of the "Wheeling Rump Legislature" which resulted in the dismemberment of Virginia. A narrative of this subject, if "written by a Victor Hugo," quipped

²⁰. "In the State Senate," Daily Times, 17 January 1894, 5.
Ibid., 30 January 1894, 3.
Acts of Assembly, 1894, p. 241, 30 January 1894.

²¹. Charles W. Turner, Chessie's Road, 143.

²². "Our State Lawmakers," Richmond Daily Times, 27 February 1892, 5; "Grateful Legislators: The Session is Nearly Over," 3 March 1892, 5.

Wickham, "would have been termed the history of a crime."²³ When debate on this subject was renewed on the morning of 14 February, Wickham explained to his colleagues that the state of West Virginia held assets worth \$2,700,000 to the Virginia government. Wickham saw the collection of this fortune, even by lawsuit, the "constitutional duty" of the Virginia legislators.²⁴ The "suit" factor concerned Hal Flood, who offered a substitute bill which would settle the matter by a commission appointed by the governments of both states. Flood's measure was adopted on 16 February by a unanimous vote of the Senate.²⁵ On the closing day of the session, Senators Flood and Wickham were elected to serve on the seven-member West Virginia Debt Commission.²⁶ Wickham's latest attempt at preserving Virginia's "fiscal honor" would come to nought, for after six years of negotiation, the government of West Virginia decided that it had no stake in the debt of the Old Dominion.²⁷

On 20 February the Senate began its discussion of a "fellow servant" bill designed to address the loss of life among the employees of railroads. This measure would render a railroad liable in an employee's death or injury due to the railroad's negligence. The bill had come out of committee with a recommendation that it not be passed. Senator

²³. "In the State Senate," Daily Times, 2 February 1894, 2; 9 February 1894, 5; 14 February 1894, 4.

²⁴. "In the State Senate," Daily Times, 15 February 1894, 5.

²⁵. "In the Senate," Daily Times, 17 February 1894, 4.

²⁶. "Incidents at the Close," Daily Times, 7 March 1894, 4.

²⁷. "The Work of the Legislature," Daily Times, 16 February 1900, 5.

Wickham claimed railroad officials had not wanted the measure, so he voted against its passage. Thus another piece of restrictive legislation went to its death.²⁸ Instead of granting recourse to those injured while working for the state's major corporations, the Senate passed a bill providing artificial limbs for those who lost theirs during the Civil War.²⁹

During the last week of the legislative session, senators authorized revisions to the Anderson-McCormick Election Law. Amendments, or "refinements" to this ten-year-old law had been offered by Senator M. L. Walton of Shenandoah. The new ballot system effected by the adoption of the Walton Law was coupled with the law establishing the West Virginia Debt Commission as the most significant legislation enacted in 1894. Senator Walton wished to adopt the Australian system of voting by ballot. This system would require voters to read and mark a ballot, in a booth provided for this purpose. Voters were to scratch through the names of all persons for whom they did not wish to vote. A vote was cast by leaving the name of one's candidate untouched. Election managers were to provide privacy for all eligible voters, and a "special constable" was to be appointed to assist illiterate voters.³⁰ The Democrats would have voters believe

²⁸. "In the State Senate: The Fellow-Servant Law," Daily Times, 21 February 1894, 4;
"It Meets with Defeat," Daily Times, 22 February 1894, 5.

²⁹. "Only One Week More," Daily Times, 27 February 1894, 4.

³⁰. Acts and Joint Resolutions Passed by the General Assembly of the State of Virginia During the Session of 1895-'96. (Richmond, Virginia: Superintendent of Public Printing, 1895), 763-770.

the Walton Law had been designed to prevent fraudulent elections, since no one was to come within forty feet of the voting booth during the marking of a ballot. Since the Civil War 146,122 freedmen had become eligible voters, and the Democratic Party felt it in its best interest to restrict the voting power of the blacks. Henry Wickham's views on the subject of race and black suffrage embodied the full meaning of the Democratic methods. Wickham, who described himself as a "sincere friend of our colored people," believed in political freedom and in white supremacy. Virginia's prosperity and progress, according to Wickham, would only be achieved by treating the races separately, for "assimilation" would bring "debasement."³¹ Wickham had endorsed the theory of the "special constable," realizing the person so appointed could mark a ballot as he pleased. The illiterate voter would never know the difference. Wickham and his fellow Democrats acted under the guise of preventing fraudulent elections, however, the Walton Law would foster corruption in maintaining Democratic control.³²

³¹. Speech written by Henry Taylor Wickham in 1938 in defense of the poll tax, "Speeches and Addresses, 1888-1938," Scrapbook Collection III, Wickham Papers.

³². Ralph Clipman McDanel, Ph.D., The Virginia Constitutional Convention of 1901-1902. Johns Hopkins University Studies in Historical and Political Science. (Baltimore: The Johns Hopkins Press, 1928), 29, 34.

"Incidents at the Close," Daily Times, 7 March 1894, 4;
"A New Ballot System," Ibid., 5.

Chapter 3

Worthy Son of an Honored Sire

1895 - 1899

By 1895 Democratic hegemony in the Virginia legislature was six years old.¹ The election of Senator Wickham in 1891 and the nomination of Thomas Martin as junior United States senator two years later had been obstacles for the Party. Despite this the Virginia Democracy, held in power by railroad money, offered no apology for its tactics, and assured Virginia's electorate that the Democracy was the only means for good government. The political might of the railroads would have to be acknowledged and accepted. Prior to the election of 1891 United States Senator John W. Daniel had likened "the steel rail" to "an evangelist carrying the gospel of peace all over the country. The Yankee and the Southerner, the Hoosier, and the far Western man," had come together, said Daniel. The "iron horse" had opened the "great highway of commerce."² Few people disagreed with Senator Daniel's suggestion that the railroads had been an economic boon for a number of Virginia communities. In Senator Wickham's Hanover Court House neighborhood, for instance, the "Accommodation" provided by the

¹. Allen Wesley Moger, "The Rift in the Virginia Democracy in 1896," Journal of Southern History, Southern Historical Association. (Volume 4, No. 3, August 1938, 295-317), 296.

². "Senator Daniel's Views," from a speech made by Daniel at Leader Hall, Manchester, Va., on 10 October 1891, and reported in Richmond Daily Times, 11 October 1894, 4.

Chesapeake and Ohio Railway was the main link to Richmond and the outside world. The train's 5 P.M. whistle signalled tea-time and brought fathers home from a day's work. Wickham and his cousins Rosewell and Thomas Nelson Page were on this train as it made its way northward through eleven stops before reaching "Hickory Hill." Since the three men were Hanover natives, one of them would stand up and salute when the locomotive crossed into their county.³ The positive aspects dimmed when one considered the monopolistic, even corrupt side of the railroad subject.

Democratic Party leaders realized the "question of transportation" had become a major issue among the state's farmers. The methods used to effect the election of Senator Martin had certainly not assuaged the agrarian discontent, which many Democrats feared would lead to the formation of a third political party, under the aegis of Populism. At the time of his election, Senator Martin had been an attorney for the Chesapeake and Ohio Railway. He resigned this position, and contented himself in his dual role as a national senator and as Virginia's "political boss." While Martin had been willing to make this concession to popular opinion, Henry Wickham kept his position as general counsel of the C. and O., and held the seat of Virginia's thirty-fourth senatorial district.⁴

Wickham became a leader in the Senate. When it was announced in July 1895 that he would run unopposed in the following November, the Fredericksburg Free Lance hailed

³. Statement of Rosewell Page, Jr., of "Oakland," Hanover County, Va., during interview of 9 July 1974.

⁴. Allen Moger, "The Rift in the Virginia Democracy in 1896," Journal of Southern History, August 1938, 295, 316.

Wickham as one who was "easily ranked as a leader in service, ability, and influence" in the Virginia Senate.⁵ A Harrisonburg newspaper, the Spirit of the Valley, said that Wickham's record after seven years in the Senate had made him the "worthy son of an honored sire."⁶ Despite the accolades, Henry Wickham had his share of problems.

At his death in 1888, General Williams Wickham left "Hickory Hill" to his wife, Lucy Penn Taylor Wickham. This farm, whose land area included 2,000 acres of Pamunkey River bottomland, was the largest agricultural enterprise in Hanover County. In 1860 the Wickham plantation, worked by 269 Negro slaves, had produced 25,000 bushels of Indian corn.⁷ Since the General's death, "Hickory Hill" had been managed by his younger son, William Fanning Wickham. William, or "Willie," having been trained as a lawyer, had tried to diversify the farm's operation by adding one thousand laying hens to the population of sheep, cattle, hogs, and oxen already at "Hickory Hill." He installed a dairy facility, and shipped eighty gallons of milk to Richmond daily, on the Chesapeake and Ohio Railway.⁸ Hanover County had endured a long dry spell during the summer and early autumn of 1895. Farmers were offered "extremely low"

⁵. Fredericksburg Free Lance, 12 July 1895. (Scrapbook III, 21).

⁶. Spirit of the Valley, 13 December 1895. (Scrapbook III, 22).

⁷. 1860 United States Census, Hanover County, Virginia. Agricultural and Slave Schedules. (Microfilm Collection, Archives Division, Virginia State Library).

⁸. "The Tuckahoes: A Visit to Hickory Hill," Richmond Dispatch, 8 July 1888. (Scrapbook I, 80).

prices for their produce, and late crops were damaged by a sudden cold spell. Producers were so discouraged that they decided to cultivate one-third less land in the coming year. The Wickham operation suffered along with everyone else's. The family's line of credit had been strained by Willie's endeavors, and after a bad crop year, the farm was on the verge of bankruptcy.⁹

Henry Wickham lived at "Hickory Hill" with his mother, his wife and two sons, and his brother. Lucy Penn Wickham was the mistress of the place, and until her death in 1913 at the age of ninety-three it was she who gave the farm employees their daily ration of meat and meal.¹⁰ It seems unlikely that Mrs. Wickham would have asked for help from her older son. Nonetheless, Senator Wickham and his mother did come to an agreement, whereby he would manage the farm and give her all profits. Henry would absorb all losses.¹¹ Willie Wickham married and moved to his wife's family home in Powhatan County, where he committed suicide five years later. Things turned around at "Hickory Hill," thanks to competent foremen hired by Senator Wickham.

Misfortune had visited "Hickory Hill" and the family of Senator Wickham. Yet, being responsible for a large farm would give him an identity among the agriculturists

⁹. "Hanover Crops," Richmond Daily Times, 15 December 1895, 3.

Statements made by Lois Wingfield Wickham, granddaughter-in-law of HTW.

¹⁰. "The Tuckahoes: A Visit to Hickory Hill."
Statements made by Capt. Williams C. Wickham, US Navy, Ret., grandson of Lucy Penn Wickham, during an interview on 12 August 1974.

¹¹. Statements of Lois Wingfield Wickham, May 1993.

who had chastised him for his railroad position. Wickham later referred to himself as "a farmer above a lawyer," as one who "did not practice law for fun, but in order that he might be able to farm."¹² It is certain that Wickham never walked behind a plow, but he did live closer to the earth after the drought of 1895. He took pride in saying that he worked a farm that had been worked by his father and grandfather. If only for political reasons, the interests of the farmers became his interests.¹³ The first measure put forward by Senator Wickham in December 1895 was designed to exact damages from the owners of dogs who had "killed, maimed, or worried" sheep.¹⁴ In one month's time, this bill became a law. Later in the session Wickham introduced a detailed measure providing for a state weather service. With the cooperation of the weather bureau of the United States Department of Agriculture, the new agency would publish weekly and monthly crop, weather, and meteorological reports, especially during the growing season.¹⁵ While no action was taken on this measure, Senator Wickham did consider something besides railroads.

¹². "Virginia-Ground Meal," Richmond Dispatch, 20 December 1901. (Scrapbook III, 70).

¹³. Speech delivered by HTW when presenting the Governor of Virginia at Goochland Court House, 14 October 1929. "Speeches, 1888-1938," Scrapbook III.

¹⁴. "To Abolish the Constable," Richmond Daily Times, 10 December 1895, 5.

¹⁵. "A Most Exciting Debate," Richmond Daily Times, 25 January 1896, 5.

If Henry Wickham was looking for ways to clean up his image as a railroad attorney, his new role as farm manager provided one avenue. One quarter of the senators elected in 1895 had been Confederate soldiers. Henry Wickham had always identified with the veterans, and this provided another justification for his existence. William Lovenstein, one of the most prominent senators, had served in the Richmond Light Infantry Blues, and had been captured at Roanoke Island. Senator James Stubbs of Gloucester had been a major in the Confederate Army.¹⁶ Many legislators walked on one leg or had the use of only one arm. Such injuries were considered badges of honor. Henry Wickham, one of five highly-respected senators, had been twelve years old when the Civil War began. He remembered prayers being offered three times a day to the "god of battles." Wickham had never seen combat, yet he had had experiences which proved meaningful to his career in the legislature.

Anne Carter Wickham, Henry's grandmother, had been a first cousin of General Robert E. Lee. Like the general, Anne Wickham's son, Williams Carter Wickham, had been against secession. When war broke out, Williams Wickham had organized a group of local men who called themselves the "Hanover Dragoons." "Captain" Wickham and his neighbors had gone to Bull Run to participate in the first battle in what was expected to be a short war. Such optimism inspired the wives of some officers to follow in the camps of their husbands. Lucy Penn Taylor Wickham, Henry's mother, had followed

¹⁶. "Prominent Law Makers," Richmond Daily Times, 15 December 1895, 11.

her husband, and Henry and his mother had been observers at the first battle at Manassas. Before burial parties went to work, Henry and his father rode over the battlefield. Wickham's most vivid memory of that experience had been his sickened feeling at seeing the United States flag trailed though the mud by a careless soldier.

General Lee's wife, Mary Custis Lee, owned the "White House" plantation, located several miles below "Hickory Hill," on the Pamunkey River. In the first months of the Civil War, Mrs. Lee had refuged to this place, which she evacuated as soon as Federal gunboats appeared on the Pamunkey in the spring of 1862. Mrs. Lee and her daughter Agnes came to "Hickory Hill" later in that year for an extended visit. Mrs. Lee was at "Hickory Hill" on 9 June 1863 when her son, General William Henry Fitzhugh Lee, was badly wounded during a cavalry engagement at Brandy Station. His brother, Captain Robert Lee, brought the general to "Hickory Hill" to mend. Henry Wickham was made "generally useful running errands, and bringing hot water from the kitchen."¹⁷

As a reward, he was permitted to linger while his cousin's wounds were dressed. The Wickham household had just finished breakfast on 26 June, when a group of Federal cavalry came to arrest the wounded officer. While his mother and young wife watched helplessly, the son of General Robert E. Lee was placed in a carriage, "a soldier on the

¹⁷. "Address of Hon. Henry T. Wickham, President Pro Tempore of the Senate of Virginia, 23 February 1940." Senate Document Number 10. (Richmond: Department of Purchase and Printing, 1940), 7.

box, and a mounted guard surrounding him."¹⁸ He was taken to a prison at Fortress Monroe.

After the capture of General W. H. F. Lee, a Federal raiding party was sent to destroy two bridges across the South Anna River, one mile north of the Wickham mansion. For a long time Henry Wickham and a neighborhood boy had wanted to own a revolver, which they hoped to get "from the body of a dead Yankee." When the Federals had completed their assault on the South Anna bridges, Henry and his friend decided to seek their treasure. They had crept to within four hundred yards of the bridges, when the fighting resumed. The boys dodged between shocks of wheat before reaching the river bank, where a group of Wickham servants had gathered. Henry watched as a number of Confederate soldiers on horseback, "each with a dead Yankee on the pommel of the saddle," passed in retreat.¹⁹

By September 1864 raids at "Hickory Hill" had become more frequent. Henry's father had earned the rank of Brigadier-General, and was in the Shenandoah Valley with the army of Jubal Early. Henry's grandfather was ill, and Henry's mother was bedridden after the delivery of a still-born child. On more than one occasion Anne Carter Wickham had to confront intruders single-handedly. During her daughter-in-law's recuperation, the "Hickory Hill" house was commandeered by Federal soldiers who got drunk and slept in the front hall. One man came upstairs to check on Henry's mother. Anne Wickham

¹⁸. Ibid., 8.

¹⁹. Ibid., 8-9.

had reached her breaking point, and in consternation she shouted, "I am an American lady! Must I defend my home from other Americans?" This awakened a lethargic officer, who ordered his men away from the house.²⁰

Henry Wickham had grown up tall for his age. During Federal raids the gangling teenager had been sent with the "overseer, colored people, horses, and mules" to hide in a deep ravine near the plantation. Anne Wickham was afraid the enemy would mistake her grandson for a soldier and shoot him. After her latest brush with the enemy, Mrs. Wickham arranged for her grandson to go to Lexington, where he would live with relatives and attend Washington College. The town of Lexington had been bereft of its manhood, since every male who was "not incapacitated by extreme age or disease or wounds received in battle" was at the front. Lexington's only defense in the autumn of 1864 was the collection of twenty-two boys at the college.²¹

The family ties between General Lee and Anne Carter Wickham placed "Hickory Hill" under constant surveillance during the rest of the war. After Henry's departure for Lexington, a raiding party stripped the farm of its livestock and work force. When news of Lee's surrender reached Henry, he and a relative set out for home on foot.²²

²⁰. Ibid., 11.

"Memoirs of Hickory Hill, Shirley, etc.," prepared in 1937 by Henry Taylor Wickham. (2 volumes), I, 98. Owned by Lois Wingfield Wickham.

²¹. Speech made by Henry Taylor Wickham to alumni of Washington and Lee University, 5 June 1931. (Scrapbook III).

²². "Address of Hon. Henry Taylor Wickham, 23 February 1940," (Senate Document No. 10), 11.

Hanover County, where heavy fighting had occurred during the Cold Harbor Campaign in 1864, was a place of desolation. Henry Wickham remembered his youth as "repressed and serious." There was little money, and times were uncertain. When General Lee accepted the presidency of Washington College, Henry was sent back to Lexington to complete his undergraduate training.²³

General Lee had not recognized his young cousin when Henry Wickham reported to him in September 1865. Lee had not seen Henry since Anne Wickham had brought her grandson to "Arlington" to meet his cousins a decade earlier. After a warm reunion, Henry became a constant fixture at the Lee home. Henry's roommate was the General's nephew, George T. Lee. Henry became a favorite of Mrs. Lee and Agnes, and he was often invited to Sunday night supper. The opportunity to be near the Confederate ex-chieftain was important to the young student.²⁴ While the young men at Washington College did not "worship" General Lee, Henry Wickham recalled that there was an indescribable "reverence mingled with love and sorrow" felt by each of his classmates. "One common impulse controlled us," recalled Wickham, "to do what he would wish."²⁵ It was a proud day for Henry Wickham when General Robert E. Lee presented him with a college diploma in the spring of 1868.

²³. "Address of Hon. Henry Taylor Wickham, 23 February 1940," 11.

²⁴. Ibid., 6, 11.

²⁵. Speech to Alumni, 1931, 5.

In an age which brought the deaths of many Confederate heroes, Henry Wickham became a symbol of the "Lost Cause," despite his youth and lack of experience on the battlefield. Not only had he been a relative of General Lee, but he had gone to school under the General. This gave Wickham an "edge," and he often shared his experiences in long, teary-eyed speeches about the Lee family. Wickham was sincere, yet he never allowed his sympathies to cloud his mission as a leading member of the Virginia Democracy. In December 1895 it was business as usual in the Senate. Three days after the legislature convened Wickham was elected chairman of the Committee on Finance and Banks and was placed on the Committee for Executive Expenditures.²⁶ He gave a demonstration of his renowned "Southern fire" in a speech delivered on 10 December in support of a resolution presented by Senator Manley Barnes of New Kent. The Newport News Ship Building and Dry Dock Company had been awarded contracts by the United States government for the construction of two battleships. Wickham, full of state pride, "made several beautiful tributes to the patriotism of Virginians," and commented on how jealous Northern shipbuilders would be on seeing a "mighty battleship bearing the name of the Old Dominion across the waters."²⁷ Wickham sponsored a bill allowing the

²⁶. "Many Bills Introduced," Richmond Daily Times, 7 December 1895, 4.

"The Present Legislature," 8 December 1895, 7.

²⁷. "Will Not Turn Him Out," Richmond Daily Times, 11 December 1895, 5.

Newport News firm to increase its capital stock to an amount not exceeding \$6,000,000.²⁸

Early in the session Senator Eugene Withers introduced a bill calling for a railroad commission of three members, with supervisory powers over railroads, steamboat lines, canals, and telegraph companies.²⁹ This measure fell on deaf ears, while Senator Wickham pushed through a measure allowing railroads to own as much real estate as needed for "depots, shops, yards, and other purposes." Wickham defended this amendment to the Virginia Code by stating his feeling that no one should stand in the way of the development of the state because of "any prejudiced position" one might take against railroad interests. The measure passed 23 to 3.³⁰

In December 1895 the Virginia Senate resounded with new tunes for old themes. During a short session on 7 December Senator William B. McIllwaine introduced a bill imposing a liability on railroad corporations for "injury to any persons, including employees of such corporations."³¹ Again, the discussion turned to veterans of the Civil War. Any person who had served as a commissioned officer in the army or navy of the United States before the Civil War, and had served the Confederacy in any

²⁸. "New Bills in the Senate," Richmond Daily Times, 7 January 1896, 5.

²⁹. "The Senate," Richmond Daily Times, 8 January 1896, 5.

³⁰. "Land for Railroads," Richmond Daily Times, 8 February 1896, 5.

³¹. "Work of the Senate," Richmond Daily Times, 8 December 1895, 7.

capacity during the war, had been denied appointment to a position in the army or navy of the United States. Senator Wickham called for an end to this practice, and his resolution was adopted.³²

On 17 January 1896 the Richmond Daily Times reported that on the day before the Senate had not been "enlivened by a single discussion, and nothing of public interest was done."³³ The proceedings on Saturday, 1 February were rated the "dullest" during a session dominated by "long debates over questions of small moment."³⁴ One measure introduced in the Senate called for the incorporation of the "National Adjustment Society," which would "work for changes in the United States Constitution to allow Congress to pay for emancipated slaves."³⁵ Senator Mushbach of Alexandria called for an appropriation of \$3,000 to assist the Anne Lee Memorial Association in erecting a monument to "Anne, mother of General Robert E. Lee."³⁶ The Museum of the Confederacy was to open soon, and a bill approved in March 1896 entrusted several Confederate relics owned by the Virginia government to the care of the Confederate Memorial Literary Society. These treasures included an iron plate from the ironclad

³². "Let Confederates Serve," Richmond Daily Times, 20 December 1895, 5.

³³. "Dull Day in the Senate," Richmond Daily Times, 2 February 1896, 5.

³⁴. "Virginia Oyster Culture," Richmond Daily Times, 31 January 1896, 5.

³⁵. "To Pay for Freed Slaves," Richmond Daily Times, 7 February 1896, 5.

³⁶. "Virginia Oyster Culture," 31 January 1896, 5.

"Virginia," and a piece of the flag taken from the capitol when Richmond was evacuated.³⁷ Several bills provided for the relief of Confederate soldiers impoverished by disabilities brought on by illnesses or wounds sustained during the Civil War. In keeping with this nostalgic spirit, Senator Wickham called for the appropriation of up to \$5,000 to enable the Virginia-Chickamauga Commission to place monuments at positions held by Virginia troops in portions of the battlefields preserved by the Chickamauga and Chattanooga National Park.³⁸

Despite the dull routines described by the Richmond Daily Times the Virginia Senate did pass some important legislation in 1896. Since these measures required appropriations from the public purse, Senator Wickham addressed these issues on behalf of the Finance Committee. His speeches earned him the nickname "Watchdog of the Treasury," and branded his speaking style as more dramatic than substantive. One of the Senator's effusions centered on the Rotunda and adjoining buildings at the University of Virginia, which had been damaged by fire in October 1895. Most of the school's library, "much valuable furniture, apparatus, and other property" had been destroyed, and repairs had been estimated at \$226,000. Of this figure, \$60,000 would be applied to the Rotunda, while \$80,000 was needed for books.³⁹ Senator Wickham did not feel the state could afford \$200,000, even for the University of Virginia. Wickham had earned

³⁷. Acts of Assembly, 1895-1896, 891.

³⁸. "The Senate," Richmond Daily Times, 9 January 1896, 5.

³⁹. "Cost of Restoration, University of Virginia," Daily Times, 15 January 1896, 5.

his law degree at this institution, however, he set aside sentiment and opined that he would see the University perish before he would jeopardize the future of the state or of the Democratic Party. The Finance Committee agreed to lend its help in securing a loan for the school. And, the committee supported a measure allotting the university \$10,000 per year to pay interest on this debt.⁴⁰ A different stance was taken by Wickham during a debate over a \$5,000 appropriation to the Medical College of Virginia. Since the Medical College was the only charitable institution of its kind in Virginia, Wickham took exception to a colleague's objection to an appropriation for the facility, where doctors served without remuneration. The colleague's negative opinion was cast out by a majority vote.⁴¹

Wickham's fiscal priorities were strongly fixed. As the legislature was closing its business on 2 March, Governor O'Ferrall enjoined the Senate not to adjourn before increasing its appropriation to the Robert E. Lee Camp Soldiers' Home. Unless more money was available, twenty-five of the Confederate veterans living at the home would be discharged, and no other applicants would be admitted.⁴² Governor O'Ferrall also wished the senators to authorize improvements to the Lee Monument, installed two years

40. "University Appropriation," Daily Times, 12 January 1896, 4.
Acts of Assembly, 1895-1896, 159.

41. "Governor's Veto Ignored; the Senate Passes Two Bills Notwithstanding His Objections," Daily Times, 25 February 1896, 2.

42. "Books for the University; Help for the Soldiers' Home," Daily Times, 30 January 1896, 5.
"Last Day in the Senate," 3 March 1896, 5.

earlier on state property in Richmond's "west end." Since the Civil War no-one outside the United States War Department had been granted access to Virginia's Confederate muster rolls. Governor O'Ferrall hoped the Senate would appropriate \$5,000 to pay for copying these records.⁴³ Senator Wickham greeted the Governor's entreaties by saying that the Finance Committee had done its best. "No man," said Wickham, "loved and honored the Confederate veterans more" than he, but he had done his best in allotting \$30,000 to the Soldiers' Home. This provided \$150 for each resident. Copying "rolls of Confederate soldiers" was beyond the reach of the state's straitened treasury, however the subject might be considered in future. The session was extended for three days, and in that time Governor O'Ferrall won out on two of his requests. The Soldiers' Home was given an additional \$5,000, and the sum of \$500 was appropriated for a "granolithic curbing and grass mound" around the base of the Lee Monument.⁴⁴

While for most of its meetings the Senate had been "rather free from exciting discussions," an issue of considerable importance was addressed by that body on 28 February 1896. The need for changes in Virginia's 1870 Constitution had been discussed in political and in private circles. Many Virginians felt the expense of government would not be reduced without rewriting the state constitution. A "constitutional convention" bill, designed to determine whether Virginians wanted to amend or revise

⁴³. "Another Election Bill," 15 December 1895, 17.

⁴⁴. Acts of Assembly, 1895-1896, 772, 844.
"Last Day in the Senate," Daily Times, 3 March 1896, 5.
"Finance Committee's Report," Ibid.

their instrument of government, was the special order on 28 February. Senator Wickham felt the people did not want a constitutional convention, which would cost the taxpayers \$100,000. With his usual "sound and fury," Wickham opined, "If this General Assembly makes a mistake, generations unborn will rue that such men as we ever occupied this chamber."⁴⁵ Despite Wickham's harangue, the bill passed, and a vote on a constitutional convention was set for the fourth Thursday in May, 1897.⁴⁶ At that time 38,326 Virginians favored calling a convention. Since 83,453 voters came out against the measure, perhaps the people really didn't want change, as Wickham had said.

Both houses of the Virginia legislature convened in Richmond on 1 December 1897. In the Senate, Henry Wickham was elected president pro tem by "all of the senators, of all political faiths."⁴⁷ His elevated position had come to him, said one supporter, because of Wickham's "urbanity, impartiality, and skill as a parliamentarian," and not because of political manipulation. After nine years of continuous service in the Senate, Wickham was considered the oldest member of the Senate. The office of president pro tem, though an honorary position, would oblige Wickham to relinquish leadership of the Finance Committee to Senator Henry Fairfax, a wealthy Loudoun

⁴⁵. "The Sheriffs Win the Day; Constitutional Convention Bill Ordered to Its Engrossment by the Senate," Richmond Daily Times, 29 February 1896, 1.

⁴⁶. Acts of Assembly, 1895-1896, 797.

⁴⁷. "The Senate," Daily Times, 2 December 1897, 1.

County railroad contractor. Although Wickham would not "chair" the Finance Committee, his experience would be welcomed as his colleagues sought ways to meet the increased interest on the state debt.⁴⁸ Wickham would also retain membership on the Committee for Roads and Internal Navigation.⁴⁹ On 3 December Senator Barksdale of Halifax introduced a bill to abolish the office of railroad commissioner. In phrases similar to those uttered by Senator Withers a year before, Barksdale demanded a railroad commission with increased regulatory powers. Senator Withers' proposal had been passed by, as was Senator Barksdale's.⁵⁰ Members of the Senate were too consumed by the "fever of retrenchment and reform" to listen to complaints about the railroads. The Virginia treasury was on the verge of bankruptcy, and serious consideration had to be given to the necessity of such offices as railroad commissioner, register of the land office, agricultural commissioner, or second auditor.⁵¹ Nothing was decided before Christmas recess, except the confirmation of Henry Wickham as the successor of Captain Camm Patteson on the Board of Visitors at the University of Virginia.⁵² A week before the break, Wickham presented a petition tendered by the president and faculty of

⁴⁸. "The Senate Chairmanship," Daily Times, 5 December 1897, 1.

⁴⁹. "Ready Now for Hard Work," 8 December 1897, 5.

⁵⁰. "Much Talk About Economy," Daily Times, 4 December 1897, 1.

⁵¹. "There Was No Action Taken," Daily Times, 14 December 1897, 2.

⁵². "Nominations Confirmed," Daily Times, 15 December 1897, 1.

Randolph Macon College, asking for the passage of a bill requiring the study of hygiene, "including the effect of alcoholic drinks and other narcotics upon the human system."⁵³

On New Year's Day 1898, Senator Wickham was part of a military parade which assembled at 11:30 A.M. to escort Virginia's newly-elected Governor James Hoge Tyler and Lt.-Governor Edward Echols to the Capitol for their inauguration. As president pro tem of the Senate, Wickham had organized the ceremony with the help of the governor's private secretary, Ben P. Owen, Jr. Wickham and Attorney-General Andrew Jackson Montague walked behind the governor along a route crowded by thousands of spectators.⁵⁴ This grouping was certainly prophetic. Governor Tyler had been a major in the Confederate Army. He would be the last Civil War veteran to lead Virginia's government, and his successor, Andrew Jackson Montague, would make his mark as a Southern progressive committed to ridding Virginia of corrupt political machines such as the one which held Senators Martin and Wickham in office.

Three days after Tyler's swearing in, Senator Wickham was named to a committee to investigate the reduction of state expenses.⁵⁵ Wickham's first attempt at increasing state revenue was to propose an amendment to Virginia's 1892 debt settlement.

⁵³. "Objection Made to Scott," Daily Times, 18 December 1897, 1.

⁵⁴. "Governor Tyler Now Becomes the Head of the State," Daily Times, 2 January 1898, 1.

⁵⁵. "Insurance Bill Offered," 5 January 1898, 3.

The measure, which was passed by the Senate, allowed executors of estates and other fiduciaries to invest in the state's Riddleberger bonds.⁵⁶ The matter of cutting down expenses and providing new sources of revenue was entrusted to a committee on Retrenchment and Reform headed by Wickham's colleague, John E. Mason. As senators grappled with whether to retain outmoded state offices, it became apparent that changes in the cost of running the government lay in changing the state's constitution.⁵⁷

The prospect for a constitutional convention had been sharply defeated six months earlier. Those who had opposed the bill were those whose positions would be threatened by changes in the system. Certainly, if the practice of "railroad politics" was undermined, Senator Wickham would have to make personal adjustments. Consequently, the senator from Hanover created distractions during the session of 1898. On 18 January the Senate gave considerable discussion to a bill which would allow Dr. R. R. Jones of Brunswick, and other licensed physicians, to practice pharmacy without passing an examination required by law. Dr. Jones practiced in a remote area which had no drugstore. He wanted the privilege of mixing his own prescriptions. Senator Wickham saw nothing wrong with this request, and it was his opinion that "the country people sometimes needed medicine more than logic." To illustrate his point, Wickham reminded the Senate that the greatest legal minds in Virginia had been produced before

⁵⁶. "Investigation To Be Made," Daily Times, 13 January 1898, 1.

⁵⁷. "Retrenchment and Reform," Daily Times, 16 January 1898, 6.

the days of bar examinations. Wickham was certain that no lawyer in the Senate would relish an examination by the Supreme Court of Appeals. In a further belaboring of the subject, Senator Mushbach took exception to Wickham's suggestion that all the great lawyers were dead. Mushbach told his colleagues that lawyers currently practicing had "questions far more intricate" than those dealt with by Daniel Webster.⁵⁸ A few days after this amusing exchange engendered by the conundrum of Dr. Jones, Senator Wickham offered a bill to incorporate the American Development Company, which had as its focus the development of "mines, mills, factories, furnaces, street railways, and electric plants" in the Republic of Venezuela, by a group of Richmond businessmen led by Colonel Tazewell Ellett.⁵⁹ Ellett, a Richmond attorney, and a Democrat, had recently served in the Fifty-fourth United States Congress.

On 22 January Senator Eugene Withers brought up the subject of a constitutional convention. Before the Senate could address this matter, Withers proposed a tax increase for railroads and other corporations which he felt were not contributing their fair share to state revenue. Senator Wickham wasted no time in responding to Withers, and demanded to know why Withers wanted to place the burden of increased taxation on the railroads. Withers ignored Wickham and ended his remarks by stating again, adamantly, that Virginia needed to "revise and amend" its constitution.⁶⁰ Wickham hopped to his

⁵⁸. "The Senate in Detail," Daily Times, 18 January 1898, 6.

⁵⁹. "The Senate Routine," Daily Times, 21 January 1898, 5.

⁶⁰. "Let the People Decide," Daily Times, 23 January 1898, 2.

feet again two days later, when Senator McIllwaine renewed his fight for an "employers' liability bill." The measure had passed in the House of Delegates, and Senator McIllwaine wanted the bill referred to the Committee on Courts. He knew his proposal risked death if it landed in Wickham's Committee on Roads and Internal Navigation. Wickham stood on parliamentary principle, and after heated debate, the bill was referred to Wickham's committee.⁶¹ Senator Mushbach referred to McIllwaine's proposal as a measure that would "cause the relatives of a man killed in a sawmill to regret that he was not killed on a railroad."⁶² On 26 January 1898 the Senate Committee on Courts approved the bill sponsored by Senator Withers. If the measure passed in the Senate, the question of a constitutional convention would be resolved by a vote of the people in the following November.⁶³

The Withers Bill was made the special order for 1 February. Senator Wickham did not favor constitutional revision by convention. He believed the legislature should draft amendments and submit them to a vote of the people. The Finance Committee would not have the state's appropriations bill ready until 20 February. Consequently, Wickham asked the Senate to withhold action on the Withers measure until a review of the state's finances was in hand. Wickham admonished his colleagues by telling them they had been elected on a pledge "to retrench and reform." The passage of the Withers

⁶¹. "The Senate Routine; Employers' Liability Bill," Daily Times, 25 January 1898, 7.

⁶². Ibid.

⁶³. "The Senate Routine," Daily Times, 27 January 1898, 2.

Bill would suggest to the people of Virginia that the legislature was not equal to this task. Wickham urged the Senate to at least make the effort to retrench and reform in the month left in the session. Otherwise, the Senate's burden would be thrust upon the people.⁶⁴

Wickham contended that Senator Withers had misread the intention of the people, who, as Wickham saw it, had not wanted a constitutional convention, but a state legislature that could prepare amendments and submit them to the people for consideration. For his part, Wickham saw no crisis then at hand. The state would have a total reassessment of real estate values in 1900, and Wickham felt confident that an extra session of the legislature would be necessitated by this process. Wickham warned the Senate of "powerful combinations inside and outside the Democratic Party" which would array themselves against the convention. He also warned of "searching questions" which would be asked by the people about such subjects as appropriations for Virginia's schools. Wickham felt a convention unnecessary, since the Democratic Party was then in "full possession of the legislature" and could make the appropriate reforms. After Wickham's speech, the Senate had just enough time to make the Withers Bill the continuing order for 15 February.⁶⁵

On 10 February the Senate Finance Committee reported favorably on a special tax levied for the pensioning of Confederate veterans. The tax was not to exceed five percent

⁶⁴. "Talk About a Convention," Daily Times, 2 February 1898, 2.

⁶⁵. Ibid.

of the assessed value of real property.⁶⁶ The next day brought renewed debate on the subject of Senator McIllwaine's "employers' liability act." Senator Withers, who supported the measure, wasted no time in responding to comments made two days earlier by Senator Mushbach. At the beginning of a two-hour speech, Withers commented that the employers' liability bill would give the relatives of a man killed on a railroad reason to "thank Heaven that he was not killed in a sawmill." A similar measure had been enacted by the legislature of North Carolina. Richmond's labor organizations and political clubs had called for the passage of a measure which would safeguard those who sustained injury or death because of the negligence of a co-worker. Senator McIllwaine's attempt at providing redress for Virginians proved futile. In his last speech on the subject he got in one more dig to the railroads by pointing out that trainmen who were exposed to the greatest risks were the poorest paid people on the railroads.⁶⁷

Senator McIllwaine's proposal may have received kinder treatment had the Senate not become embroiled in debate over a bill, introduced by Senator Barksdale, to allow for primaries in choosing Virginia's representatives in the United States Senate. The subject of primaries had raised controversy at the state Democratic convention in Roanoke

⁶⁶. "Pensions for Veterans," Daily Times, 11 February 1898, 1.

⁶⁷. "Employers' Liability Act." Richmond Daily Times, 12 February 1898, 7.

"Whipping Post Defeated; More Debate on Employers' Liability Bill," 13 February 1898, 2.

"A Big Tax on Social Clubs," 16 February 1898, 2.

in the summer of 1897.⁶⁸ In introducing his bill on 17 February Barksdale referred to the national senate as a "Millionaire's Club," a haven for corporation attorneys. Barksdale wished to give the people a means of correcting what he called "abuses" in the method of choosing Senators. He hoped the day would never come when Virginia would have "a Marcus Hanna" in the United States Senate.⁶⁹ Hanna, a wealthy businessman who had turned to politics, had helped put William McKinley in the White House in 1896. Hanna had become the national "boss" of the Republican Party. Senator Barksdale's reference to Hanna had little to do with Barksdale's fear of Republican domination in Virginia. The senator from Halifax was among those who still felt resentment about the election of Thomas Martin. Martin would be up for reelection in 1899, and a senatorial primary would impede Martin's progress.

Barksdale's proposal elicited a lengthy speech from Henry Wickham. Wickham stoutly opposed the primary bill, which he decried as unconstitutional, unsatisfactory, and as a dangerous change from established policy. Wickham saw the measure as unconstitutional because it would "disclose secrets which under the Virginia constitution" were designed to be inviolate. Barksdale's measure called for the use of boxes of various colors, and ballots of matching hues, at voting stations. Wickham's greatest fault with this aspect of the bill lay in its similarity to techniques used by the Republican Party in

⁶⁸. William Larsen, Montague of Virginia: The Making of a Southern Progressive. (Louisiana State University Press, 1965), 61.

⁶⁹. "Debate on Primary Bill," 18 February 1898, 2.

extracting a fair vote from "ignorant" constituents. In Wickham's estimation, a primary would create dissension within the Democratic Party at a time when the party "should be united and present a solid front." As Wickham saw it, such "fratricidal strife" would bring defeat to the Party.⁷⁰

Wickham's argument against the Barksdale measure stemmed from the departure from rules which had "prevailed since the foundation of the (national) government" in 1787. A primary would deprive the Virginia legislature of discretionary powers vested in state governments by "article 1, section 3, chapter 1, of the United States Constitution," which provided for the selection of the Congress of the United States. In a speech which must have tired his colleagues, Wickham outlined the "Virginia Plan" which had triggered controversy between "the small states and the large states" which met in Philadelphia for four months to draft the Constitution. This plan called for a bicameral congress, based on population. The large states would thereby control both the Senate and the House of Representatives. Virginia's governor, Peyton Randolph, had modified the Virginia Plan to allow for the selection of Senators by members of the House of Representatives. The smaller states, "such as New Jersey," had been given two months to approve this plan. When this approach failed, the "men from the Southside", said Wickham, "when danger threatened them," had attempted to break up the convention. Representatives from Connecticut, another small state, had restored calm by offering a

⁷⁰. "Debate on Primary Bill; Mr. Wickham's Reply," Richmond Daily Times, 18 February 1898, 2.

compromise measure calling for two houses, one based on population, and the other giving an equal vote to each state. Members of the latter body would be chosen by state legislatures.⁷¹

The point of Wickham's effusion became clear when he began his closing remarks. Virginia had been among the large states when the United States Constitution was framed. The formation of West Virginia in 1863 had changed Virginia's status, and the method of choosing United States senators was "practically all" that remained of state sovereignty. It was Wickham's feeling that Virginia needed the protection provided by the Constitution, since the state had become one "among the weaker or less powerful state organizations." Furthermore, an independent United States Senate, with equal representation, had been "the sheet anchor of the ship of state." Wickham compared the "calm stability of Rome," which had a senate, to the "fickle mob of Athens," which had no such body. Wickham went on to say that "the wise men who laid the foundation of our Government desired to give stability by checking the ephemeral tendency to constant change in statute law." Wickham predicted that changes in the existing system would result in the control by "Federal machinery" of all federal elections. Wickham warned that no power would be able "to stay the Federal hand."⁷²

⁷¹. Ibid.

⁷². Ibid.

According to a newspaper headline, the debate on the senatorial primary bill became "red hot" on 18 February.⁷³ Senator Boykin from Isle of Wight addressed the unconstitutionality of the bill, which he labelled an "iniquitous measure," one which violated the "organic law of the country and state." Mr. Boykin felt such a law would foster the "use of limitless wealth" in securing senatorial elections. Wickham's sentiments were echoed by Boykin's feeling that change should come only after evils had arisen in the system or because people had demanded change. Senator Hale favored the bill. In his remarks he referred to comments made by Senator Wickham on the previous day about the colors of ballot boxes. The boxes for Populists would be green, a color Hale considered appropriate, since the party of the "Hanover gentleman" enjoyed "grazing in green pastures." The Democrats, said Hale, were feeding "on the green fruit of the Populists," and were not willing for the fruit to ripen.⁷⁴

Senator Wickham let this banter pass by. Senator Flanagan, however, after "throwing a bouquet" to Wickham, made disparaging comments about Wickham's fear of the disintegration of the Democratic Party. Flanagan recalled aloud how railroad influence had "defeated one of the greatest Virginians." For his part, Flanagan did not see how senatorial primaries would be free of the interferences which had placed Senator Martin in office. Senator Flanagan referred to Barksdale and Wickham as those who had

⁷³. "The Debate Became Red Hot," Richmond Daily Times, 19 February 1898, 2.

⁷⁴. Ibid.

"bolted a Republican convention and lit into the Democratic Party." This drew a snarl from Wickham, who demanded that his accuser admit to having ever heard Wickham express shame at having been a Republican. To prove a point, Senator Flanagan asked Wickham why he had favored black ballot boxes for the Republicans. "Because," answered Wickham, "the majority of that party are black people."⁷⁵ The primary bill so engrossed the Senate that the appropriations bill, slated for perusal on 19 February, was passed by after a brief explanation of the bill's high points by Senator Wickham. On the morning of Saturday, 19 February Senator Flanagan renewed his speech before colleagues and crowds gathered in the Senate's gallery and visitors' spaces. Flanagan held to his belief that the Barksdale bill would not effect the "satisfactory expression of the wishes of the people." Flanagan ended just as he had begun the day before, by "pitching his handsome bouquet at the Senator from Hanover."⁷⁶

Flanagan's comments were addressed by Senator Barksdale, who stated that he, too, had been a Republican when that party had been "a far more respectable" entity led by Williams C. Wickham. Barksdale predicted that in two years the people of Virginia would demand a primary bill, and that even the "Senator from Hanover" would vote for it. This brought applause from the floor and the galleries. Barksdale returned to Senator Wickham's lament about all great lawyers being dead. "Some of us are left," he said,

⁷⁵. Ibid.

⁷⁶. "The Debate on the Primary Bill," Richmond Daily Times, 20 February 1898, 2.

"and the Senator from Hanover is one of the greatest of us." Times had changed since the days of the "fathers of the Republic," to whom "party caucuses and conventions, corruption in elections, and corporations and trusts" had been alien subjects.⁷⁷

Debate on Barksdale's primary bill was closed by a speech from Senator Hal Flood, who considered mention of Thomas Martin's election regrettable. Senator Flood protested that Martin had not been put in office by the railroads, but by friends who "knew his character to be as pure and his intellect as sound as any man who ever has or ever will" represent Virginia in the United States Senate. At Saturday's afternoon session Senator Wickham had the primary bill made the special order for 23 February. The Senate needed two days to consider appropriations for the next two years.⁷⁸

Colleagues and observers who may have felt the passions of Senator Wickham had been spent after his anti-primary harangue were given a surprise when the Senate returned to its chamber on Monday, 21 February. The Committee on Finance and Banks had given careful consideration to the state's budget, and in presenting the projected figures to the Senate, Wickham lamented "the desperate struggle of the Anglo-Saxon masses of Virginia for existence." Wickham expressed his love for the Virginia countryside and stated that he took pride at being among "the men who follow the plow." Wickham continued by saying that, to him, "the sweetest perfume is but that of a plowed field, and not the new-mown hay, as the poets put it, but the new-turned furrow. To make two

⁷⁷. Ibid.

⁷⁸. Ibid.

blades of grass grow where one grows now" was to Wickham "an ambition worthy of the noblest. . . ." ⁷⁹

In 1898 interest on Virginia's public debt amounted to \$694,588. The appropriations bill brought few changes, but, with no new taxes, Wickham hoped to provide "substantial relief to the agricultural people of Virginia," in an attempt to keep this sector from becoming "either peasants or Boeotians," who were always dominated by a higher power. Wickham empathized with the sadness of a farmer's losing everything, including "the home that has sheltered him and his father's father for generations before him . . . to the tax-gatherer or to the laborer." ⁸⁰ Senator Wickham's words won the acclaim of his colleagues, who ordered the printing of 500 copies of his remarks. ⁸¹

Despite its warm reception, Wickham's speech was probably designed to distract the Senate from discussion of the primary bill. The measure was defeated on 23 February, after a lengthy speech by Hal Flood, who addressed an accusation that the Committee on Privileges and Elections, which Flood chaired, had held the bill long enough to handicap its passage, in the interest of Senator Martin. Senator Barksdale

⁷⁹. "Remarks of Senator Wickham on the Financial Condition of the State of Virginia." (Richmond, Virginia, 1898). Pamphlet preserved in Scrapbook III, 42.

⁸⁰. Ibid.

⁸¹. "The Changes Were Very Few," Richmond Daily Times, 22 February 1898, 2.

"They Cannot Consolidate," 23 February 1898, 2.

offered a substitute measure, which was narrowly defeated by a vote of 13 to 21. To have achieved even a narrow defeat was an indication of support for a new system.⁸²

Having worked for the defeat of the primary bill, Senator Wickham wasted no time in directing the Senate's focus to the constitutional convention bill proposed by Senator Eugene Withers. Wickham intended to set up a commission to investigate constitutional amendments and report these to the Governor of Virginia. This commission would consist of five senators, five delegates, and five people appointed by the Governor. This measure, called the "Wickham Substitute" to the Withers bill, gained little ground in the Senate. Though Wickham warned his colleagues that Virginians "were in no humor to bear the expenses" of a convention, and that what the people wanted was "relief from burdensome taxation" and from expensive methods of amending the Constitution, most senators, including Hal Flood, were committed to the Withers bill, which would allow a vote on the subject in May 1899.⁸³ Despite enthusiasm, the Withers bill was not passed. Wickham's rhetoric had delayed action on a measure considered vital to the people.

⁸². "Primary Bill is Defeated," Richmond Daily Times, 24 February 1898, 2.

⁸³. Ibid.

"Withers Constitutional Convention Bill and Wickham Substitute," Richmond Daily Times, 25 February 1898, 2.

"For a Convention: the Withers Bill to that End has but Few Opponents," Daily Times, 27 February 1898, 1.

Chapter 4

A New System

A colleague of Henry Wickham once said that, during debates on issues which Wickham opposed, the "Senator from Hanover" had developed a tendency of raising questions "to direct the attention of the Senate from the main issue."¹ Wickham had certainly used this tactic successfully during the early months of 1898. The issues which Wickham hoped to "dodge," however, did not go unnoticed by a small group of reform-minded Democrats led by Attorney General Andrew Jackson Montague. Montague and his friends, which included Governor J. Hoge Tyler, were the impetus of a progressive reform movement which gained momentum in Virginia between 1898 and 1900. Proponents of the movement "aimed to protect the public from abuses by railroads and corporations, to ameliorate social ills and deficiencies, and to purify and democratize electoral processes."² The senatorial primary had been part of this attempt at reform, a veritable crusade which included a campaign to end black suffrage. Since this could

¹. "Conference on Bill as Passed," Richmond Daily Times, 3 March 1906, 7.

². William Larsen, Montague of Virginia: The Making of a Southern Progressive. (Louisiana State University Press, 1965), 70, 71.

only be accomplished by constitutional revision, the calling of a constitutional convention became another target of the progressives.³

Senator Wickham's diversionary tactics may have been an attempt at covering the tracks of Senator Thomas Martin, whose bid for reelection in the fall of 1899 would be challenged by the young progressives, or "Independents," who had begun to formulate strategy for Martin's defeat in January 1899. Despite their good intentions, the Independents failed to draft a candidate early enough to defeat the nomination of Martin by the state Democratic Committee. The Independents' candidate, Governor J. Hoge Tyler, described as "a man of rather limited ability," had no use for Martin or for corrupt elections. Despite this, Tyler "had not earned membership in the coterie of emerging progressive leaders."⁴ He could not garner the legislative support enjoyed by Senator Martin. Tyler refused to "finance his followers," a practice used by Senator Martin in building up "corporate assistance" and "numerous personal loyalties" over a period of several years. Senator William Hodges Mann of Nottoway was among those who had profited from the backing of Martin. Mann's opponent had clearly won the election as state senator. In the official count, however, Mann was credited with 1600 votes, while only eight votes were attributed to his opponent. After Mann's election had been confirmed, "the poll books were stolen."⁵

³. Ibid., 82.

⁴. Ibid., 79.

⁵. Ibid., 81.

In September 1899 Henry Wickham appeared at Hanover Courthouse to deliver a speech in support of the nomination of his friend, Thomas Martin, whom Wickham hailed as a "good Democrat, faithful Senator, and successful leader." Wickham reiterated his belief in the Democratic Party as "the sole means designed by Providence for the maintenance and preservation of law and order here -- nay, of civilization itself here in Virginia and in the South."⁶ Wickham reminded his listeners that it was the "supremacy of the Democratic Party alone which compels peace here." Apparently Wickham viewed the proposed senatorial primary as a threat to the established order, for he urged his audience to "discountenance all efforts to disintegrate and disrupt" the Party.⁷

Martin's victory was accompanied by Wickham's election, by acclamation, to represent Virginia's thirty-fourth senatorial district. Wickham's home had been located in the "slashes" of Hanover County. Slashes, or breaks in the forest, had been created by settlement of the area early in the eighteenth century. Henry Clay had lived in this vicinity, and had become known as the "mill boy of the slashes." Because of Wickham's eloquent 1898 speech about those who "followed the plow," Judge T. N. Welch of Caroline County had dubbed Wickham "Plowboy of the Slashes" during Wickham's brief campaign in September 1899. The "plowboy" theme was taken up by fellow senators,

⁶. Speeches of HTW, Box 31, Wickham Papers, Virginia Historical Society.

⁷. Ibid.

who had a plaque made for Wickham, on which the senator was portrayed walking barefoot behind a plow.⁸

As he resumed his position as president pro tem of the Senate in January 1900, Henry Wickham had no reason to feel that his political horizon would ever darken. He had the support of his colleagues, of his party, and, it seemed, of the people of Virginia. Wickham's loyalty to the Confederacy, to Virginia's honor, and to the Chesapeake and Ohio Railway remained firm, and during the first week of January he proposed legislation on behalf of two of his "causes." In one measure, Wickham sought relief for one Sarah A. Pary, the widow of a Confederate soldier. Another bill introduced by the senator would bring changes in the structure of the common stock available to stockholders of the Chesapeake and Ohio.⁹

While Senator Wickham had helped to stymie attempts at calling a constitutional convention prior to 1899, many senators elected in that year had been put in office because they supported revisions to a document which had been "forced upon the people by a crowd of negroes led by a gang of carpetbaggers."¹⁰ Carter Glass, who had been elected from Lynchburg and Campbell County, was "in favor of war" unless changes

⁸. Statement, Lois W. Wickham

⁹. Richmond Daily Times, 4 January 1900, 5.
"Bills Affecting Railroad Stock," Richmond Daily Times,
7 January 1900, 7.

¹⁰. Statement of Senator Hal Flood, "A Warm Debate in the Senate," Richmond Daily Times, 22 February 1900, 6.

could be made in the Underwood Constitution.¹¹ Wickham's stance on the calling of a constitutional convention had not changed when talk on that subject created the "warmest discussion" of the session on 21 February 1900. Four years earlier, the statewide Democratic majority had dropped from 56,000 to less than 20,000, primarily in the Valley and in Southwest Virginia, where counties which had been Democratic strongholds gave allegiance to the Republicans.¹² As always, Senator Wickham was concerned about the stability of the Democratic Party. In an appeal to the love of the "white people of Virginia" for a sense of fair play, Wickham disputed a technicality in a constitutional convention bill which had won support in both houses of the legislature.

The measure, sponsored by Senator Hal Flood, called for a vote of the people at the May election in 1900.¹³ As originally approved by the Democratic caucus, Senator Flood's proposal called for ballots used in the referendum to be printed with the words "against convention" as well as "for convention." When the bill came out of committee, the phrase "against convention" had disappeared. Voters would simply turn in a ballot marked "for convention." Senator Wickham decried this as "unfair dealing" which would be resented by the white people of Virginia. Furthermore, as he saw it, a convention held under such a vote would require "explanations down the corridors of time." A

¹¹. "Lively Debate in the Senate," Richmond Daily Times, 27 January 1900, 7.

¹². "A Warm Debate in the Senate," Richmond Daily Times, 22 February 1900, 6.

¹³. "Democrats to Meet in Caucus," Richmond Daily Times, 1 February 1900, 5.

colleague suggested that anyone opposed to the convention had the right to strike out "for convention" and thereby cast a negative vote. Wickham felt that unless the law granting this right was printed on the ballot, the entire process would be unfair. He offered an amendment to return "against convention" to Flood's proposal. Under Wickham's amendment, all unmarked ballots would register a vote against a convention. Under Senator Flood's amended bill, all unmarked ballots would be counted in favor of a convention. Senator Keezell of Rockingham was among those who favored Wickham's amendment, since he felt Valley residents would not support the convention if the vote taken for it had been unethical. Senator Gardiner Tyler of Charles City made an "eloquent address" in opposition to Wickham's idea. Senators Munford and Barksdale belittled Flood's amended bill as a "trick to deceive the voters," at a time when the stability of the Democratic Party would be undermined by such devices to "arouse ammunition for the Democratic adversary." Wickham's amendment was rejected by a tie vote. The committee's proposal won by three votes. Senator Wickham had voted in the affirmative so that he could move for a reconsideration. This provoked a shouting match, in which senators debated the real intention of the Democratic caucus.¹⁴ The matter was passed by until Thursday, 22 February, when Senator Opie stated his opinion that even "the most illiterate men" could mark through a single line in opposition to a convention. Two lines, on the other hand, might create confusion. Wickham considered

¹⁴. "A Warm Debate in the Senate," Richmond Daily Times, 22 February 1900, 6.

the "one line" approach unconstitutional, especially since he believed this method would bring criticism to the Democratic Party. The Senate ultimately adopted a motion, made by Senator Keezell, to have the words "for constitutional convention" printed "at least one inch from any other printing." Twenty-three senators voted in favor of Senator Keezell's resolution. Several senators abstained, leaving only eleven negative votes. Senator Wickham's filibustering had only delayed an inevitable outcome.¹⁵ Most senators seemed confident that there would be a constitutional convention.

In January 1900 a capitation tax, or poll tax, bill had been debated and approved by the Senate. In February, however, the decision was made to defer this measure "to the constitutional convention."¹⁶ Senator Wickham's campaign about ballot design had been preceded by a speech on pure elections delivered by Senator Barksdale on 16 February. For more than a week Virginians had crowded the capitol in hopes of hearing Barksdale deliver what was to be "the speech of his life" on the corrupt use of money in elections. A hush fell over the Senate chamber when Barksdale stood to speak. Listeners, "packed about the door as thick as sardines in a box," heard the Halifax native refer to their times as "an age of corruption," in which corporations rode "roughshod over the people" and used bribery to control elections. Senator Barksdale stated his opinion that the Democratic Party had suffered because of this corruption, and that the

¹⁵. "The Convention," Richmond Daily Times, 23 February 1900, 5.

¹⁶. "Was Passed by a Close Vote; Capitation Tax Act Lost," Richmond Daily Times, 3 February 1900, 6.

time had come for elections in Virginia to be "as pure as a vestal virgin."¹⁷ Barksdale's bill had been reported unfavorably by the Committee for Privileges and Elections. His act for pure elections was sent back to that committee on 22 February by legislators who wished to submit this question to the discernment of those elected to revise the Virginia constitution.¹⁸

While legislators seemed content to cast most burdens upon the constitutional convention, definite opinions were expressed about jimcrow legislation which appeared in 1900. A "separate coach" bill sponsored by Senator John Epps to require all railroads operating in Virginia to provide separate coaches for white and black passengers, was reported on favorably in January. Segregation laws had slowly evolved in Virginia after Reconstruction. Black people, with whom whites had lived in harmony since the Civil War, had suddenly become anathema, economically and politically. The opinion of most white Virginians on jimcrow laws was aptly stated by a resident of Culpeper Courthouse, who opined, "that a foul-smelling African, of low and vicious tastes, male or female, should be allowed anywhere equality with the whites, is simply absurd and antagonistic

¹⁷. "Barksdale on Election Bill," Richmond Daily Times, 17 February 1900, 5.

¹⁸. "Election Bill is Recommitted," Richmond Daily Times, 23 February 1900, 5.

to refinement."¹⁹ The "Epps Car Bill" was approved by the Senate on 17 January, "without amendment and by a unanimous vote."²⁰

A constitutional convention bill passed both houses of the legislature in March 1900. By a margin of 17,000 votes, the people of Virginia decided in May of that year that, indeed, a constitutional convention would be called.²¹ Whether he liked it or not, Henry Wickham was to become engulfed by changing attitudes. This should have been clear when Andrew Jackson Montague announced his candidacy for Governor of Virginia in January 1900. The Democratic caucus would offer Wickham an alternative to public reprisal by asking him to run for Congress on the Democratic ticket in 1900. Wickham would decline this offer, insisting that his service as a state senator had been an honor sufficient enough.²²

By March 1901 well-known lawyers from around the state had begun jockeying for election to the constitutional convention. Hill Carter was favored for the convention by the people of Hanover County. Carter, a relative of Henry Wickham, was one of the

¹⁹. "Want Jim Crow Bill," Richmond Daily Times, 17 January 1900, 4.

²⁰. "Epps' Car Bill Was Passed," Richmond Daily Times, 18 January 1900, 7.

²¹. William Larsen, Montague of Virginia: The Making of a Southern Progressive. (Louisiana State University Press, 1965), 85.

Norman Beasley and Rixey Smith, Carter Glass: A Biography. (New York and Toronto: Longmans, Green, and Company, 1939), 86.

²². Carter Glass, 88.

Clipping, in Scrapbook III, 59. (Wickham Family Papers, Virginia Historical Society, Richmond, Virginia).

best-known lawyers in Virginia.²³ Wickham's distant relative, Allen Caperton Braxton, a Staunton attorney, would chair the convention's committee on corporations. Unlike Wickham, Braxton had known poverty after the Civil War. Braxton's father, an impoverished ex-Confederate Army surgeon, depended on a small farm and a rural medical practice for his income. Braxton had put himself through the University of Virginia law school by working as a railroad brakeman. Braxton had no quarrel with the railroads, but he opposed the railroads' "unlimited economic influence."²⁴ Caperton Braxton also disliked machine politics, and he was among many who came to the convention to end black suffrage, a tool by which the Democratic machine had tightened its control on elections. Without black votes to be "bought," or abused, elections would become less corrupt.

While members of the constitutional convention labored in the record-breaking heat which gripped Richmond in July 1901, preparations were being made for legislative elections in the autumn. Henry Wickham, again unopposed for the Senate, was hailed a "holdover." Hal Flood, a "lieutenant" of Thomas Martin, had been elected to the

²³. "A Lull in Politics," Richmond Dispatch, 2 March 1901, 5.
 "The Convention Being Widely Discussed in Virginia,"
Ibid., 3 March 1901, 22.

²⁴. "Allen Caperton Braxton," a sketch in Southwest Virginia and the Valley. (Roanoke: A. D. Smith and Company, 1892), 70.
 Statements of Mr. Braxton's niece, the late Miss Virginia Holt, Richmond, Virginia.

Robert S. Montjoy and Laurence J. O'Toole, Jr., Regulatory Decision Making: The Virginia State Corporation Commission. (Charlottesville, Virginia: University Press of Virginia, 1984), 40.

United States House of Representatives. Wickham and other legislators who convened at the capitol in December would sit through five sessions, for a total of 325 days. A new constitution for the state of Virginia would be proclaimed by the constitutional convention on 6 June 1902.²⁵ As legislators worked to adjust the Virginia Code to this new document, the 1902 legislative session rolled on until midnight on 12 January 1904, when a new law required the legislature to adjourn and reconvene at noon on the next day, to begin the session of 1904.²⁶

Henry Wickham had been absent only once during this long session. His older son, Williams Carter Wickham, had received an appointment to the United States Naval Academy. On 1 January 1904 Senator Wickham was granted a three-day leave of absence so that he could accompany his son to Annapolis. Wickham was unanimously re-elected president pro tem of the Senate on 13 January 1904.²⁷

The work of the long session of 1902-1904 was described by a newsman as filled with "code revisions, appropriations to expositions, exhaustive, but fruitless discussion of oyster legislation, several appropriations for monuments and statuary," but with "little

²⁵. Regulatory Decision Making, 39.

²⁶. "Its Last Day to Be Busy," Richmond Daily Times, 12 January 1904.

²⁷. "Our Law-makers are Here Again," Richmond Times-Dispatch, 14 January 1904, 2.
Journal of the Senate of the Commonwealth of Virginia, 1902-1904. (Richmond: Superintendent of Public Printing, 1904), 1161.

new legislation."²⁸ Henry Wickham, always mindful of state expenses, must have grimaced when it was reported that the constitutional convention and the extended legislature had cost the state \$500,000.²⁹ During all this expensive, sometimes "fruitless" deliberation, Senator Wickham, a strong debater, with "a comprehensive grasp upon public questions," did not remain silent.³⁰

In December 1901, for instance, Wickham appealed to farmers by offering legislation to prohibit the sale of corn meal as "Virginia" meal, if the corn had been grown outside the state. Such "outside" corn, if ground in Virginia and sold as a state product, would eventually deprive black farm laborers of a livelihood. Wickham, always a "farmer above a lawyer," depended on his employees "to till the land to support his wife and children," and he did not want his help to leave Virginia.³¹

In January 1902 Senator Wickham worked for the appropriation of pensions for Confederate soldiers. An earlier act of the legislature had provided "relief" for disabled veterans or for Confederate widows. The new bill would provide pensions for reasons of disease or old age to those without adequate incomes, and would require the Senate to increase its appropriation from \$135,000 to \$300,000. Senator Wickham heartily

²⁸. "Its Last Day to Be Busy," Richmond Times-Dispatch, 12 January 1904.

²⁹. Ibid.

³⁰. Clippings from Scrapbook III, 59. Wickham Family Papers, Virginia Historical Society.

³¹. "Virginia-Ground Meal," Richmond Dispatch, 20 December 1901, from Scrapbook III, 70.

supported this increase, even if it meant "an increase in the rate of taxation."³² In March 1902 a lobby of 150 women descended on the Senate to request an appropriation for the care of Confederate cemeteries. Wickham, who regarded General Lee as "the greatest man America" had produced, rarely failed the Confederacy, and even the remote Huguenot Springs Cemetery, in Powhatan County, received a grant from state coffers.³³ In such matters Senator Wickham was no doubt influenced by forty survivors of the eighty-one men of the "Hanover Troop," led by Wickham's father during the Civil War.

The Jamestown Exposition, the 300th anniversary of the first permanent English settlement in America, had its inception in the "long legislature." Norfolk had been chosen as the exposition site, however funding had not been settled by January 1903, when the subject produced another of Wickham's "warm debates." Senator Wickham opposed spending \$200,000 "to reclaim a marsh at Norfolk." Wickham was concerned that, after state development of the area, the site "might eventually pass into the hands of private individuals."³⁴ The "Jamestown Fight," a series of debates on the exposition, was led in the Senate by Wickham, who protested that Virginia was "powerless" to conduct an exposition "of the magnitude contemplated," without help from Congress.

³². Clipping from Bedford Democrat, 9 January 1902, Scrapbook III, 71.

³³. Ibid.
Clipping, Richmond Times-Dispatch, 5 March 1902.
(Scrapbook III, 71).

³⁴. "Warm Debate in Upper House," Richmond Daily Times, 8 January 1903.

Wickham urged his colleagues to be "practical if we cannot be logical," and expressed his desire to safeguard the interests of Virginia.³⁵ Wickham's harangues fell on deaf ears, and not one of the amendments he proposed to the original text of the "Jamestown" bill received attention. Appropriations to the exposition were duly authorized, and in March 1904 a delegation led by Fitzhugh Lee and the Honorable J. Taylor Ellyson appeared before the House Committee on Industrial Arts and Expositions in Washington, to request a grant for the Jamestown project. The House Committee allotted two million dollars, a sum which put Wickham's fears at rest and made possible the proper portrayal of the "natural and material resources and the commercial and industrial development" of the state of Virginia.³⁶

The election held in Virginia on 3 November 1903 was the first state election under the new constitution. Throughout the state, Democrats carried all senatorial districts where elections were held. Henry Wickham ran without opposition. In his native Hanover County, the election was "quiet and the vote polled was not a large one." Framers of the new constitution had decided early on to "forever remove the negro as a factor in political affairs." The inability of most blacks to pay the new poll tax struck home in Hanover, where Mitchell Washington, a black Baptist preacher and long-time

³⁵. "Jamestown Fight Opened," Richmond Times Dispatch, 22 April 1903, 9.

³⁶. *Ibid.*;
"Jamestown to Get Two Millions," Richmond Times Dispatch, 29 March 1904.

justice of the peace, lost his office "by a large majority." In the future, "old Hanover" would have only white officers.³⁷

Removal of black suffrage had been second only to the regulation of the railroads in the minds of the lawyers who wrote the Constitution of 1902. As chairman of the constitutional convention's committee on corporations, Allen Caperton Braxton had written two articles which provided for the State Corporation Commission, a body of three men who would replace the state railroad commissioner and the Board of Public Works. The new commission would act as a court of justice in chartering corporations, in administering corporation laws, in regulating the rates and services of railroads and "other transportation and transmission companies," and in assessing the property of railroad and canal companies for tax purposes.³⁸ No other state commission in the United States would have as many significant duties as the Virginia State Corporation Commission, implemented by Governor Montague to "hold the scales of justice with a steady hand between the corporate interests and the rights of the people."³⁹ Montague's

³⁷. "Election Today in Virginia," Richmond Times-Dispatch, 3 November 1903, 1; "Democrats Sweep State," Ibid., 4 November 1903, 3.

"No White Man to Lose His Vote in Virginia," Richmond Daily Times, 18 October 1901, 1.

³⁸. Robert S. Montjoy and Laurence J. O'Toole, Jr., Regulatory Decision Making: The Virginia State Corporation Commission. (Published for the Institute of Government, University of Virginia: University Press of Virginia, Charlottesville, 1984), 38.

³⁹. Ibid., 3.

"Governor Montague is Now Hard at Work," Richmond Daily Times, 7 November 1902, 7.

choices for the commission were Henry Fairfax, a Loudoun County railroad contractor; the Honorable Beverley T. Crump, a Richmond lawyer, and; the Honorable Henry C. Stuart, a Russell County cattleman. Both Fairfax and Stuart had been leaders in the constitutional convention, and had been "earnest advocates of the corporation article." The commission took charge of its duties on 1 March 1903.⁴⁰

To Henry Wickham, the nicest thing about the State Corporation Commission was that it would be supported by fees paid by businesses for mandatory registration with the commission.⁴¹ It is certain, given Wickham's chauvinism about railroads, that he despised such a regulatory body, however, no money would be taken from the state treasury for its operation. Wickham would realize that his long debates on railroad matters would prove futile. In May 1903 he opposed an attempt to make common carriers liable for freight shipped "over its own and connecting lines." Under existing laws, a shipper had no redress for loss of freight or for delays in the transmission of freight, especially if a "connecting line" was at fault. Wickham argued the constitutionality of a bill which would give a shipper "insurance for which he paid nothing." For Wickham's part, the passage of such a bill would be an injustice against the railroads. Wickham gained no ground, and the bill passed.⁴²

⁴⁰. "Commission is Settled Upon," Richmond Times Dispatch, 16 November 1902, 1, 6.

⁴¹. "The New Revenue Bill and the Sum it Yields," Richmond Times Dispatch, 12 April 1903.

⁴². "Common Carrier Measure is Passed," Richmond Times Dispatch, 15 May 1903, 1.

In December 1903 Senator Wickham was again nominated as chairman of the Senate Committee on Finance and Banks. Once again, he lashed out at legislation which would affect railroads. A bill for the relief of sick and disabled firemen had passed in the House of Delegates, and had come to the Senate for perusal. Wickham's criticism of the bill as paternalistic and as a precursor of a "pension system," sparked debate. He made the point that if firemen were to be pensioned, then so should brakemen and "many others who engaged in hazardous occupations." The bill lost by two votes.⁴³ In his years in the Senate, Henry Wickham's speeches had both infuriated and entertained his colleagues. In the midst of the last session in what had been a long haul, Wickham was to give his best performance.

A "capitol commission" had been appointed to investigate the renovation and enlargement of the state capitol. To this end the Finance Committee had appropriated \$100,000. On 9 December it was learned that an additional \$150,000 would be required for recommended alterations, which would include the addition of two wings. A bill to this effect, introduced in the Senate by Colonel George Wayne Anderson of Augusta, had been sent to the Finance Committee. This committee had met and had reported favorably on the bill for enlarging the capitol. Senator Wickham, chairman of the Finance Committee, had been sick when the meeting was called, and had not been briefed on the committee's proceedings. When the bill was reported on 11 December, Wickham felt

⁴³. "Fireman's Bill Fails," Richmond Times-Dispatch, 9 December 1903, 10.

his committee had made a hasty decision without consulting him, so he demanded to have the measure recommitted to the Finance Committee. Wickham felt that an additional appropriation of \$150,000 warranted careful consideration. He warned the Senate that the cost of "making new the capitol" would certainly exceed the architects' estimate. Furthermore, the Senate was about to terminate one session, and would immediately embark on another "wherein there would be large demands upon the treasury." Wickham wanted the bill recommitted so that he "could be heard" on the subject. Colonel Anderson assumed that Senator Wickham hoped to kill the measure entirely. When Wickham suggested a date for a new meeting, Colonel Anderson pushed for an earlier time. Senator Wickham felt that Colonel Anderson had been rude, and "with great spirit" he reminded the colonel that Henry Wickham "declined to be hurried or to have terms dictated to him."⁴⁴

Senator Wickham had snarled in "his most intense, emphatic, and even impassioned manner." His tone had been taken by Senator George Shackelford of Orange "to be in the nature of a lecture" to the committee. A nonplussed Shackelford acknowledged the bill had been reported in Wickham's absence, and, before he could say more, Wickham, with his "characteristic spirit," denied any intention to lecture the committee. He then submitted his resignation. After momentary silence, followed by "a period of activity approaching excitement," Senator Shackelford withdrew his

⁴⁴. "Dramatic Scenes in Senate Follow Misunderstanding," Richmond Times-Dispatch, 12 December 1903, 1; "How It Occurred," Ibid., 12 December 1903, 2.

statements. Senator Wickham realized he had been misunderstood, and he told the Senate that his action had not been "due to personal feeling or to any affront," but to the fact that for some time Wickham had felt out of step with the "prevailing sentiment in the Senate." Wickham then withdrew his motion to recommit the bill. He sat down at his desk and began to write his resignation as a state senator. Wickham's colleagues realized he was serious, so they all crowded around him and "remonstrated, persuaded, and sought in every way to induce the senator not to execute the radical step he had in contemplation." When Senator Opie told Wickham his resignation would be "a calamity to the state," Wickham gave in. He called Senator Shackelford to his desk, and the two "shook hands warmly." On the next day Colonel Anderson's bill was recommitted to the Finance Committee.⁴⁵

Wickham wasted no time in directing the attention of the Senate to a bill to appropriate \$10,000 for the erection of an equestrian statue in memory of General J. E. B. Stuart. The legislature had agreed in March 1903 to match funds raised by the Stuart Monument Association. The group had met this demand, and Senator Wickham wished the "statue of the cavalryman" to proceed.⁴⁶ In his own mind, Wickham must have seemed a behemoth. To his more progressive colleagues, he must have seemed a mammoth from another era. Or, perhaps no one really gave much thought to the subject.

⁴⁵. Ibid.

⁴⁶. "Vote May Be Today in Senate," Richmond Times-Dispatch, 17 December 1903, 1.

Lt. Governor Joseph Willard honored the Senate with dinner at the Westmoreland Club on the night of 22 December 1903. Senator Wickham served as toastmaster, and Governor Montague was among the dignitaries seated at Wickham's table. Senator Wickham "presided with a felicity" which impressed "even his admirers." Wickham proved "an ideal toastmaster," who "added much to the pleasure of the evening." Wickham first toasted Lt. Governor Willard, then the Commonwealth, the Supreme Court, the House of Delegates, and the Senate. He then pressed upon the Attorney General "The Effect Upon the Constitution of Eating, Drinking, and Being Merry."⁴⁷

Henry Wickham had much to be merry about as he escorted his son to Annapolis in January 1904. At the age of fifty-four, Wickham's only health problem had been a bad case of malaria contracted thirty years earlier. He had managed the Virginia treasury during the troubled 1890's, and for his services the Senate Finance Committee had recently given him a silver match box. Wickham's only sin against his native state was that during his young life he had smoked imported cigarettes. If his colleagues complained about him privately, Wickham enjoyed their full confidence on the Senate floor. There were people in Wickham's district, however, who were not prepared to deal with him so good-naturedly. Wickham would disappoint this group because of decisions made in 1906 and during railroad troubles in 1907. For the moment, his position was secure. In 1905 he was still hailed the "worthy son of a noble sire," and in September

⁴⁷. "Dinner to the Senate," Richmond Times Dispatch, 23 December 1903, 3.

of that year Wickham was named acting lieutenant-governor when Captain Joseph Willard resigned to accept a position on the State Corporation Commission. In this capacity, Senator Wickham opened the Senate on 10 January 1906.⁴⁸

The session of 1906 would be the first session in the renovated capitol. An hour before the legislature convened on 10 January, workmen still cluttered the Senate's new chamber. During the opening activity, Senator William Hodges Mann nominated Henry Wickham as president pro tem of the Senate. Though Wickham had been elected by acclamation, the event sparked "quite a little love feast, to which both parties contributed." This gave the Senator "renewed confidence," and Wickham thanked his comrades from the bottom of his heart.⁴⁹ One week later it was announced that Senator Wickham would chair the Committee on Finance and Banks, and that he would serve on the Committee for Roads and Internal Navigation.⁵⁰

The month of January 1906 brought the election of Thomas Martin to a third six-year term in the United States Senate. Henry Wickham nominated Martin in the Senate, and the Honorable Richard Evelyn Byrd of Winchester nominated Martin in the House of Delegates. Wickham gave a "strong and eloquent" speech in support of his friend, whose name, said Wickham, would "shine with equal splendor and undimmed, with those

⁴⁸. Clipping from Richmond Times Dispatch, 20 September 1905. (Scrapbook III, 100).

⁴⁹. "Mr. Wickham Chosen," Richmond Times Dispatch, 11 January 1906, 1.

⁵⁰. Richmond Times Dispatch, 17 January 1906, 2.

whose names already are carved on the last fair panel in the temple" of Virginia history. In his speech, Byrd praised Martin as one who was "not enthralled by ideas which have ceased to be vital forces." Byrd cited his disgust at seeing "good men clinging to theories which, except in an historical sense," were as dead "as the mummies of the Egyptian Pharaohs." Martin penned his gratitude to Wickham from Washington on 25 January. In a short letter, preserved in Wickham's papers, Martin thanked his friend for support which had been "such a pleasure, and such a strength," to Martin, "not only since, but before" his entry into politics.⁵¹ Four days after Martin's election, the Virginia Senate began preparations for the inaugural of Governor Claude A. Swanson, another Martin "lieutenant."⁵²

By all appearances, one would assume that, despite a new constitution designed to address all grievances, nothing had changed in the Virginia Senate. Indeed, the first bill to be passed in the Senate "in regular order" in January 1906 was another of Senator Wickham's "Confederate" bills, which would allot "small sums of money from the public treasury" to help Virginia's Confederate memorial associations care for the graves "of the Southern dead." In an "impassioned" speech, Wickham defended the "constitutionality"

⁵¹. "Martin Named to Succeed Himself," Richmond Times Dispatch, 24 January 1906, 1, 7.

Letter, Thomas S. Martin, Washington, D. C., to the Hon. H. T. Wickham, 25 January 1906. (Scrapbook IV, 5).

⁵². "Inaugural is Week's Feature," Richmond Times Dispatch, 28 January 1906, A-6.

of the measure and "assailed its opponents." The bill was ordered to its engrossment without opposition.⁵³

In a similar vein, Senator Alsen Franklin Thomas of Lynchburg renewed railroad grievances by citing the inequity of railroad taxation. Thomas reported the value of railroad property used for transportation in Virginia at \$211,315,000. For tax purposes, however, the roads were assessed at only \$63,269,623, a figure less than a quarter of their actual value. Thomas demanded to know why the balance was not "made to bear its part of the public burdens."⁵⁴ In the past, such questions had been dismissed to a committee. By 1906 the people of Virginia had as their ally the State Corporation Commission, created four years earlier to respond to the "perceived abuses of monopolistic power by the railroad industry," and to "control the excessive and political power" of the railroads.⁵⁵ While Senator Thomas' query would go unanswered, the tide had changed in the public's favor. The Virginia Supreme Court of Appeals had recently delivered a landmark decision in a case involving the Chesapeake and Ohio Railway. The C. and O.'s Eagle Mountain Station had been destroyed by fire in February 1904. The contents of three trunks owned by Beasley, Couch, and Company had burned up with the depot. The C. and O. had refused to assume responsibility for the trunks, and had won in the lower courts. The appellate judges ruled that "a railroad

⁵³. "Death Sentence Striken Out," Richmond Times Dispatch, 31 January 1906, 3.

⁵⁴. Richmond Times Dispatch, 17 January 1906, 2.

⁵⁵. Regulatory Decision Making, 33, 55.

company is an insurer of the goods it undertakes to carry for hire, and from its duty to deliver them safely can only be exonerated by the act of God or of a public enemy."⁵⁶

Railroads would henceforth assume liability for a passenger's baggage.

Railroad leaders were quick to respond to negative public sentiment aroused by this case. The House Committee on Roads would devote "three strenuous sessions" to hearings on "various railroad measures." The Ould Bill, for instance, would prohibit the running of freight trains on Sundays. The presidents of four railroads with offices in Richmond appeared before the House Committee to stress the "friendly relations existing between the railroads" and the Commonwealth, and to allay rumors that the railroads wished "to infringe upon the rights of the people."⁵⁷

In 1906 the Virginia government operated at a deficit of \$285,000. As chairman of the Senate Finance Committee, Senator Wickham sought ways to pare government expenditures and to add revenue to the state treasury. For five years discussion had been given to a merger of the Washington and Southern Line of northern Virginia with the Richmond, Fredericksburg, and Potomac Railroad. The Washington and Southern was only thirty miles long, and, in general, it picked up where the R. F. and P. left off. A merger of the two roads would "introduce a prospect for a thorough reorganization of the R. F. and P.," whose 1834 charter had made it exempt from taxation. Under the new

⁵⁶. "Important Case for Railroads," Richmond Times Dispatch, 19 January 1906, 7.

⁵⁷. "Big Railroad Men are Heard," Richmond Times Dispatch, 3 February 1906, 10.

system, the railroad would pay \$50,000 per year in taxes. To effect this venture, Senator Wickham worked for the engrossment of four bills which were passed by the Senate on 22 February.⁵⁸

The Senate had much to do in a short while, since only sixty days had been allowed for a legislative session under the Constitution of 1902. Late in February, with only two weeks left, the Senate had under consideration "a half dozen important matters, each of which," it was said, would "provoke a fight."⁵⁹ No bill was of greater popular interest than the measure, introduced by Judge William Hodges Mann of Nottoway, to amend what was known as the Mann Law, sponsored by the Nottoway senator in 1903. The Mann Law, the Virginia manifestation of "anti-saloon" sentiment, had brought the enforcement of "the laws against public vice," especially laws controlling the liquor traffic. Since its enactment, the Mann Law, which provided for local option in Virginia communities, had closed 500 saloons in the rural areas of the state. In cities and towns with less than 10,000 inhabitants, saloons had to be at least 200 feet from the nearest church or school. In 1898 the state revenue from liquor licenses had been \$265,460. In the same year, taxes on railroads had put a mere \$218,996 in the state treasury. Despite the reduction in state revenue from liquor licenses, the Mann Law had been "productive

⁵⁸. "To Discard Its Old Charter," Richmond Times Dispatch, 8 February 1906, 1, 9; "Unanimous for Railroad Bills," Ibid., 17 February 1906, 1; "Senate Passes RF & P Bills," Ibid., 23 February 1906, 3.

⁵⁹. "May Precipitate a Bitter Fight," Richmond Times Dispatch, 24 February 1906, 1.

of great good," and its author's next target was the "'fake' social" club. Because these clubs dispensed ardent spirits, Judge Mann felt they should pay "saloon" taxes and meet all restrictions imposed on "the sale of whiskey" in Virginia. These amendments affected "important and powerful" interests, and Mann's bill, Senate Bill No. 241, had met tremendous opposition.⁶⁰ The Senate Finance Committee had held two hearings on the measure, and had not reached a decision.

With such a short time left in the session, Judge Mann felt the "entire 'anti-saloon' movement" depended on the Senate's "prompt and vigorous action."⁶¹ If the Finance Committee didn't act soon, Mann threatened to withdraw his bill from the committee. On 23 February Senator Wickham advised Judge Mann that the Finance Committee, being "very much burdened with work," would probably not bring the matter to a vote before the end of the session. Within three days, Wickham had arranged for an evening session so that his committee could hold an "executive hearing" on Mann's bill. For the moment, Judge Mann was appeased.⁶² When Mann's proposal was killed "by a large majority" on 8 March, Henry Wickham, who had supported the Mann Law in 1903, was among thirteen senators who voted in favor of suspending the rules so that Mann's

⁶⁰. "Appropriation Bills for Two Years Compared, 1896 and 1897-98," from Scrapbook III, 40.

"Make All Clubs Pay Licenses," Richmond Times Dispatch, 5 February 1906, 8; "May Precipitate a Bitter Fight," Ibid., 24 February 1906, 1; "Judge Mann Moves Against Fake Clubs," Ibid., 7 February 1906, 8.

⁶¹. Times Dispatch, 24 February 1906, 1.

⁶². "Judge Mann Withdraws a Motion to Discharge Committee," Richmond Times Dispatch, 27 February 1906, 4.

legislation could be taken up out of its order. When this failed, Judge Mann asked for an extension of one week. This demand was also refused by the senators, to whom mention of the "Mann whiskey bill" brought an "electric shock" and "hurried notions to adjourn."⁶³

A legislative session, said to have been "one of the most crowded and stirring" in Virginia, came to its end on Saturday, 10 March 1906. The senators put in a long day, which began early and ended at 11:45 p.m. At the night session, "the senatorial precision was relaxed, and the body enjoyed an evening of rare fun." For most of the evening, the chamber of the Senate was filled with laughter.⁶⁴

In their frivolity at the close of an exacting term, Henry Wickham and his "railroad" colleagues overlooked one caveat to their future happiness. On 7 March the Senate had passed the Churchman Rate Bill, introduced in the House of Delegates by the Hon. John Churchman of Augusta. By this measure, a rate of two cents per mile would be established for long-distance passengers on Virginia's railroads. Captain Camn Patterson of Buckingham had decried this measure as "not in the interest of farmers." Patterson had admonished the legislature by saying that the state must be able to control the railroads, or the railroads would "control the state." Senator M. J. Fulton of Warren believed the people of Virginia had supported the Churchman measure. To this Senator

⁶³. "The Senate," Richmond Times Dispatch, 7 March 1906, 2.

⁶⁴. "A Remarkable Session Ends," Richmond Times Dispatch, 10 March 1906, 2; "Vast Amount of Work Was Done," Ibid., 11 March 1906, 1; "Love Feast in Senate Chamber," Ibid., 8.

Wickham had made a "vigorous reply," and had suggested that instead of being good "for the Commonwealth as a whole," the Churchman Rate Bill represented a struggle between local merchants and a group known as the Travelers Protective Association, a national organization which fought abuse in the country's growing transportation network. In another opinion, Major Rison of Pittsylvania saw the bill as "the cry of relief coming from the people of Virginia," in the exercise of their right "to prescribe and define the public duties of all common carriers and public service corporations." Wickham voted against the bill, and for the first time in his career, he was in the minority on legislation affecting railroads.⁶⁵

In keeping with the Churchman Bill, the State Corporation Commission announced in the spring of 1907 that on 1 July of that year a two-cent charge would be established for passengers travelling any distance on the Southern Railway, the Chesapeake and Ohio Railway, and on the Norfolk and Western, the Seaboard Airline, the New York, Philadelphia, and Norfolk, and on the Richmond, Fredericksburg, and Potomac Railroads. In no time officers of the Southern Railway issued an injunction and a restraining order against the clerk and members of the State Corporation Commission. In May, representatives of five of the railroads held a secret conference in Washington.

⁶⁵. "Will Hardly Amend the Mann Law," Richmond Times Dispatch, 8 March 1906, 3.

When approached by the press, Chesapeake and Ohio president George Stevens refused to comment until he had "conferred with Mr. Wickham, the solicitor of the company."⁶⁶

"Mr. Wickham." There it was in black and white. At a time when demand for a lower train fare was almost universal, "Mr. Wickham" served as the legal representative of a railroad which, as late as 1907, offered the people of Richmond no connection between their city and the educational centers, the farmers, or the merchants in the Valley of Virginia.⁶⁷ Despite its shortcomings in this area, the Chesapeake and Ohio added 800 miles to its road when it merged its Kentucky lines under one charter in May 1907. At that time the company announced the completion of a new coal pier in Newport News. In the following summer work would begin on a new freight depot in Richmond. And, the Chesapeake and Ohio announced its purchase of the steamer "Callahan," with a capacity of 2500 passengers, for use as a "ferry-boat between Newport News and Sewell's Point" and the docks of the Jamestown Exposition.⁶⁸

For as long as Henry Wickham had been in the Virginia Senate he had been a servant of the Chesapeake and Ohio Railway. His constituents had always known this, yet Wickham's "politics" had been tolerated because no one else possessed the senator's

⁶⁶. "Stevens Not Ready to Talk," Richmond Times Dispatch, 3 May 1907, 1; "Seaboard Airline May Accept Rate," Ibid., 7 May 1901, 1; "Commission is Halted by Court," Ibid., 9 May 1907, 1.

⁶⁷. "All Railroads to Share in Contest," Richmond Times Dispatch, 4 May 1907, 3.

⁶⁸. "800 Miles Added to C & O Road," Richmond Times Dispatch, 12 May 1907, 12.

knowledge of public affairs. By the late 1890's critics had dubbed the senator "C and O" Wickham, yet few could resist the "bonhomie" of the affable attorney.

Henry Wickham occupied an enviable position as a corporate lawyer. As one of two trustees responsible for keeping the Chesapeake and Ohio Railway in a solvent status, Wickham shouldered enormous responsibility. Understandably, the railroad had to become Wickham's top priority, and not even his strongest critic would have traded places with him. On the other hand, the Churchman Rate Bill had been the first measure passed in twenty years for the direct relief of the people. And, Wickham had not considered it necessary.

If Wickham's constituents had been looking for a way to oust him as the November 1907 elections approached, his stance on the Churchman Bill certainly gave them ground. For the first time since 1891, Caroline County produced an opponent to Wickham, in the person of Dr. Charles Urquhart Gravatt of Port Royal. Dr. Gravatt had retired as a surgeon in the United States Navy. His receipt of a federal pension challenged his candidacy, but this technicality was bypassed. Dr. Gravatt was strongly supported by Dr. William Edward Dodd, a young history professor at Randolph Macon College in Ashland. Dodd villified Wickham in an article written for the Hanover Herald, in which the professor pointed to Wickham's vote against the Churchman Bill as a prime example of a highly-paid railroad official's lack of empathy for the interests of an agricultural county. Dr. Dodd made a strong appeal to the people of Hanover to select a senator who would serve the people, and not the corporations. The professor's

words carried even more meaning when the press compared Wickham's princely railroad salary of \$20,000 per year to the "few hundred dollars" Wickham received as a senator.⁶⁹

Henry Wickham's defeat on 5 November 1907 surprised no one. The vote had been light, and election-watchers were more interested in the races of William Hodges Mann of Nottoway and George B., "Barney," Keezell of Rockingham.⁷⁰ For the next sixteen years, Dr. Charles Gravatt would occupy the state senate seat held for twenty-four years by Brigadier General Williams Carter Wickham and his eldest offspring, Henry Taylor Wickham of "Hickory Hill."

⁶⁹. Clipping from Hanover Herald, 15 March 1907. (Scrapbook IV, 13); Clipping from Scrapbook IV, 47; "Great Fight in Senatorship," Richmond Times Dispatch, 7 June 1907. (Scrapbook IV, 25).

⁷⁰. "State Swept By the Democrats," Richmond Times Dispatch, 6 November 1907, 1.

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The author spent eleven years working in the business community of Richmond, Virginia. For six years he worked at the Miller and Rhoads department store while he researched the background of his neighborhood, Old Church, in Hanover County. Old Church had been in the path of invading armies during the Civil War. The author's research resulted in a book, On Deep Water, privately printed in 1983. The book entered a second printing in 1984.

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