

No. 11-1405

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA
CHARLESTON

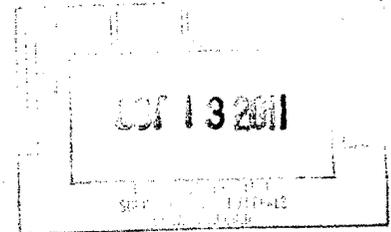
STATE OF WEST VIRGINIA ex rel.
THORNTON COOPER,

Petitioner,

v.

Honorable NATALIE E. TENNANT,
Secretary of State of the State of
West Virginia,

Respondent.



APPENDIX TO

PETITION FOR WRIT OF MANDAMUS

THORNTON COOPER
Petitioner

Pro Se

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October 13, 2011

CERTIFICATE OF ACCURACY OF APPENDIX CONTENTS.

I, **Thornton Cooper**, the **Petitioner** herein, do, on this 13th day of October, 2011, hereby **certify**, pursuant to the provisions of Rule 7(c)(2) and Rule 16(e) of the *Revised Rules of Appellate Procedure*, that the **contents** of this **Appendix** are, to the best of my knowledge and belief, accurate copies of the items that I have described in the **Petition for Writ of Mandamus** to which this **Appendix** is appended and in the **Table of Contents** of this **Appendix**.

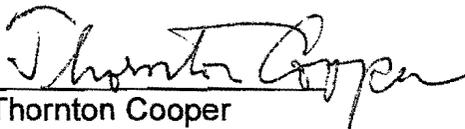

Thornton Cooper

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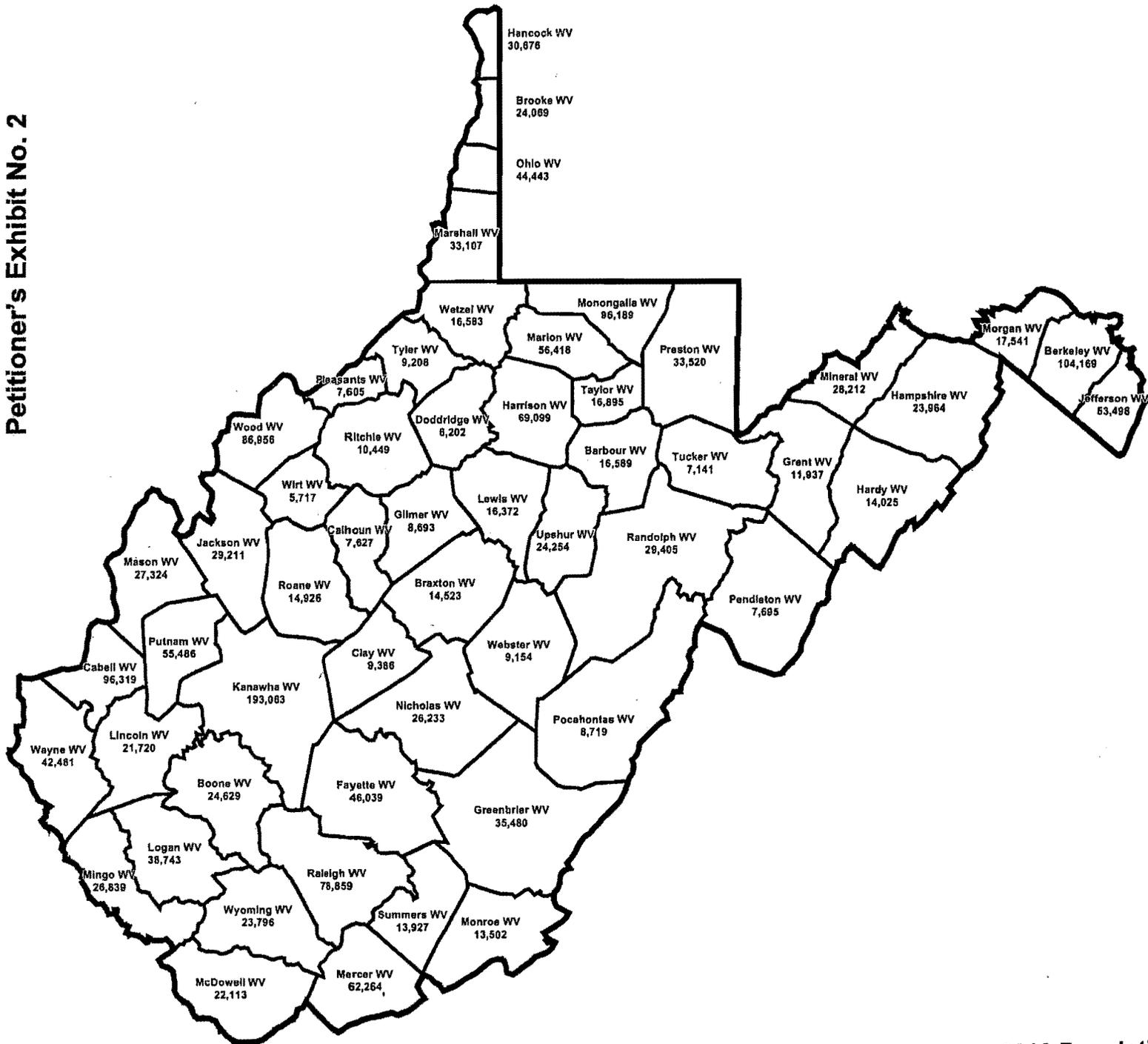
PETITIONER’S EXHIBIT NO. 17: Copy of portions of the transcripts of proceedings in Wheeling at the First Constitutional Convention of West Virginia, including those held on December 17, 1861, January 10, 11, and 15, 1862, and February 7, 1862, as well as most of the text of the 1863 *Constitution.*, from Volumes I, II, and III of *DEBATES AND PROCEEDINGS OF THE FIRST CONSTITUTIONAL CONVENTION OF WEST VIRGINIA* (Charles H. Ambler, Frances Haney Atwood, and William B. Matthews, eds.) 466-497

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Petitioner's Exhibit No. 2



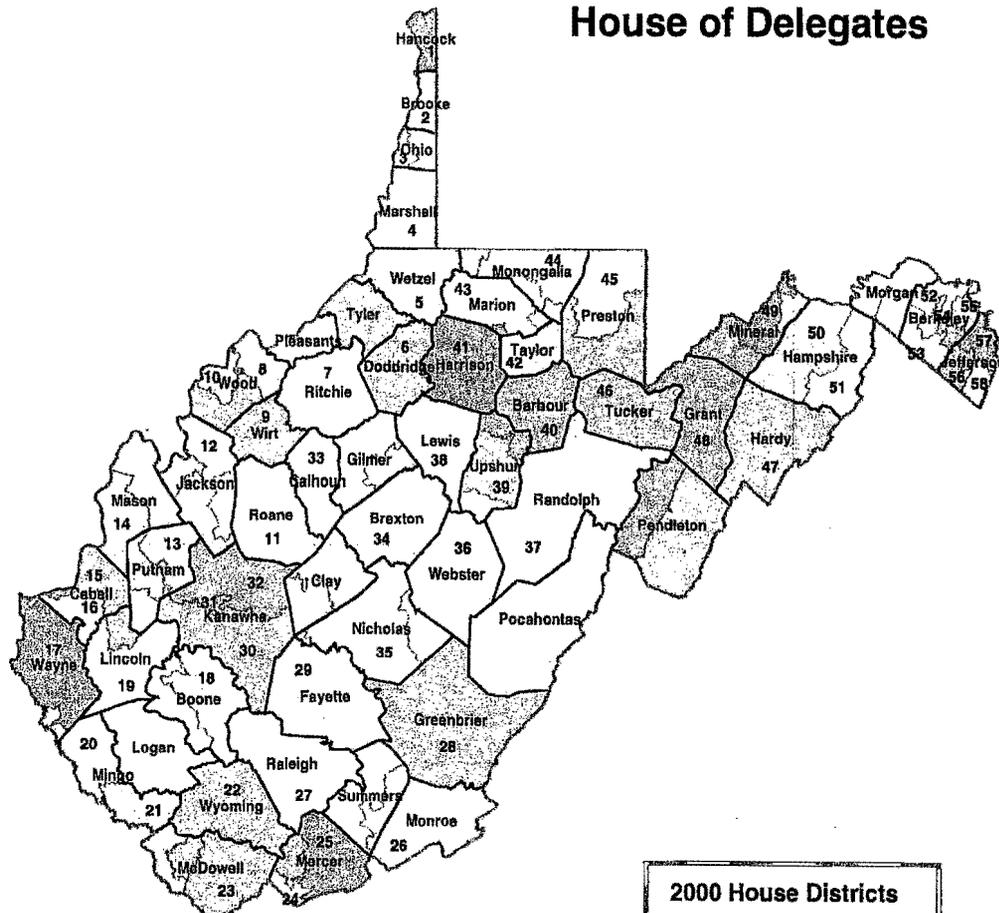
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Delegates

Petitioner's Exhibit No. 3

- District 1 - Ronnie D. Jones and Randy Swartzmiller
- District 2 - Timothy Ennis and Roy Givens
- District 3 - Ryan Ferns and Erikka Storch
- District 4 - Michael T. Ferro and Scott G. Varner
- District 5 - Dave Pethiel
- District 6 - Roger Romine
- District 7 - Lynwood "Woody" Ireland
- District 8 - Everette W. "Bill" Anderson Jr.
- District 9 - Larry Border
- District 10 - Thomas A. Azinger, John Ellem, and Daniel Poling
- District 11 - Bob Ashley
- District 12 - Mitch B. Carmichael
- District 13 - Dale F. Martin and Brady R. Paxton
- District 14 - Troy Andes and Brian Savilla
- District 15 - Kevin J. Craig, Carol Miller and James H. Morgan
- District 16 - Doug Reynolds, Kelli Sobonya and Dale Stephens
- District 17 - Don C. Perdue and Richard Thompson
- District 18 - Larry W. Baker
- District 19 - Greg Butcher, Rupert Phillips Jr., Ralph Rodighiero, and Josh Stowers
- District 20 - K. Steven Komisar
- District 21 - Harry Keith White
- District 22 - Daniel J. Hall and Linda Goode Phillips
- District 23 - Cliff Moore
- District 24 - Marty Gearheart
- District 25 - John R. Frazier and Joe Ellington
- District 26 - Gerald L. Crosier
- District 27 - Virginia Mahan, Ricky Moye, Linda Sumner, John D. O'Neal IV and Rick Snuffer
- District 28 - Thomas W. Campbell and Denney Ray Canterbury Jr.
- District 29 - David G. Perry, John Pino, and Margaret Anne Staggers
- District 30 - Bonnie Brown, Nancy Peoples Guthrie, Barbara Hatfield, Mark Hunt, Doug Skaff Jr., Eric Nelson and Danny Wells
- District 31 - Meshea L. Poore
- District 32 - Tim Armstead, Patrick Lane. and Ronald N. Walters
- District 33 - David Walker
- District 34 - L. Brent Boggs
- District 35 - Harold Sigler
- District 36 - Joe Talbott
- District 37 - William G. Hartman and Denise L. Campbell
- District 38 - Margaret Donaldson Smith
- District 39 - Bill Hamilton
- District 40 - Mary M. Poling
- District 41 - Samuel J. Cann, Ron Fragale, Richard J. Iaquina, and Tim Miley
- District 42 - Mike Manypenny
- District 43 - Mike Caputo, Linda Longstreth and Timothy J. Manchin
- District 44 - Barbara Evans Fleischauer, Charlene Marshall Anthony Barill and Amanda Pasdon
- District 45 - Larry Allen Williams
- District 46 - Stan Shaver
- District 47 - Harold K. Michael
- District 48 - Allen V. Evans
- District 49 - Gary G. Howell
- District 50 - Ruth Rowan
- District 51 - Daryl E. Cowles
- District 52 - Larry D. Kump
- District 53 - Jonathan Miller
- District 54 - Walter E. Duke
- District 55 - John Overington
- District 56 - Eric L. Householder
- District 57 - John Doyle
- District 58 - Tiffany Elizabeth Lawrence

West Virginia House of Delegates



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Petitioner's Exhibit No. 4

Senate District	2010 Census	2000 Census	Change
1	95,975	101536	-5,561
2	101,327	106035	-4,708
3	109,227	110713	-1,486
4	117,998	111652	6,346
5	103,358	104316	-958
6	93,502	101069	-7,567
7	99,397	101388	-1,991
8 and 17	193,063	200,073	-7,010
9	99,759	101722	-1,963
10	106,143	105747	396
11	108,768	111413	-2,645
12	108,687	107433	1,254
13	122,633	110979	11,654
14	121,969	111469	10,500
15	122,121	111344	10,777
16	149,067	111455	37,612
TOTAL	1,852,994	1808344	44,650

West Virginia State Senate Redistricting Task Force sites:

<http://www.legis.state.wv.us/redistricting.cfm>

<http://twitter.com/#!/WVSenRedistrict>

<http://www.facebook.com/pages/John-Unger-WV-Senate-Majority-Leader/165247063525788>

Petitioner's Exhibit No. 5

County	2010 Population	2000 Population	Population Difference	Percent Change
Barbour County	16,589	15,557	1,032	6.60%
Berkeley County	104,169	75,905	28,264	37.20%
Boone County	24,629	25,535	-906	-3.50%
Braxton County	14,523	14,702	-179	-1.20%
Brooke County	24,069	25,447	-1,378	-5.40%
Cabell County	96,319	96,784	-465	-0.50%
Calhoun County	7,627	7,582	45	0.60%
Clay County	9,386	10,330	-944	-9.10%
Doddridge County	8,202	7,403	799	10.80%
Fayette County	46,039	47,579	-1,540	-3.20%
Gilmer County	8,693	7,160	1,533	21.40%
Grant County	11,937	11,299	638	5.60%
Greenbrier County	35,480	34,453	1,027	3.00%
Hampshire County	23,964	20,203	3,761	18.60%
Hancock County	30,676	32,667	-1,991	-6.10%
Hardy County	14,025	12,669	1,356	10.70%
Harrison County	69,099	68,652	447	0.70%
Jackson County	29,211	28,000	1,211	4.30%
Jefferson County	53,498	42,190	11,308	26.80%
Kanawha County	193,063	200,073	-7,010	-3.50%
Lewis County	16,372	16,919	-547	-3.20%
Lincoln County	21,720	22,108	-388	-1.80%
Logan County	36,743	37,710	-967	-2.60%
McDowell County	22,113	27,329	-5,216	-19.10%
Marion County	56,418	56,598	-180	-0.30%
Marshall County	33,107	35,519	-2,412	-6.80%
Mason County	27,324	25,957	1,367	5.30%
Mercer County	62,264	62,980	-716	-1.10%
Mineral County	28,212	27,078	1,134	4.20%
Mingo County	26,839	28,253	-1,414	-5.00%
Monongalia County	96,189	81,866	14,323	17.50%
Monroe County	13,502	13,194	308	2.30%
Morgan County	17,541	14,943	2,598	17.40%
Nicholas County	26,233	26,562	-329	-1.20%
Ohio County	44,443	47,427	-2,984	-6.30%
Pendleton County	7,695	8,196	-501	-6.10%
Pleasants County	7,605	7,514	91	1.20%
Pocahontas County	8,719	9,131	-412	-4.50%
Preston County	33,520	29,334	4,186	14.30%
Putnam County	55,486	51,589	3,897	7.60%
Raleigh County	78,859	79,220	-361	-0.50%
Randolph County	29,405	28,262	1,143	4.00%
Ritchie County	10,449	10,343	106	1.00%
Roane County	14,926	15,446	-520	-3.40%
Summers County	13,927	12,999	928	7.10%
Taylor County	16,895	16,089	806	5.00%

Tucker County	7,141	7,321	-180	-2.50%
Tyler County	9,208	9,592	-384	-4.00%
Upshur County	24,254	23,404	850	3.60%
Wayne County	42,481	42,903	-422	-1.00%
Webster County	9,154	9,719	-565	-5.80%
Wetzel County	16,583	17,693	-1,110	-6.30%
Wirt County	5,717	5,873	-156	-2.70%
Wood County	86,956	87,986	-1,030	-1.20%
Wyoming County	23,796	25,708	-1,912	-7.40%

	2010 Population	2000 Population	Pop Change	Percent Change
State House District 1	32,812	34,887	-2,075	-6%
State House District 2	34,538	35,841	-1,303	-4%
State House District 3	31,628	34,559	-2,931	-8%
State House District 4	33,317	35,773	-2,456	-7%
State House District 5	16,663	17,857	-1,194	-7%
State House District 6	18,363	18,011	352	2%
State House District 7	18,054	17,857	197	1%
State House District 8	18,237	18,491	-254	-1%
State House District 9	19,202	18,697	505	3%
State House District 10	55,234	56,671	-1,437	-3%
State House District 11	17,258	17,720	-462	-3%
State House District 12	20,112	18,862	1,250	7%
State House District 13	39,847	37,917	1,930	5%
State House District 14	39,717	36,647	3,070	8%
State House District 15	53,882	53,999	-117	0%
State House District 16	51,411	52,189	-778	-1%
State House District 17	34,820	34,923	-103	0%
State House District 18	17,238	17,712	-474	-3%
State House District 19	72,453	73,923	-1,470	-2%
State House District 20	17,527	17,542	-15	0%
State House District 21	15,681	17,579	-1,898	-11%
State House District 22	33,043	36,383	-3,340	-9%
State House District 23	14,616	18,771	-4,155	-22%
State House District 24	17,083	18,224	-1,141	-6%
State House District 25	39,163	37,911	1,252	3%
State House District 26	18,021	18,070	-49	0%
State House District 27	88,267	88,732	-465	-1%
State House District 28	35,480	34,453	1,027	3%
State House District 29	50,470	52,686	-2,216	-4%
State House District 30	124,295	128,898	-4,603	-4%
State House District 31	16,798	18,540	-1,742	-9%
State House District 32	51,970	52,635	-665	-1%
State House District 33	16,880	17,329	-449	-3%
State House District 34	19,536	18,082	1,454	8%
State House District 35	18,838	18,340	498	3%
State House District 36	15,931	17,197	-1,266	-7%
State House District 37	38,124	37,393	731	2%
State House District 38	17,592	18,122	-530	-3%
State House District 39	19,304	18,874	430	2%
State House District 40	20,319	18,884	1,435	8%
State House District 41	71,101	70,431	670	1%
State House District 42	19,954	18,748	1,206	6%
State House District 43	56,711	56,949	-238	0%
State House District 44	89,802	75,897	13,905	18%
State House District 45	22,068	18,246	3,822	21%
State House District 46	18,593	18,409	184	1%

Petitioner's Exhibit No. 6

State House District 47	19,933	18,926	1,007	5%
State House District 48	19,352	18,776	576	3%
State House District 49	18,877	18,083	794	4%
State House District 50	19,860	17,495	2,365	14%
State House District 51	20,765	17,499	3,266	19%
State House District 52	24,886	17,529	7,357	42%
State House District 53	24,082	17,238	6,844	40%
State House District 54	19,182	17,598	1,584	9%
State House District 55	25,147	17,644	7,503	43%
State House District 56	25,419	17,179	8,240	48%
State House District 57	21,709	17,230	4,479	26%
State House District 58	21,829	17,286	4,543	26%

Petitioner's Exhibit No. 7

Name	County
Barbour WV	54001
Berkeley WV	54003
Boone WV	54005
Braxton WV	54007
Brooke WV	54009
Cabell WV	54011
Calhoun WV	54013
Clay WV	54015
Doddridge WV	54017
Fayette WV	54019
Gilmer WV	54021
Grant WV	54023
Greenbrier WV	54025
Hampshire WV	54027
Hancock WV	54029
Hardy WV	54031
Harrison WV	54033
Jackson WV	54035
Jefferson WV	54037
Kanawha WV	54039
Lewis WV	54041
Lincoln WV	54043
Logan WV	54045
Marion WV	54049
Marshall WV	54051
Mason WV	54053
McDowell WV	54047
Mercer WV	54055
Mineral WV	54057
Mingo WV	54059
Monongalia WV	54061
Monroe WV	54063
Morgan WV	54065
Nicholas WV	54067
Ohio WV	54069
Pendleton WV	54071
Pleasants WV	54073
Pocahontas WV	54075
Preston WV	54077
Putnam WV	54079
Raleigh WV	54081
Randolph WV	54083
Ritchie WV	54085
Roane WV	54087
Summers WV	54089
Taylor WV	54091
Tucker WV	54093
Tyler WV	54095
Upshur WV	54097
Wayne WV	54099
Webster WV	54101
Wetzel WV	54103
Wirt WV	54105
Wood WV	54107
Wyoming WV	54109

Printed 05/16/2011

County	VTD	Population
54001	540011	868
54001	540013	526
54001	540014	1,075
54001	5400112	973
54001	540017	578
54001	5400114	597
54001	540012	1,305
54001	540015	775
54001	5400118	292
54001	5400119	520
54001	5400116	794
54001	5400122	245
54001	5400121	329
54001	540019	557
54001	5400117	1,258
54001	5400115	1,152
54001	540016	828
54001	540018	2,521
54001	5400111	459
54001	5400120	415
54001	5400113	522
54003	5400347	2,049
54003	5400332	2,117
54003	5400327	2,080
54003	540039	940
54003	540032	1,562
54003	5400311	645
54003	5400310	1,783
54003	540036	1,068
54003	540038	1,033
54003	540037	1,221
54003	5400314	925
54003	5400315	211
54003	5400317	1,474
54003	5400315A	686
54003	5400316	2,465
54003	5400328	4,032
54003	5400318	2,585
54003	5400340	3,266
54003	5400321	5,078
54003	5400326	1,891
54003	5400349	1,564
54003	5400323	3,569
54003	5400342	1,455
54003	5400319	2,909
54003	5400320	1,658
54003	5400343	1,667
54003	5400351	1,896
54003	5400333	3,047
54003	5400345	2,551
54003	5400346	1,970
54003	5400336	3,389
54003	5400337	4,177
54003	5400334	2,067
54003	5400350	344
54003	5400331	4,274
54003	5400329	1,539
54003	5400322	3,029
54003	5400348	1,746

County	VTD	Population
54003	5400341	2,607
54003	5400338	2,124
54003	5400339	4,160
54003	5400344	1,053
54003	5400335	2,220
54003	540031	1,967
54003	540035	1,773
54003	5400325A	1,582
54003	5400324	5,175
54003	5400325	1,546
54005	540053	820
54005	5400551	414
54005	5400538	414
54005	540055	482
54005	5400547	236
54005	5400549	481
54005	5400550	309
54005	5400546	636
54005	5400552	460
54005	5400548	211
54005	5400535	323
54005	5400541	473
54005	5400540	398
54005	5400545	1,018
54005	5400515	1,260
54005	5400522	999
54005	5400532	772
54005	5400523	834
54005	5400525	1,153
54005	5400533	562
54005	5400536	481
54005	5400531	592
54005	5400530	1,111
54005	540059	634
54005	540052	915
54005	540054	444
54005	540051	520
54005	5400511	378
54005	5400518	307
54005	540057	1,409
54005	5400512	990
54005	5400519	710
54005	5400553	421
54005	5400513	969
54005	5400514	1,200
54005	5400516	446
54005	5400517	847
54007	5400737	468
54007	5400745	674
54007	540073	418
54007	540071	393
54007	5400725	683
54007	5400726	897
54007	5400732	76
54007	5400723	849
54007	5400727	1,340
54007	5400724	532
54007	5400712	634
54007	5400715	734

County	VTD	Population
54007	5400714	385
54007	5400728	806
54007	5400719	1,559
54007	5400716	253
54007	5400736	623
54007	5400713	470
54007	5400738	835
54007	5400743	324
54007	540076	414
54007	540079	1,156
54009	5400916	618
54009	5400911	456
54009	5400913	478
54009	540091	608
54009	540094	660
54009	540096	954
54009	5400915	1,173
54009	5400914	1,398
54009	5400921A	429
54009	540095	583
54009	5400920B	1,158
54009	5400917	1,165
54009	5400928	456
54009	5400931	715
54009	5400932A	1,027
54009	5400923A	523
54009	5400923B	381
54009	5400923D	1,150
54009	5400933	834
54009	5400932B	412
54009	5400923C	701
54009	5400935B	950
54009	5400935A	663
54009	5400921B	1,376
54009	5400920A	184
54009	5400925	570
54009	5400934	1,091
54009	5400926	1,020
54009	5400936	768
54009	5400924	1,568
54011	5401121	1,177
54011	5401120	2,413
54011	5401119	2,204
54011	5401124	939
54011	5401123	1,574
54011	5401129	805
54011	5401128	1,804
54011	5401127	1,067
54011	5401126	1,346
54011	5401130	879
54011	5401132	1,198
54011	5401138	944
54011	5401134-01	1,280
54011	5401133	1,188
54011	5401134-02	443
54011	5401140	920
54011	5401141	2,740
54011	5401154	2,288
54011	5401142	1,648

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To: Members of the West Virginia House of Delegates Redistricting Committee: Brent Boggs (Chairman), Bob Ashley, Greg Butcher, Ray Canterbury, Mitch Carmichael, Mike Caputo, Walter Duke, John Ellem, Allen Evans, Barbara Fleischauer, Ron Fragale, John Frazier, Barbara Hatfield, Mark Hunt, Patrick Lane, Tiffany Lawrence, Carol Miller, Cliff Moore, Ricky Moye, Brady Paxton, Don Perdue, Dave Poling, Doug Reynolds, Ruth Rowan, Margaret Stagge Swartzmiller, and Harry White; Delegate Ryan Ferns; Demographic Computer Analyst; Richard Stonestreet; Johnson, West Virginia Radio Corporation.

Petitioner's Exhibit No. 9

From: Thornton Cooper, 3015 Ridgeview Drive, South Charleston, WV 25303, (304) 744-9616, thornbush@att.net.

Subject: Proposed redistricting plan (New Delegate Districts 1-8)

Date: July 25, 2011

Set forth hereinbelow is the first part of my proposed plan to redistrict the West Virginia House of Delegates into 100 single-member districts.

It is my intention to minimize the splitting of counties with fewer than 18,530 residents. I hope to keep the total number of such split counties to fewer than five.

In those situations in which counties are divided between or among different delegate districts, I have, before deciding where to draw the lines separating delegate districts, considered such factors as federal and state constitutional requirements, population, compactness, natural boundaries, highways, municipal boundaries, and boundaries between more rural and more urban precincts.

You may easily locate, view, and make copies of the maps that show the voting districts (VTD's) set forth below by visiting a user-friendly website. That website also allows you to zoom in on a VTD. You may visit that website by typing in the term "voting district reference map" in Google or another search engine. That website is usually at the top of the list of search results.

A VTD is a precinct. In most cases a VTD that is reflected on a county's voting district reference map on this website bears the same number and boundaries as does the current county precinct of the same number. But there are exceptions.

I have a list of the 2010 population count of every VTD in West Virginia. My redistricting plan below includes the population counts for many VTD's.

As I stated in my e-mail last week, I am going to break my redistricting plan into several pieces that will be easier for you to digest.

This part of my redistricting plan relates to proposed New Delegate Districts 1-8, which would include all of the territory contained in Brooke, Hancock, Marshall, Ohio, and Wetzel Counties.

West Virginia House of Delegates Redistricting Plan: Cooper House of Delegates Districts Plan No. 1 (Brooke, Hancock, Marshall, Ohio, and Wetzel Counties).

I. New Delegate District 1:

New Delegate District 1 would be composed of the territory contained in 16 precincts in the northern and central parts of Hancock County.

The population of this district would be 18,461, as follows:

Hancock County VTD 1 (Chester)	1,443
Hancock County VTD 2 (Chester)	1,133
Hancock County VTD 3 (Newell)	1,100
Hancock County VTD 4 (uninc. and Newell)	668
Hancock County VTD 5 (uninc. and Chester)	1,002
Hancock County VTD 6 (uninc.)	1,484
Hancock County VTD 7 (uninc.)	693
Hancock County VTD 8 (uninc.)	1,450
Hancock County VTD 9 (uninc.)	1,338
Hancock County VTD 10 (New Cumberland)	1,103
Hancock County VTD 11 (uninc.)	851
Hancock County VTD 12 (uninc.)	1,427
Hancock County VTD 13 (uninc.)	1,257
Subtotal (13 Hancock County precincts north of Weirton)	14,949
Hancock County VTD 14 (Weirton)	951
Hancock County VTD 19 (Weirton)	1,157
Hancock County VTD 21 (Weirton)	1,404
Subtotal (3 Hancock County precincts in Weirton)	3,512
Total for New Delegate District 1	18,461

II. New Delegate District 2:

New Delegate District 1 would be composed of the territory contained in 12 precincts in part of Hancock County and 7 precincts in part of Brooke County. Most of these precincts are located within the City of Weirton. The population of this district would be 18,307, as follows:

Hancock County VTD 15	(Weirton)	405
Hancock County VTD 16	(Weirton)	1,263
Hancock County VTD 17	(Weirton)	995
Hancock County VTD 18	(Weirton)	683
Hancock County VTD 20	(Weirton)	1,606
Hancock County VTD 22	(Weirton)	1,321
Hancock County VTD 23	(Weirton)	1,110
Hancock County VTD 24	(Weirton)	1,092
Hancock County VTD 25	(Weirton)	1,004
Hancock County VTD 26	(Weirton)	919
Hancock County VTD 27	(Weirton)	966
Hancock County VTD 28	(Weirton)	851
Subtotal (12 Hancock County precincts in Weirton)		12,215
Brooke County VTD 24	(uninc. and Weirton)	1,568
Brooke County VTD 25	(Weirton)	570
Brooke County VTD 26	(Weirton)	1,020
Brooke County VTD 32B	(uninc.)	412
Brooke County VTD 34	(Weirton)	1,091
Brooke County VTD 35A	(uninc.)	663
Brooke County VTD 36	(Weirton)	768
Subtotal (7 Brooke County precincts)		6,092
Total for New Delegate District 2		18,307

III. New Delegate District 3:

New Delegate District 3 would be composed of the territory contained in the 23 precincts in the portion of Brooke County that is located to the south of New Delegate District 2.

The total population of this district would be 17,977. Brooke County's 2010 total population is 24,069. The portion of Brooke County that is in New Delegate District 2 has a population of 6,092. $24,069 - 6,092 = 17,977$.

IV. New Delegate District 4:

New Delegate District 4 would be composed of the territory contained in 16 precincts in part of Ohio County, primarily in northern and eastern Ohio County.

The population of this district would be 18,913, as follows:

Ohio County VTD 11	(uninc.)	1,243
Ohio County VTD 12	(uninc.)	655
Ohio County VTD 13	(uninc.)	1,035
Ohio County VTD 16	(uninc. and Wheeling)	1,087
Ohio County VTD 122	(Wheeling)	411

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Ohio County VTD 124	(Wheeling)	772
Ohio County VTD 125	(uninc. and Wheeling)	1,384
Ohio County VTD 129	(uninc. and Wheeling)	1,025
Ohio County VTD 130	(uninc. and Wheeling)	942
Ohio County VTD 131	(Bethlehem and Wheeling)	837
Ohio County VTD 135	(Wheeling)	1,469
Ohio County VTD 141	(Wheeling)	617
Ohio County VTD 143	(uninc. and Triadelphia)	696
Ohio County VTD 146	(uninc. and Triadelphia)	2,383
Ohio County VTD 158	(uninc. and West Liberty)	2,163
Ohio County VTD 161	(uninc. and Valley Grove)	2,194
<hr/>		
Total for New Delegate District 4		18,913

V. New Delegate District 5:

New Delegate District 5 would be composed of the territory contained in 26 precincts in part of Ohio County generally to the south of New Delegate District 4. Nearly all the residents of New Delegate District 5 reside in the City of Wheeling.

The population of this district would be 18,669, as follows:

Ohio County VTD 1	(Wheeling)	1,045
Ohio County VTD 4	(Wheeling)	1,106
Ohio County VTD 5	(Wheeling)	1,268
Ohio County VTD 10	(uninc., Clearview, and Wh'ling)	629
Ohio County VTD 14	(uninc. and Wheeling)	306
Ohio County VTD 20	(Wheeling)	981
Ohio County VTD 23	(Wheeling)	370
Ohio County VTD 24	(Wheeling)	570
Ohio County VTD 28	(Wheeling)	210
Ohio County VTD 29	(Wheeling)	1,047
Ohio County VTD 31	(Wheeling)	527
Ohio County VTD 36	(Wheeling)	585
Ohio County VTD 49	(Wheeling)	587
Ohio County VTD 60	(Wheeling)	1,113
Ohio County VTD 64	(Wheeling)	559
Ohio County VTD 69	(Wheeling)	844
Ohio County VTD 77	(Wheeling)	602
Ohio County VTD 100	(Wheeling)	487
Ohio County VTD 102	(Wheeling)	210
Ohio County VTD 113	(Wheeling)	600
Ohio County VTD 115	(Wheeling)	665
Ohio County VTD 116	(Wheeling)	705
Ohio County VTD 119	(Wheeling)	624
Ohio County VTD 120	(uninc. and Wheeling)	891
Ohio County VTD 127	(Wheeling)	1,625

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#

Ohio County VTD 128 (Wheeling)	513
Total for New Delegate District 5	18,669

VI. New Delegate District 6:

New Delegate District 6 would be composed of the territory contained in 6 precincts in part of Ohio County to the south of New Delegate District 5 and in 18 precincts in the northern part of Marshall County.

The population of this district would be 19,092, as follows:

Ohio County VTD 103 (uninc. and Wheeling)	650
Ohio County VTD 104 (uninc. and Wheeling)	1,696
Ohio County VTD 107 (Bethlehem)	1,087
Ohio County VTD 108 (Bethlehem)	1,387
Ohio County VTD 137 (uninc.)	1,137
Ohio County VTD 148 (Wheeling)	904
Subtotal (6 Ohio County precincts)	6,861
Marshall County VTD 9A (uninc.)	781
Marshall County VTD 12 (uninc.)	856
Marshall County VTD 19 (uninc.)	327
Marshall County VTD 20 (Benwood)	381
Marshall County VTD 21 (uninc.)	356
Marshall County VTD 23 (Benwood)	364
Marshall County VTD 24 (uninc.)	825
Marshall County VTD 25 (Benwood)	675
Marshall County VTD 26 (McMechen)	616
Marshall County VTD 28 (McMechen)	765
Marshall County VTD 29 (uninc.)	926
Marshall County VTD 30 (McMechen)	545
Marshall County VTD 33 (uninc. and Wheeling)	1,051
Marshall County VTD 34 (uninc.)	1,165
Marshall County VTD 35 (uninc.)	989
Marshall County VTD 36 (uninc.)	307
Marshall County VTD 38 (uninc.)	740
Marshall County VTD 39 (uninc. and Wheeling)	562
Subtotal (18 Marshall County precincts)	12,231
Total for New Delegate District 6	19,092

VII. New Delegate District 7:

New Delegate District 7 would be composed of the territory contained in 22 precincts in Marshall County to the south of New Delegate District 6.

The population of this district would be 18,815, as follows:

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Marshall County VTD 1 (Moundsville)	839
Marshall County VTD 4 (Moundsville)	850
Marshall County VTD 6 (Moundsville)	732
Marshall County VTD 7 (Moundsville)	1,013
Marshall County VTD 9 (Moundsville)	907
Marshall County VTD 10 (Moundsville)	910
Marshall County VTD 11 (Moundsville)	1,437
Marshall County VTD 13 (Glen Dale)	662
Marshall County VTD 14 (Glen Dale)	864
Marshall County VTD 15A (uninc.)	787
Marshall County VTD 16 (Moundsville)	598
Marshall County VTD 17 (Moundsville)	579
Marshall County VTD 17A (uninc.)	547
Marshall County VTD 18 (uninc.)	753
Marshall County VTD 43 (uninc.)	1,431
Marshall County VTD 44 (uninc.)	1,419
Marshall County VTD 45 (uninc.)	740
Marshall County VTD 46 (uninc.)	1,357
Marshall County VTD 56 (Cameron)	946
Marshall County VTD 58 (uninc.)	424
Marshall County VTD 60 (uninc.)	722
Marshall County VTD 61 (uninc.)	298
<hr/> Total for New Delegate District 7	18,815

VIII. New Delegate District 8:

New Delegate District 8 would be composed of the territory contained in 4 precincts in southern Marshall County and of the territory contained in all of Wetzel County.

The population of this district would be 18,644, as follows:

Marshall County VTD 40 (uninc.)	377
Marshall County VTD 41 (uninc.)	437
Marshall County VTD 48 (uninc.)	361
Marshall County VTD 52 (uninc.)	886
<hr/> Subtotal (4 Marshall County precincts)	2,061
Wetzel County (all)	16,583
Total for New Delegate District 8	18,644

Thank you for your attention to this matter.

NOTICE BY THORNTON COOPER OF HIS INTENTION TO INSTITUTE LEGAL PROCEEDINGS RELATING TO REQUIRING THAT 2012 ELECTIONS FOR WEST VIRGINIA HOUSE OF DELEGATES BE HELD IN COMPLIANCE WITH PROVISIONS OF THE WEST VIRGINIA CONSTITUTION THAT PERTAIN TO REAPPORTIONMENT, REDISTRICTING, AND REPRESENTATION.

To:

The Honorable Natalie E. Tennant
West Virginia Secretary of State
Building 1, Suite 157-K
1900 Kanawha Boulevard, East
Charleston, WV 25305-0770;

The Honorable Earl Ray Tomblin
Acting West Virginia Governor
State Capitol Building
1900 Kanawha Boulevard, East
Charleston, WV 25305; and

The Honorable Darrell McGraw
West Virginia Attorney General
State Capitol Complex
Building 1, Room E-26
Charleston, WV 25305.

Petitioner's Exhibit No. 10

PLEASE TAKE NOTICE that, pursuant to the provisions of Chapter 55, Article 17, of the West Virginia Code, **Thornton Cooper**, a resident of, and registered voter in, Kanawha County, West Virginia, hereby notifies the **Honorable Natalie E. Tennant** of Mr. Cooper's intention to institute legal proceedings as to her requiring that the 2012 primary and general elections for the West Virginia House of Delegates be held in compliance with the provisions of the West Virginia Constitution that pertain to reapportionment, redistricting, and representation.

The Honorable Natalie E. Tennant is being herein notified in her official capacity as Secretary of State of the State of West Virginia, which capacity includes broad powers over the conduct of elections in West Virginia. In addition, the **Honorable Earl Ray Tomblin** is being herein notified in his capacity as Acting Governor of the State of West Virginia and the **Honorable Darrell McGraw** is being notified in his capacity as West Virginia Attorney General.

SUMMARY OF CLAIM BY THORNTON COOPER.

Mr. Cooper is aggrieved by the likely deprivation, under the letter or application of current or subsequent statutory law, of his constitutional right, as a resident of, and voter in, West Virginia, to participate as a voter or candidate in elections in which the districts for the election of members of the House of Delegates are drawn in compliance with Articles II and VI of the West Virginia Constitution.

Recently, on Friday, August 5, 2011, the West Virginia Legislature passed a very lengthy bill, designated Engrossed House Bill No. 106, relating to the reapportionment of the districts of the House of Delegates. The bill has not yet been enrolled. Once the bill is enrolled, it is possible that Acting Governor Earl Ray Tomblin will sign the bill.

Engrossed House Bill No. 106 has many provisions that would appear to violate Article II and/or Article VI of the West Virginia Constitution. Set forth hereinbelow is a discussion of just a few of those provisions:

(1) Under the West Virginia Constitution, Logan County, with a 2010 population of 36,743, or 1.98% of West Virginia's 2010 population of 1,852,994, should be redistricted so that it would have exactly two (2) delegates, each of whom would be elected by Logan County voters and by no one else. However, the bill, in apparent violation of the West Virginia Constitution, would create several delegate districts (designated Delegate Districts 20, 22, and 24) that would collectively combine parts of Logan County with parts of Boone, Lincoln, Mingo, Putnam, Raleigh, and Wyoming Counties.

(2) Before the bill was reported out of the House of Delegates Redistricting Committee (HDRC), Mr. Cooper had e-mailed, to the members of that committee, a

detailed proposal, in several parts, that would have divided West Virginia into 100 single-member delegate districts without splitting up any precincts. Under Mr. Cooper's proposal, Logan County would have been divided into two (2) single-member delegate districts without being combined with parts of any other counties.

(3) Under the West Virginia Constitution, Putnam County, with a 2010 population of 55,486, or 2.99% of 1,852,994, should be redistricted so that it would have exactly three (3) delegates, each of whom would be elected by Putnam County voters and by no one else. In Engrossed House Bill No. 106, there is, in fact, one single-member delegate district (designated Delegate District 15) that would be located wholly within Putnam County. However, the bill, in apparent violation of the West Virginia Constitution, would also several delegate districts (designated Delegate Districts 13, 14, 22, and 38) that would collectively combine parts of Putnam County with parts of Boone, Jackson, Kanawha, Lincoln, Logan, and Mason Counties. Under Mr. Cooper's proposal, Putnam County would have been divided into three (3) single-member delegate districts without being combined with parts of any other counties.

(4) On the other hand, under Engrossed House Bill No. 106, Jefferson County, with a 2010 population of only 53,498, or 2.89% of 1,852,994, was redistricted so that it would have exactly three (3) delegates, in three (3) single-member delegate districts (designated Delegate Districts 65, 66, and 67) each of whom would be elected by Jefferson County voters and by no one else. Under Mr. Cooper's proposal, most of Jefferson County would have been divided into two (2) single-member delegate districts without being combined with parts of any other counties. The remainder of

Jefferson County would have been combined with one precinct in Berkeley County to form another single-member delegate district.

(5) Furthermore, under Engrossed House Bill No. 106, Marion County, with a 2010 population of 56,418, or 3.04% of 1,852,994, was redistricted so that most of Marion County would be represented by exactly three (3) delegates, in one three-member delegate district (designated Delegate District 50), each of whom would be elected by Marion County voters and by no one else. The small remaining piece of Marion County, a small piece of Monongalia County, and most of Taylor County would be placed in a single-member delegate district (designated Delegate District 49). Under Mr. Cooper's proposal, Marion County would have been divided into three (3) single-member delegate districts without being combined with parts of any other counties.

(6) From the foregoing facts, it is clear that the West Virginia Legislature wants voters from outside of Putnam County to influence the outcome of elections in most of the delegate districts that contain voters who live in Putnam County. This is in stark contrast to the manner in which the Legislature has treated voters in Jefferson County and in the overwhelming majority of the territory of Marion County.

(7) Furthermore, the decision by the West Virginia Legislature to mix portions of Logan County with portions of other counties, in the same delegate districts, and to mix portions of Putnam County with portions of other counties, in the same delegate districts, in turn, would cause a "ripple effect" affecting the redistricting of Boone, Jackson, Kanawha, Lincoln, Mason, Mingo, Raleigh, and Wyoming Counties, and other West Virginia counties, as well.

(8) Engrossed House Bill No. 106 would needlessly split up a number of less populous counties, such as Clay, Gilmer, Pendleton, Pleasants, and Tucker Counties, each of which has a 2010 population of less than 10,000.

(9) Moreover, Engrossed House Bill No. 106 would deprive the residents and voters of Mason County, with a population of 27,324, or 1.47% of 1,852,994, of the creation of a single-member delegate district that would be located wholly within Mason County. Under Mr. Cooper's proposal, most of the population of Mason County would have been placed in a single-member delegate district that did not contain portions of any other counties. Under that proposal, the remainder of Mason County and several precincts from Cabell and Jackson Counties would have been placed in another single-member delegate district.

(10) In addition, Engrossed House Bill No. 106 would unnecessarily divide many precincts throughout West Virginia without reducing the population range between and among delegate districts to a level that is closer in population than that mandated by federal court decisions.

All of the foregoing problems would have been avoided if the Legislature had instead adopted Mr. Cooper's proposal to divide West Virginia into 100 single-member delegate districts.

RELIEF REQUESTED BY THORNTON COOPER.

Mr. Cooper hopes that Acting Governor Earl Ray Tomblin will veto Enrolled House Bill No. 106 and will inform the Legislature that he wants it to enact a piece of legislation that complies with applicable federal and state constitutional requirements and that also divides West Virginia into 100 single-member delegate districts.

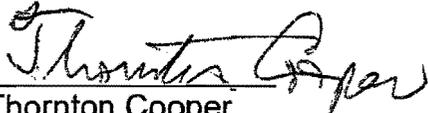
If the appropriate executive and/or legislative relief is not provided in a timely manner, Mr. Cooper plans to institute a proceeding in a court of competent jurisdiction in an effort to obtain the appropriate judicial relief.

In addition, Mr. Cooper reserves the right to move to intervene in any litigation commenced by any other party with respect to the same general subject matter.

Respectfully submitted,

Thornton Cooper

Pro Se


Thornton Cooper
3015 Ridgeview Drive
South Charleston, WV 25303
West Virginia State Bar No. 823
(304) 744-9616
thornbush@att.net

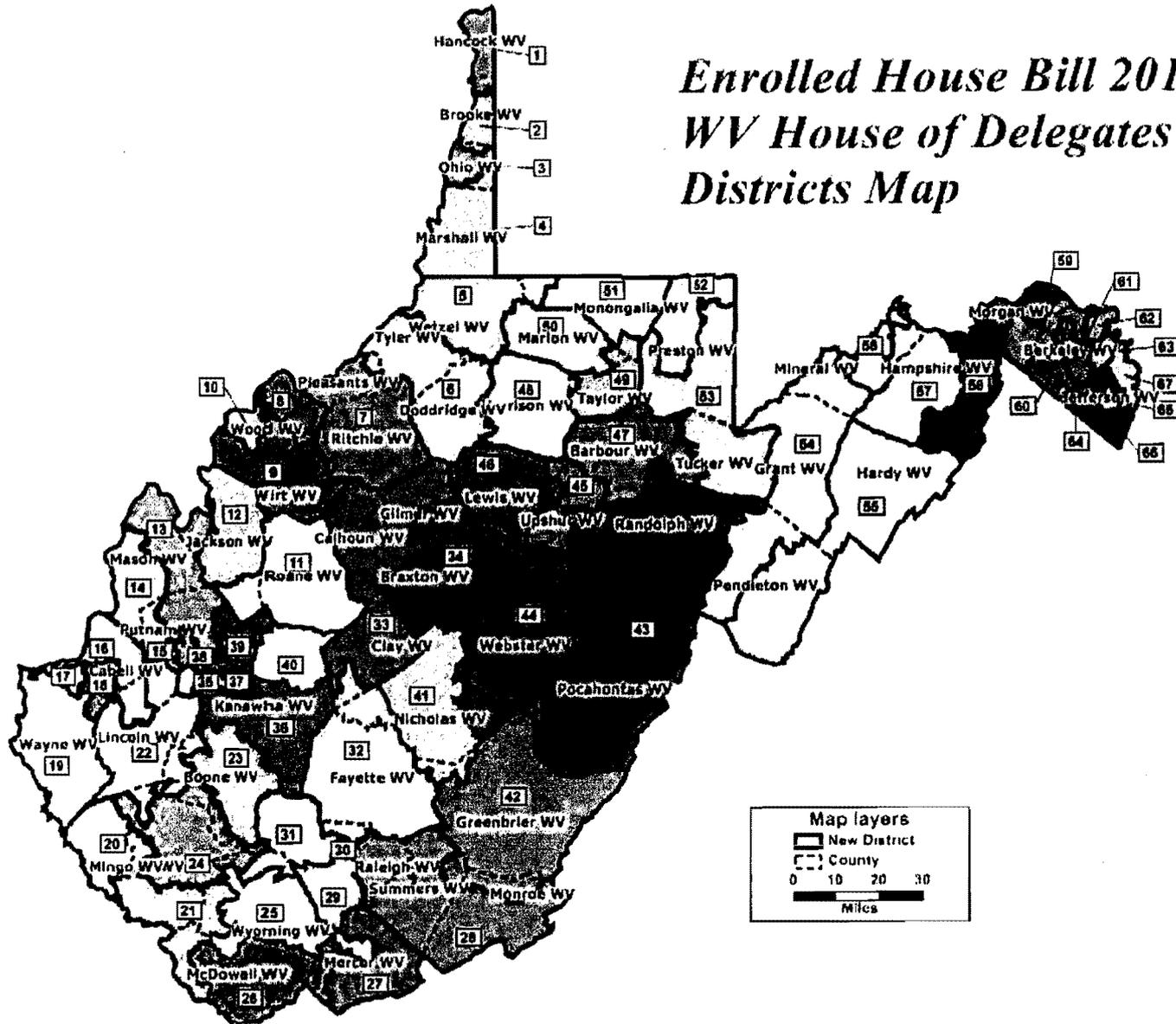
August 10, 2011

CERTIFICATE OF SERVICE

I, Thornton Cooper, do hereby certify that I have served the foregoing "Notice by Thornton Cooper of his Intention to Institute Legal Proceedings Relating to Requiring that 2012 Elections for West Virginia House of Delegates be held in Compliance with Provisions of the West Virginia Constitution that pertain to Reapportionment, Redistricting, and Representation" upon the Honorable Natalie E. Tennant, West Virginia Secretary of State, by mailing an original thereof, by United States certified mail, return receipt requested, to her office at Building 1, Suite 157-K, 1900 Kanawha Boulevard, East, Charleston, WV 25305-0770; upon the Honorable Earl Ray Tomblin, Acting West Virginia Governor, by mailing an original thereof, by United States certified mail, return receipt requested, to his office at the State Capitol Building, 1900 Kanawha Boulevard, East, Charleston, WV 25305; and upon the Honorable Darrell McGraw, West Virginia Attorney General, by mailing an original thereof, by United States certified mail, return receipt requested, to his office at the State Capitol Complex, Building 1, Room E-26, Charleston, WV 25305, all on this 10th day of August, 2011.


Thornton Cooper

Enrolled House Bill 201 WV House of Delegates' Districts Map



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Plan: House 2x Final Plan2
Plan Type:

Petitioner's Exhibit No. 12

Administrator Tom Bennett
User:

Population Summary Report (multi-member)

Monday, August 22, 2011

12:06 PM

DISTRICT	NUMBER OF MEMBERS	POPULATION	IDEAL POPULATION	DEVIATION	% DEVIATION
2	1	19,289	18,530	759	4.10
5	1	17,616	18,530	-914	-4.93
6	1	17,728	18,530	-802	-4.33
7	1	17,736	18,530	-794	-4.28
8	1	18,428	18,530	-102	-0.55
9	1	18,288	18,530	-242	-1.31
11	1	18,387	18,530	-143	-0.77
12	1	17,830	18,530	-700	-3.78
14	1	17,677	18,530	-853	-4.60
15	1	18,384	18,530	-146	-0.79
18	1	17,608	18,530	-922	-4.98
20	1	17,621	18,530	-909	-4.91
21	1	19,269	18,530	739	3.99
23	1	17,873	18,530	-657	-3.55
25	1	19,089	18,530	559	3.02
26	1	18,624	18,530	94	0.51
29	1	19,453	18,530	923	4.98
30	1	19,447	18,530	917	4.95
31	1	19,451	18,530	921	4.97
33	1	19,378	18,530	848	4.58
34	1	19,446	18,530	916	4.94
37	1	17,917	18,530	-613	-3.31
38	1	19,438	18,530	908	4.90
39	1	19,431	18,530	901	4.86
40	1	19,455	18,530	925	4.99
41	1	18,798	18,530	268	1.45
44	1	19,133	18,530	603	3.25
45	1	19,332	18,530	802	4.33
46	1	18,397	18,530	-133	-0.72
47	1	19,278	18,530	748	4.04
49	1	18,629	18,530	99	0.53
52	1	19,075	18,530	545	2.94
53	1	18,897	18,530	367	1.98
54	1	19,352	18,530	822	4.44
55	1	19,414	18,530	884	4.77
56	1	19,396	18,530	866	4.67
57	1	19,419	18,530	889	4.80
58	1	19,151	18,530	621	3.35
59	1	19,190	18,530	660	3.56
60	1	19,314	18,530	784	4.23

Plan: House 2x Final Plan2
 Type:

Administrator: Tom Bennett
 User:

DISTRICT	NUMBER OF MEMBERS	POPULATION	IDEAL POPULATION	DEVIATION	% DEVIATION
61	1	18,472	18,530	-58	-0.31
62	1	17,796	18,530	-734	-3.96
63	1	17,744	18,530	-786	-4.24
64	1	18,295	18,530	-235	-1.27
65	1	18,261	18,530	-269	-1.45
66	1	17,612	18,530	-918	-4.95
67	1	17,625	18,530	-905	-4.88

DISTRICT	NUMBER OF MEMBERS	POPULATION	IDEAL POPULATION	DEVIATION	% DEVIATION
1	2	37,602	37,060	271	1.46
3	2	38,882	37,060	911	4.92
4	2	36,522	37,060	-269	-1.45
13	2	37,271	37,060	106	0.57
17	2	35,210	37,060	-925	-4.99
19	2	36,921	37,060	-70	-0.38
22	2	35,249	37,060	-906	-4.89
24	2	35,250	37,060	-905	-4.88
28	2	38,909	37,060	925	4.99
42	2	38,871	37,060	906	4.89
43	2	37,819	37,060	380	2.05

DISTRICT	NUMBER OF MEMBERS	POPULATION	IDEAL POPULATION	DEVIATION	% DEVIATION
10	3	55,957	55,590	122	0.66
16	3	52,810	55,590	-927	-5.00
27	3	58,217	55,590	876	4.73
32	3	57,586	55,590	665	3.59
36	3	52,906	55,590	-895	-4.83
50	3	55,380	55,590	-70	-0.38

DISTRICT	NUMBER OF MEMBERS	POPULATION	IDEAL POPULATION	DEVIATION	% DEVIATION
35	4	70,630	74,120	-873	-4.71
48	4	70,424	74,120	-924	-4.99

DISTRICT	NUMBER OF MEMBERS	POPULATION	IDEAL POPULATION	DEVIATION	% DEVIATION
51	5	93,135	92,650	97	0.52

Total Population: 1,852,994
 Ideal Population: 18,530

Summary Statistics

Population Range: 17,603 to 19,455
 Ratio Range: 1.11
 Unadjusted Absolute Range: -3,696 to 2,627

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:

Absolute Range:	-927 to 925
Absolute Overall Range:	1,852
Relative Range:	-5.00% to 4.99%
Relative Overall Range:	9.99%
Absolute Mean Deviation:	75.05
Relative Mean Deviation:	0.41%
Standard Deviation:	705.78

Plan: House 2x Final Plan2
Plan Type:
Administrator Tom Bennett
User:

Plan Components Report

Monday, August 22, 2011

12:03 PM

POPULATION	
District 1	
Brooke WV County (part)	6,926
Hancock WV County	30,676
District 1 Subtotal	37,602
District 2	
Brooke WV County (part)	17,143
Ohio WV County (part)	2,146
District 2 Subtotal	19,289
District 3	
Ohio WV County (part)	38,882
District 3 Subtotal	38,882
District 4	
Marshall WV County	33,107
Ohio WV County (part)	3,415
District 4 Subtotal	36,522
District 5	
Monongalia WV County (part)	1,033
Wetzel WV County	16,583
District 5 Subtotal	17,616
District 6	
Doddridge WV County	8,202
Pleasants WV County (part)	318
Tyler WV County	9,208
District 6 Subtotal	17,728
District 7	
Pleasants WV County (part)	7,287
Ritchie WV County	10,449
District 7 Subtotal	17,736
District 8	
Wood WV County (part)	18,428
District 8 Subtotal	18,428
District 9	
Wirt WV County	5,717
Wood WV County (part)	12,571
District 9 Subtotal	18,288
District 10	

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:

POPULATION

District 10 (continued)	
Wood WV County (part)	55,957
District 10 Subtotal	55,957
District 11	
Jackson WV County (part)	3,461
Roane WV County	14,926
District 11 Subtotal	18,387
District 12	
Jackson WV County (part)	17,830
District 12 Subtotal	17,830
District 13	
Jackson WV County (part)	7,920
Mason WV County (part)	13,184
Putnam WV County (part)	16,167
District 13 Subtotal	37,271
District 14	
Mason WV County (part)	14,140
Putnam WV County (part)	3,537
District 14 Subtotal	17,677
District 15	
Putnam WV County (part)	18,384
District 15 Subtotal	18,384
District 16	
Cabell WV County (part)	49,061
Lincoln WV County (part)	3,749
District 16 Subtotal	52,810
District 17	
Cabell WV County (part)	29,650
Wayne WV County (part)	5,560
District 17 Subtotal	35,210
District 18	
Cabell WV County (part)	17,608
District 18 Subtotal	17,608
District 19	
Wayne WV County (part)	36,921
District 19 Subtotal	36,921
District 20	
Logan WV County (part)	2,195
Mingo WV County (part)	15,426
District 20 Subtotal	17,621
District 21	
McDowell WV County (part)	4,262
Mingo WV County (part)	11,413

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:
POPULATION

District 21 (continued)	
Wyoming WV County (part)	3,594
District 21 Subtotal	19,269
District 22	
Boone WV County (part)	2,872
Lincoln WV County (part)	17,971
Logan WV County (part)	4,393
Putnam WV County (part)	10,013
District 22 Subtotal	35,249
District 23	
Boone WV County (part)	17,873
District 23 Subtotal	17,873
District 24	
Boone WV County (part)	3,884
Logan WV County (part)	30,155
Wyoming WV County (part)	1,211
District 24 Subtotal	35,250
District 25	
McDowell WV County (part)	2,021
Mercer WV County (part)	2,093
Wyoming WV County (part)	14,975
District 25 Subtotal	19,089
District 26	
McDowell WV County (part)	15,830
Mercer WV County (part)	2,794
District 26 Subtotal	18,624
District 27	
Mercer WV County (part)	57,377
Raleigh WV County (part)	840
District 27 Subtotal	58,217
District 28	
Monroe WV County (part)	11,160
Raleigh WV County (part)	15,990
Summers WV County (part)	11,759
District 28 Subtotal	38,909
District 29	
Raleigh WV County (part)	19,453
District 29 Subtotal	19,453
District 30	
Raleigh WV County (part)	19,447
District 30 Subtotal	19,447
District 31	

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:

POPULATION

District 31 (continued)	
Raleigh WV County (part)	15,435
Wyoming WV County (part)	4,016
District 31 Subtotal	19,451
District 32	
Clay WV County (part)	1,405
Fayette WV County	46,039
Kanawha WV County (part)	671
Nicholas WV County (part)	1,777
Raleigh WV County (part)	7,694
District 32 Subtotal	57,586
District 33	
Calhoun WV County	7,627
Clay WV County (part)	7,981
Gilmer WV County (part)	3,770
District 33 Subtotal	19,378
District 34	
Braxton WV County	14,523
Gilmer WV County (part)	4,923
District 34 Subtotal	19,446
District 35	
Kanawha WV County (part)	70,630
District 35 Subtotal	70,630
District 36	
Kanawha WV County (part)	52,906
District 36 Subtotal	52,906
District 37	
Kanawha WV County (part)	17,917
District 37 Subtotal	17,917
District 38	
Kanawha WV County (part)	12,053
Putnam WV County (part)	7,385
District 38 Subtotal	19,438
District 39	
Kanawha WV County (part)	19,431
District 39 Subtotal	19,431
District 40	
Kanawha WV County (part)	19,455
District 40 Subtotal	19,455
District 41	
Greenbrier WV County (part)	1,119
Nicholas WV County (part)	17,679
District 41 Subtotal	18,798

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:

POPULATION

District 42	
Greenbrier WV County (part)	34,361
Monroe WV County (part)	2,342
Summers WV County (part)	2,168
District 42 Subtotal	38,871
District 43	
Pocahontas WV County	8,719
Randolph WV County (part)	29,100
District 43 Subtotal	37,819
District 44	
Nicholas WV County (part)	6,777
Randolph WV County (part)	305
Upshur WV County (part)	2,897
Webster WV County	9,154
District 44 Subtotal	19,133
District 45	
Upshur WV County (part)	19,332
District 45 Subtotal	19,332
District 46	
Lewis WV County	16,372
Upshur WV County (part)	2,025
District 46 Subtotal	18,397
District 47	
Barbour WV County	16,589
Tucker WV County (part)	2,689
District 47 Subtotal	19,278
District 48	
Harrison WV County	69,099
Taylor WV County (part)	1,325
District 48 Subtotal	70,424
District 49	
Marion WV County (part)	1,038
Monongalia WV County (part)	2,021
Taylor WV County (part)	15,570
District 49 Subtotal	18,629
District 50	
Marion WV County (part)	55,380
District 50 Subtotal	55,380
District 51	
Monongalia WV County (part)	93,135
District 51 Subtotal	93,135
District 52	

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:
POPULATION

District 52 (continued)	
Preston WV County (part)	19,075
District 52 Subtotal	19,075
District 53	
Preston WV County (part)	14,445
Tucker WV County (part)	4,452
District 53 Subtotal	18,897
District 54	
Grant WV County	11,937
Mineral WV County (part)	5,109
Pendleton WV County (part)	2,306
District 54 Subtotal	19,352
District 55	
Hardy WV County	14,025
Pendleton WV County (part)	5,389
District 55 Subtotal	19,414
District 56	
Mineral WV County (part)	19,396
District 56 Subtotal	19,396
District 57	
Hampshire WV County (part)	15,712
Mineral WV County (part)	3,707
District 57 Subtotal	19,419
District 58	
Hampshire WV County (part)	8,252
Morgan WV County (part)	10,899
District 58 Subtotal	19,151
District 59	
Berkeley WV County (part)	12,548
Morgan WV County (part)	6,642
District 59 Subtotal	19,190
District 60	
Berkeley WV County (part)	19,314
District 60 Subtotal	19,314
District 61	
Berkeley WV County (part)	18,472
District 61 Subtotal	18,472
District 62	
Berkeley WV County (part)	17,796
District 62 Subtotal	17,796
District 63	
Berkeley WV County (part)	17,744
District 63 Subtotal	17,744

Plan: House 2x Final Plan2
Type:

Administrator: Tom Bennett
User:
POPULATION

District 64	
Berkeley WV County (part)	18,295
District 64 Subtotal	18,295
District 65	
Jefferson WV County (part)	18,261
District 65 Subtotal	18,261
District 66	
Jefferson WV County (part)	17,612
District 66 Subtotal	17,612
District 67	
Jefferson WV County (part)	17,625
District 67 Subtotal	17,625
State totals	1,852,994

Contribute to the project

Daves Redistricting

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File

West Virginia Scenario CD

Show

- Counties
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- Vote Districts
- Vote Dist Lines
- CD Labels
- City/Town Lines
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- New CD
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CDs 100 Zoom Level 7

Color Change Color

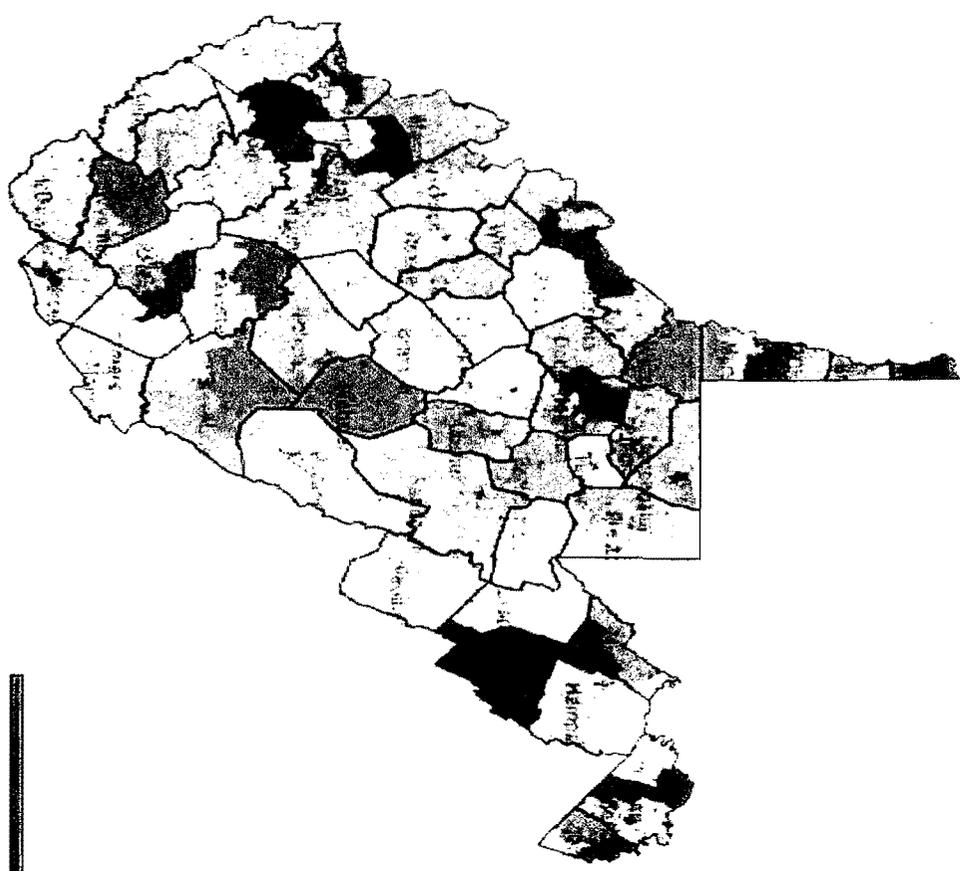
Scenario Colors Districts

State Pop 1,852,994 Remainder

CD Population Deviation

1	13,451	-55
2	13,207	-223
3	17,977	-553
4	13,912	232
5	13,559	139
6	13,092	562
7	13,315	285
8	13,544	124
9	13,875	345
10	13,151	-379
11	13,394	-136
12	13,530	50
13	13,525	95
14	13,759	225
15	13,078	548
16	13,215	-215

Petitioner's Exhibit No. 14



Unassigned		
All	Pop	%
Total	0	0.000
Wn	0.000	0.000
Bl	0.000	0.000
Hsp	0.000	0.000
Asn	0.000	0.000
Nat	0.000	0.000
Org	0.000	0.000

100 miles

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File

West Virginia

Scenario CD

Show

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#CDs 100

Zoom Level 8

Color Opacity

Change Scenario Change Colors

Color Districts

State Pop 1,852,994

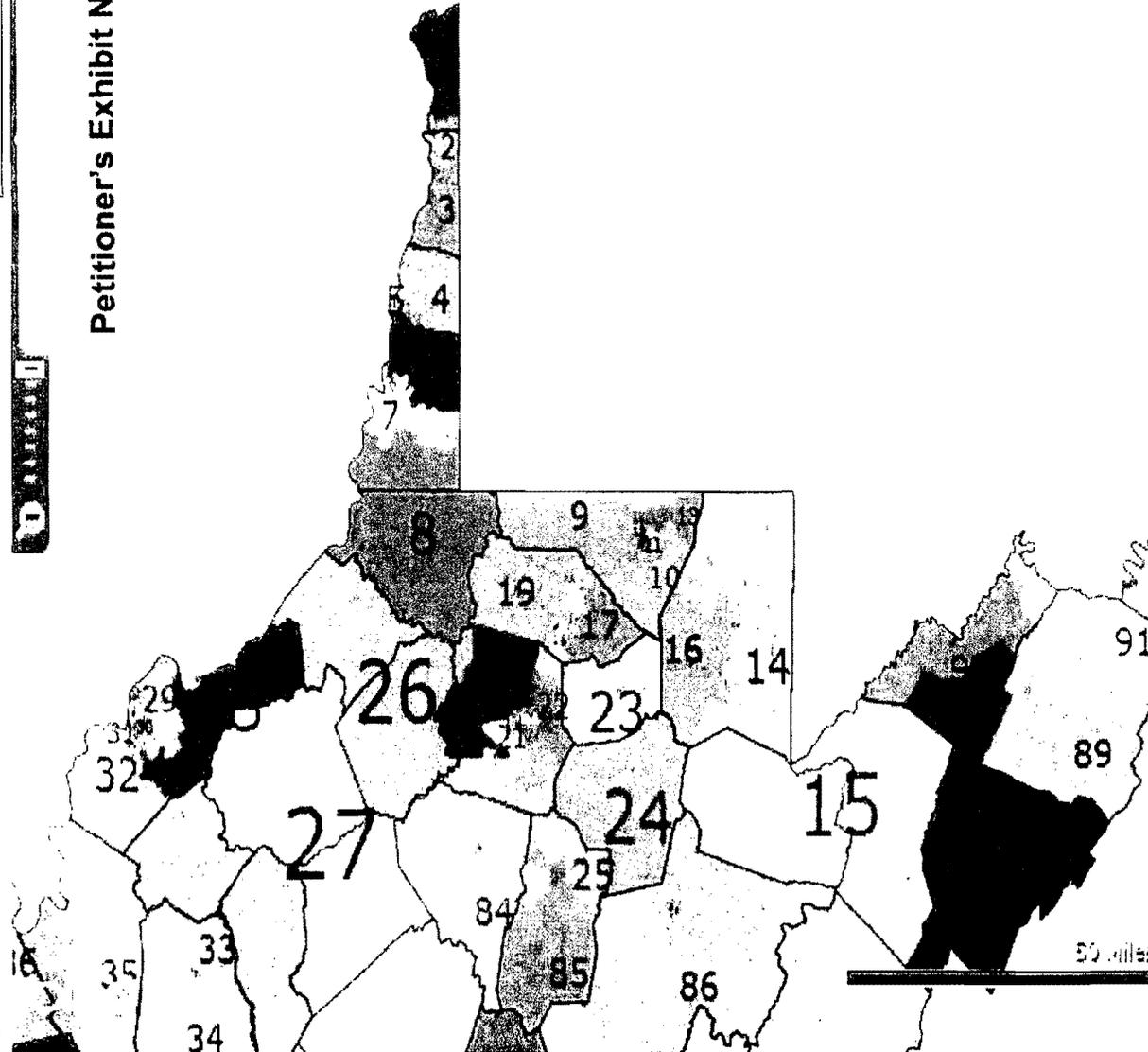
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CD Population Deviation

CD	Population	Deviation
1	16,461	-69
2	16,307	-223
3	17,977	-553
4	18,913	332
5	18,559	139
6	19,092	562
7	16,815	285
8	16,544	114
9	16,875	345
10	13,151	-379
11	16,394	-136
12	16,530	50
13	16,515	95
14	16,759	239
15	16,078	543
16	16,315	-215
17	16,775	245

Petitioner's Exhibit No. 15

Bank Road Aerial



Unassigned

Al	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Gen	0 (100)	

18-	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Gen	0 (100)	

474

Contribute to the project

Daves Redistricting

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File

West Virginia

Scenario CD

Show

vote Districts

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Level 9

Color Opacity

Change Scenario

Change Colors

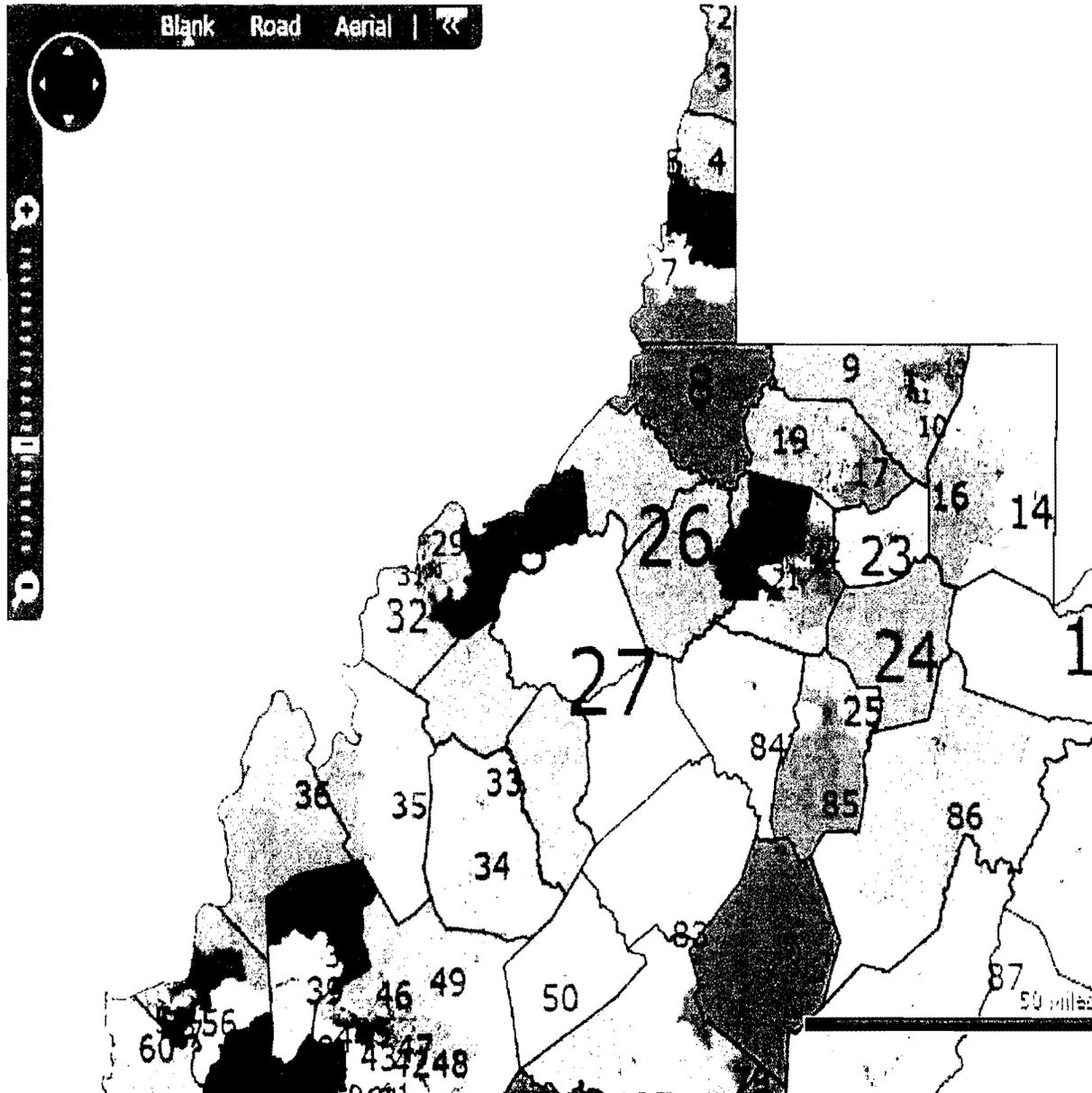
Color Districts

State Pop 1,952,994

Re-number

CD Population Deviation

CD	Population	Deviation
18	18,643	112
19	18,999	469
20	18,558	29
21	18,749	219
22	18,924	394
23	18,594	64
24	18,568	39
25	18,894	354
26	18,185	-345
27	19,142	612
28	18,187	-343
29	18,168	-362
30	18,097	-433
31	18,259	-271
32	18,438	-95
33	18,308	-525
34	18,060	-470



Unassigned

Al	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
His	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Gen	0 (100)	

18-	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
His	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Gen	0 (100)	

401

File

West Virginia Scenario CD

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- Vote Districts
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- Population
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Zoom Level 9

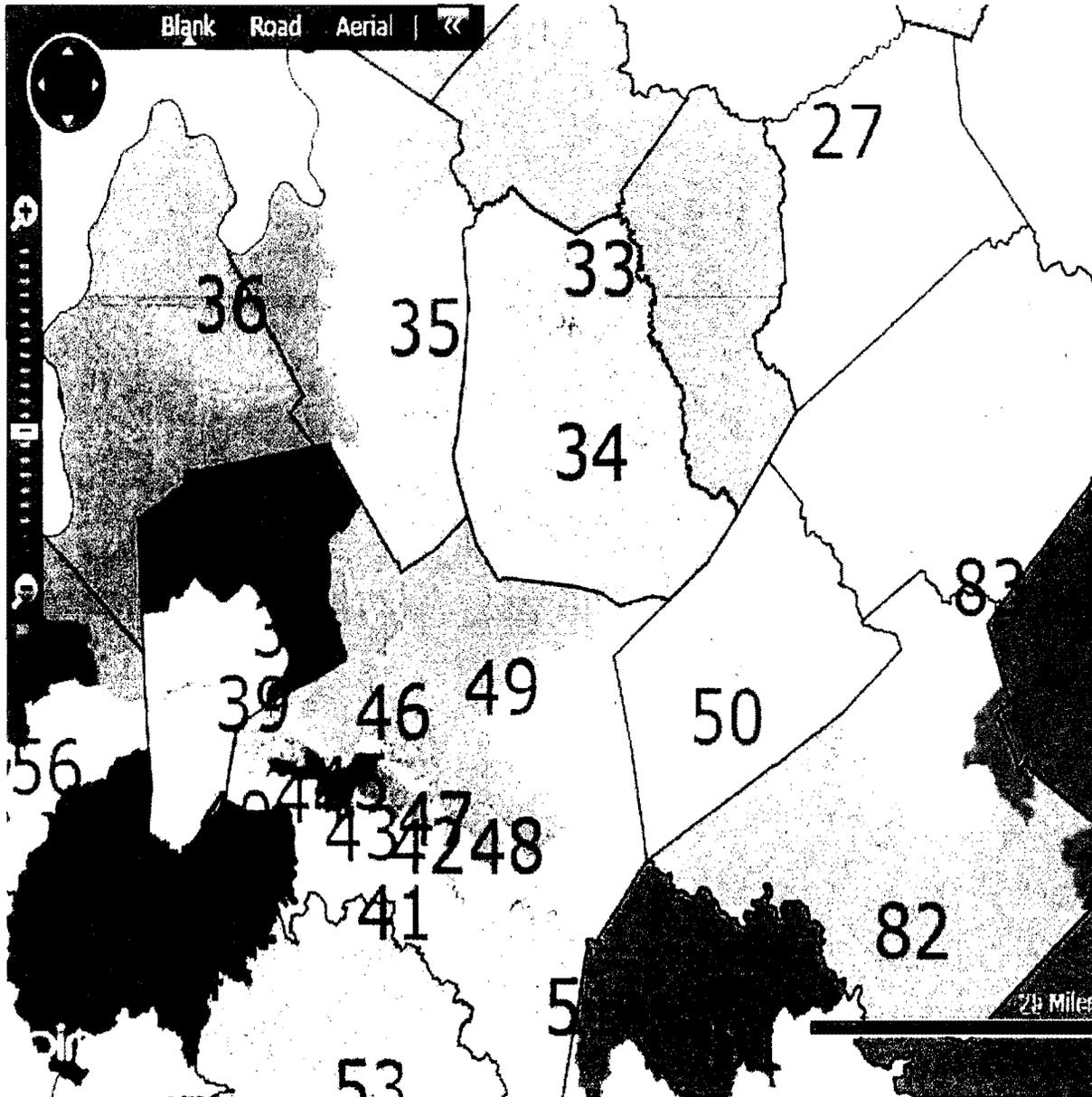
Color Opacity

Change Scenario Change Colors **Color Districts**

State Pop 1,952,994 Remember

CD Population Deviation

CD	Population	Deviation
33	18,650	120
36	18,550	20
37	18,150	-380
38	18,703	172
39	18,728	198
40	18,055	-475
41	19,048	518
42	18,745	216
43	18,413	-117
44	18,681	151
45	17,797	-733
46	18,529	99
47	17,917	-613
48	17,986	-544
49	18,523	93
50	18,375	-155
51	18,234	-296



Unassigned

Al.	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nac	0 (100)	
Qcn	0 (100)	

18-	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nac	0 (100)	
Qcn	0 (100)	

407

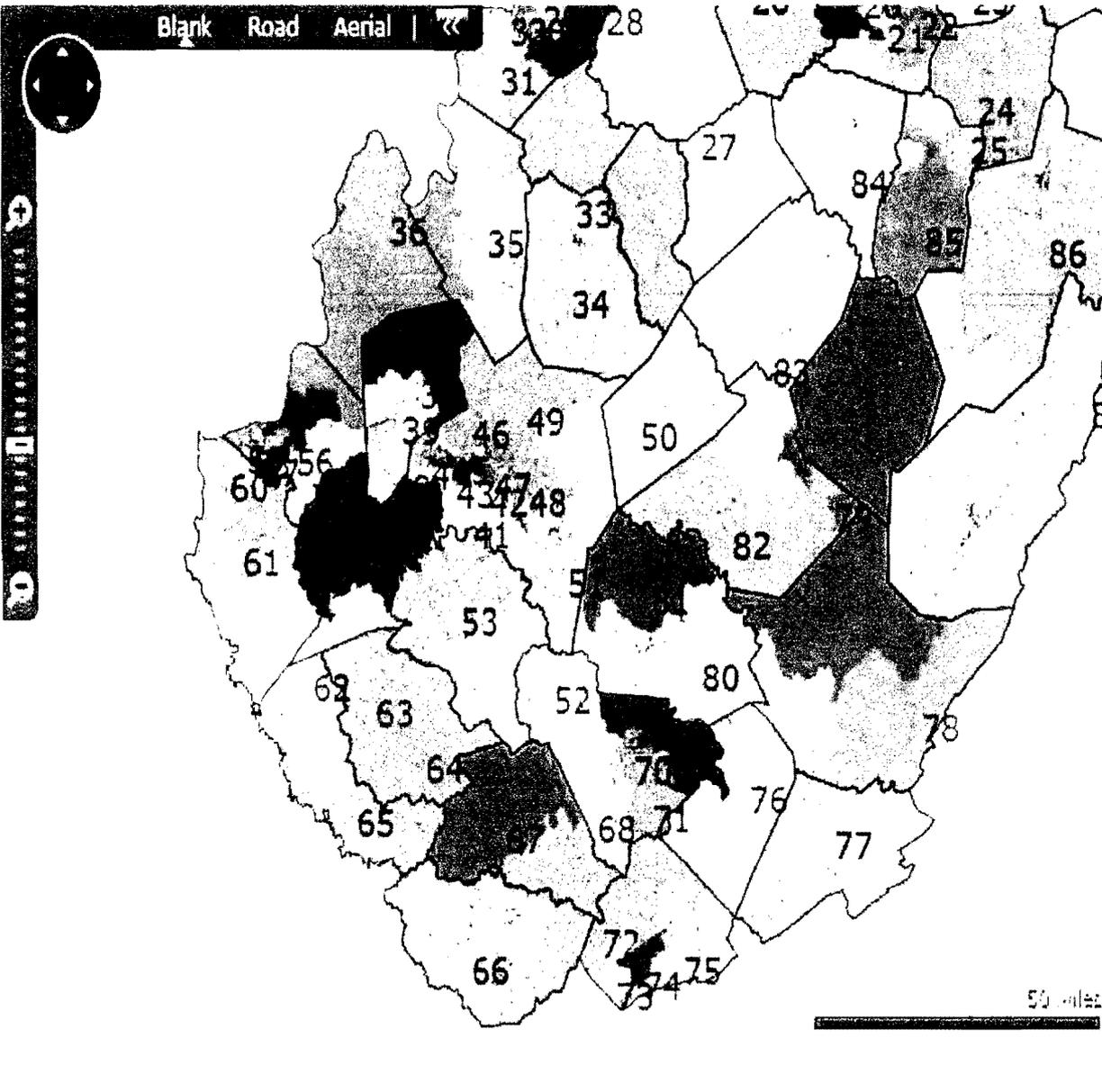
File
 West Virginia Scenario CD

Show
 vote Districts City/Town Lines Old CDs Color By
 Counties Vote Dist Lines City Names New CD Population
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#CDs 100
 Zoom Level 8
 Color Opacity
 Change Scenario
 Change Colors
Color Districts
 State Pop 1,852,994
 Renumber

CD	Population	Deviation
52	18,757	227
53	18,867	337
54	18,361	-169
55	18,542	112
56	18,747	217
57	18,420	-110
58	18,571	41
59	18,744	214
60	18,056	-474
61	18,050	-480
62	18,249	-281
63	18,361	-149
64	18,362	-168
65	18,324	-206
66	17,970	-560
67	18,290	-240
68	18,744	214



Unassigned

Al.	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nac	0 (100)	
Ocn	0 (100)	

IS-	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nac	0 (100)	
Ocn	0 (100)	

403

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File

West Virginia

Scenario 20

Show

Vote Districts

City/Town Lines

Old CDs

Color By

Counties

Vote Dist Lines

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#CDs: 100

Zoom Level: 8

Color Opacity

Change Scenario | Change Colors

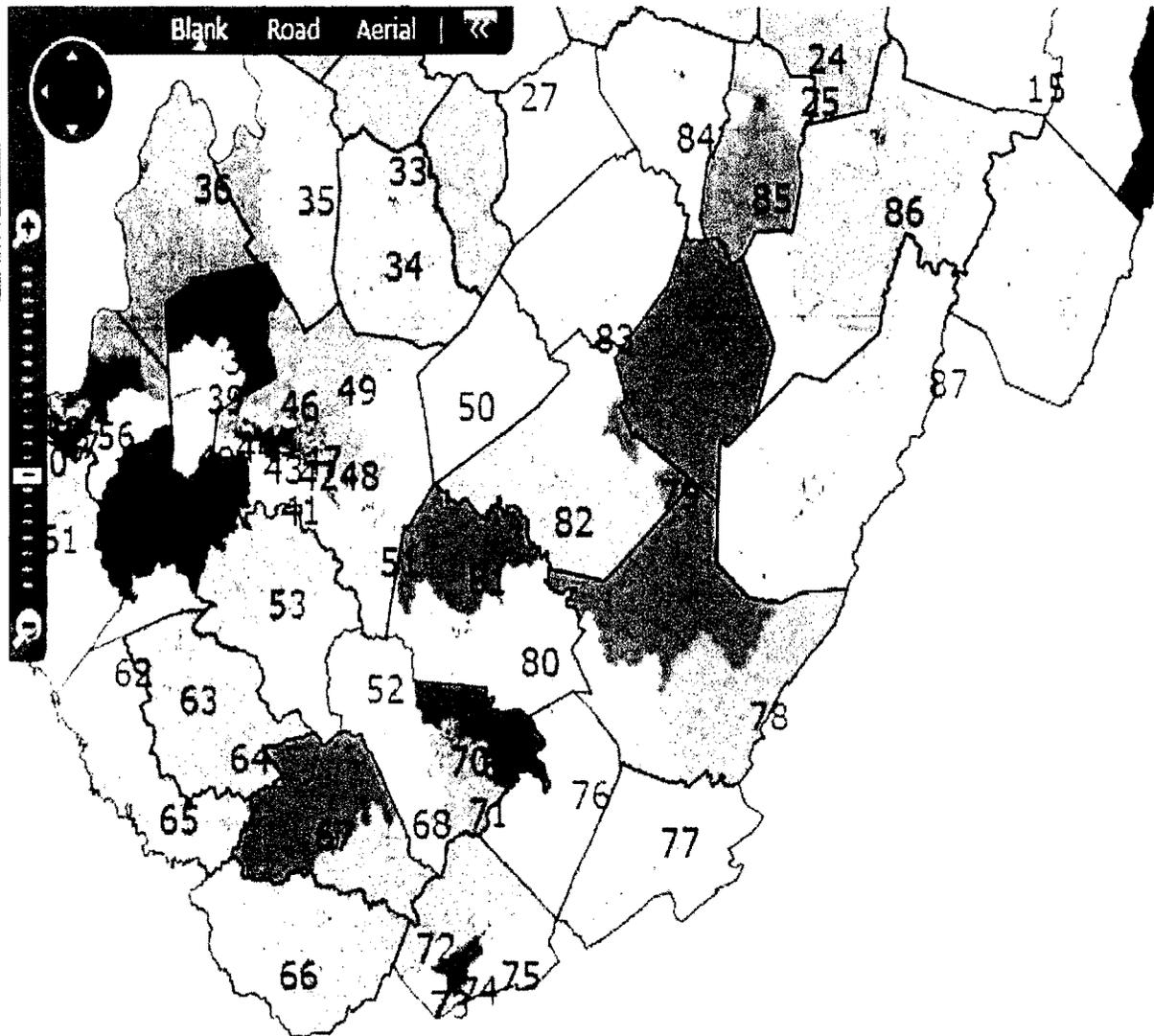
Color Districts

State Pop: 1,852,994

Remember

CD Population Deviation

CD	Population	Deviation
69	18,744	214
70	18,366	-164
71	17,956	-574
72	18,857	337
73	18,025	-505
74	18,292	-238
75	17,791	-739
76	17,805	-725
77	18,570	142
78	18,577	247
79	19,135	605
80	18,522	-7
81	19,094	564
82	18,875	246
83	18,399	369
84	18,715	185
85	19,190	650



Unassigned

Al	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Oth	0 (100)	

18-	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Oth	0 (100)	

404

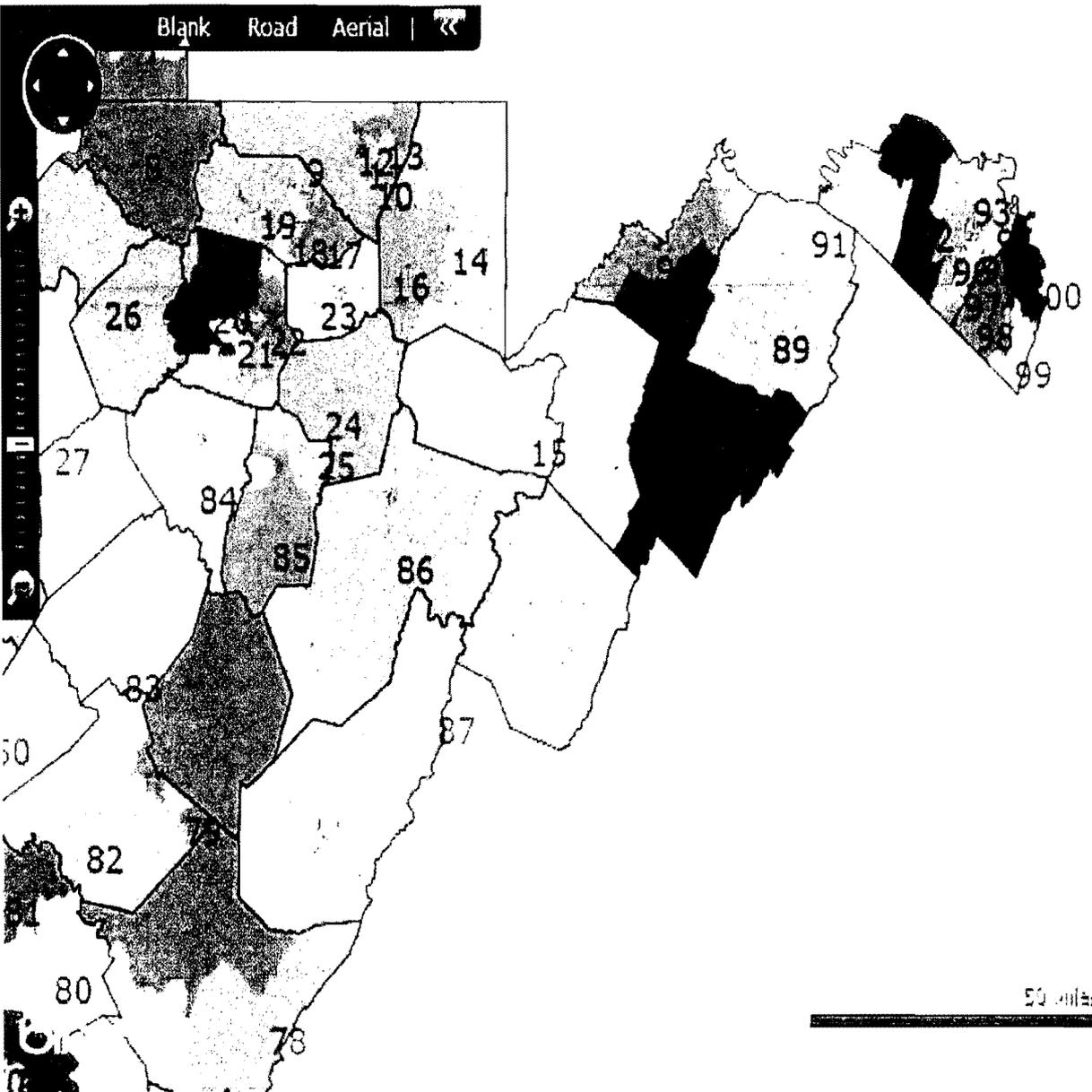
File ▾
 West Virginia ▾ Scenario CD

Show Vote Districts City/Town Lines Old CDs Color By
 Counties Vote Dist Lines City Names New CD Population
 Crty Names CD Labels Tw. Names Old/New CD Election

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#CDs ◀ 100 ▶ Zoom Level 8
 Color Opacity
 Change Scenario | Change Colors | **Color Districts**
 State Pop 1,952,994 | Remember

CD	Population	Deviation
83	19,190	000
86	19,084	554
97	19,070	540
88	18,522	92
89	18,534	104
99	18,358	-172
96	18,290	-240
91	18,080	-450
92	18,392	-137
93	18,025	-504
94	19,063	553
95	19,145	515
95	18,708	176
97	19,077	547
98	18,511	81
99	18,095	-435
100	18,909	279



Unassigned		
Ab	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Qtr	0 (100)	

18-	Pop	%
Tot	0	
Wh	0 (100)	
Bl	0 (100)	
Hisp	0 (100)	
Asn	0 (100)	
Nat	0 (100)	
Qtr	0 (100)	

405

To: Members of the Supreme Court of Appeals of West Virginia

From: ^{A.S.C.} Thornton Cooper, 3015 Ridgeview Drive, South Charleston, WV 25303, (304) 744-9616, thornbush@att.net.

Subject: Revised House of Delegates redistricting plan (New Delegate Districts 1-100)

Date: October 12, 2011

Petitioner's Exhibit No. 16

Set forth hereinbelow is my **final revised plan** to redistrict the West Virginia House of Delegates into 100 single-member districts.

It was my intention to minimize the splitting of counties with fewer than 18,530 residents. Under this **final revised plan**, the **only county** with fewer than 18,530 residents that would be split between delegate districts would be **Morgan County**.

In those situations in which counties are divided between or among different delegate districts, I have, before deciding where to draw the lines separating delegate districts, considered such factors as federal and state constitutional requirements, population, compactness, natural boundaries, highways, municipal boundaries, and boundaries between more rural and more urban precincts.

How may you locate each precinct (VTD) to which my plan refers?

You may easily locate, view, and make copies of the maps that show the voting districts (VTD's) set forth below by visiting a user-friendly website. This website also allows you to zoom in on a VTD. You may visit that website by typing in the term "voting district reference map" in Google or another search engine. That website is usually at the top of the list of search results.

A VTD is a precinct. In most cases a VTD that is reflected on a county's voting district reference map on this website bears the same number and boundaries as does the current county precinct of the same number. But there are exceptions.

I have a list of the 2010 population count of every VTD in West Virginia. My redistricting plan below includes the population counts for many VTD's.

**West Virginia House of Delegates Redistricting Plan: Final Revised
Cooper House of Delegates Districts Plan No. 1 (New Delegate
Districts 1-100).**

I. New Delegate District 1:

New Delegate District 1 would be composed of the territory contained in 16 precincts in the northern and central parts of Hancock County.

The population of New Delegate District 1 would be 18,461, as follows:

Hancock County VTD 1	(Chester)	1,443
Hancock County VTD 2	(Chester)	1,133
Hancock County VTD 3	(Newell)	1,100
Hancock County VTD 4	(uninc. and Newell)	668
Hancock County VTD 5	(uninc. and Chester)	1,002
Hancock County VTD 6	(uninc.)	1,484
Hancock County VTD 7	(uninc.)	693
Hancock County VTD 8	(uninc.)	1,450
Hancock County VTD 9	(uninc.)	1,338
Hancock County VTD 10	(New Cumberland)	1,103
Hancock County VTD 11	(uninc.)	851
Hancock County VTD 12	(uninc.)	1,427
Hancock County VTD 13	(uninc.)	1,257
Subtotal (13 Hancock County precincts north of Weirton)		14,949
Hancock County VTD 14	(Weirton)	951
Hancock County VTD 19	(Weirton)	1,157
Hancock County VTD 21	(Weirton)	1,404
Subtotal (3 Hancock County precincts in Weirton)		3,512
Total for New Delegate District 1		18,461

II. New Delegate District 2:

New Delegate District 2 would be composed of the territory contained in 12 precincts in part of Hancock County and 7 precincts in part of Brooke County. New Delegate District 2 would be adjacent to, and to the south of, New Delegate District 1. Most of these precincts are located within the City of Weirton. The population of this district would be 18,307, as follows:

Hancock County VTD 15	(Weirton)	405
Hancock County VTD 16	(Weirton)	1,263
Hancock County VTD 17	(Weirton)	995

Hancock County VTD 18	(Weirton)	683
Hancock County VTD 20	(Weirton)	1,606
Hancock County VTD 22	(Weirton)	1,321
Hancock County VTD 23	(Weirton)	1,110
Hancock County VTD 24	(Weirton)	1,092
Hancock County VTD 25	(Weirton)	1,004
Hancock County VTD 26	(Weirton)	919
Hancock County VTD 27	(Weirton)	966
Hancock County VTD 28	(Weirton)	851
Subtotal (12 Hancock County precincts in Weirton)		12,215
Brooke County VTD 24	(uninc. and Weirton)	1,568
Brooke County VTD 25	(Weirton)	570
Brooke County VTD 26	(Weirton)	1,020
Brooke County VTD 32B	(uninc.)	412
Brooke County VTD 34	(Weirton)	1,091
Brooke County VTD 35A	(uninc.)	663
Brooke County VTD 36	(Weirton)	768
Subtotal (7 Brooke County precincts)		6,092
Total for New Delegate District 2		18,307

III. New Delegate District 3:

New Delegate District 3 would be composed of the territory contained in the 23 precincts in the portion of Brooke County that is located to the south of New Delegate District 2. New Delegate District 3 would be adjacent to, and to the south of, New Delegate District 2. The population of this district would be 17,977, as follows:

Brooke County VTD 1	(Wellsburg)	608
Brooke County VTD 4	(Wellsburg)	660
Brooke County VTD 5	(Wellsburg)	583
Brooke County VTD 6	(Wellsburg)	954
Brooke County VTD 11	(uninc. and Beech Bottom)	456
Brooke County VTD 13	(uninc.)	478
Brooke County VTD 14	(uninc. and Bethany)	1,398
Brooke County VTD 15	(uninc. and Beech Bottom)	1,173
Brooke County VTD 16	(BB and Windsor Heights)	618
Brooke County VTD 17	(uninc.)	1,165
Brooke County VTD 20A	(uninc)	184
Brooke County VTD 20B	(uninc. and Hooverson Heights)	1,158
Brooke County VTD 21A	(uninc.)	429
Brooke County VTD 21B	(uninc.)	1,376
Brooke County VTD 23A	(Hooverson Heights)	523
Brooke County VTD 23B	(Hooverson Heights)	381
Brooke County VTD 23C	(uninc. and Hooverson Heights)	701
Brooke County VTD 23D	(Hooverson Heights)	1,150

Brooke County VTD 28	(Follansbee)	456
Brooke County VTD 31	(Follansbee)	715
Brooke County VTD 32A	(Follansbee)	1,027
Brooke County VTD 33	(uninc. and Follansbee)	834
Brooke County VTD 35B	(uninc.)	950
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Total for New Delegate District 3		17,977

IV. New Delegate District 4:

New Delegate District 4 would be composed of the territory contained in 16 precincts in part of Ohio County, primarily in northern and eastern Ohio County. New Delegate District 4 would be adjacent to, and to the south of, New Delegate District 3.

The population of New Delegate District 4 would be 18,913, as follows:

Ohio County VTD 11	(uninc.)	1,243
Ohio County VTD 12	(uninc.)	655
Ohio County VTD 13	(uninc.)	1,035
Ohio County VTD 16	(uninc. and Wheeling)	1,087
Ohio County VTD 122	(Wheeling)	411
Ohio County VTD 124	(Wheeling)	772
Ohio County VTD 125	(uninc. and Wheeling)	1,384
Ohio County VTD 129	(uninc. and Wheeling)	1,025
Ohio County VTD 130	(uninc. and Wheeling)	942
Ohio County VTD 131	(Bethlehem and Wheeling)	837
Ohio County VTD 135	(Wheeling)	1,469
Ohio County VTD 141	(Wheeling)	617
Ohio County VTD 143	(uninc. and Triadelphia)	696
Ohio County VTD 146	(uninc. and Triadelphia)	2,383
Ohio County VTD 158	(uninc. and West Liberty)	2,163
Ohio County VTD 161	(uninc. and Valley Grove)	2,194
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Total for New Delegate District 4		18,913

V. New Delegate District 5:

New Delegate District 5 would be composed of the territory contained in 26 precincts in parts of central and southern Ohio County. New Delegate District 5 would be adjacent to, and generally to the south of, New Delegate District 4. Nearly all the residents of New Delegate District 5 reside in the City of Wheeling.

The population of New Delegate District 5 would be 18,669, as follows:

Ohio County VTD 1	(Wheeling)	1,045
Ohio County VTD 4	(Wheeling)	1,106
Ohio County VTD 5	(Wheeling)	1,268
Ohio County VTD 10	(uninc., Clearview, and Wh'ling)	629
Ohio County VTD 14	(uninc. and Wheeling)	306

Ohio County VTD 20	(Wheeling)	981
Ohio County VTD 23	(Wheeling)	370
Ohio County VTD 24	(Wheeling)	570
Ohio County VTD 28	(Wheeling)	210
Ohio County VTD 29	(Wheeling)	1,047
Ohio County VTD 31	(Wheeling)	527
Ohio County VTD 36	(Wheeling)	585
Ohio County VTD 49	(Wheeling)	587
Ohio County VTD 60	(Wheeling)	1,113
Ohio County VTD 64	(Wheeling)	559
Ohio County VTD 69	(Wheeling)	844
Ohio County VTD 77	(Wheeling)	602
Ohio County VTD 100	(Wheeling)	487
Ohio County VTD 102	(Wheeling)	210
Ohio County VTD 113	(Wheeling)	600
Ohio County VTD 115	(Wheeling)	665
Ohio County VTD 116	(Wheeling)	705
Ohio County VTD 119	(Wheeling)	624
Ohio County VTD 120	(uninc. and Wheeling)	891
Ohio County VTD 127	(Wheeling)	1,625
Ohio County VTD 128	(Wheeling)	513
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Total for New Delegate District 5		18,669

VI. New Delegate District 6:

New Delegate District 6 would be composed of the territory contained in 6 precincts in southern Ohio County and in 18 precincts in northern Marshall County. New Delegate District 6 would be adjacent to, and to the south of, New Delegate District 5.

The population of New Delegate District 6 would be 19,092, as follows:

Ohio County VTD 103	(uninc. and Wheeling)	650
Ohio County VTD 104	(uninc. and Wheeling)	1,696
Ohio County VTD 107	(Bethlehem)	1,087
Ohio County VTD 108	(Bethlehem)	1,387
Ohio County VTD 137	(uninc.)	1,137
Ohio County VTD 148	(Wheeling)	904
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Subtotal (6 Ohio County precincts)		6,861
Marshall County VTD 9A	(uninc.)	781
Marshall County VTD 12	(uninc.)	856
Marshall County VTD 19	(uninc.)	327
Marshall County VTD 20	(Benwood)	381
Marshall County VTD 21	(uninc.)	356
Marshall County VTD 23	(Benwood)	364
Marshall County VTD 24	(uninc.)	825

Marshall County VTD 25	(Benwood)	675
Marshall County VTD 26	(McMechen)	616
Marshall County VTD 28	(McMechen)	765
Marshall County VTD 29	(uninc.)	926
Marshall County VTD 30	(McMechen)	545
Marshall County VTD 33	(uninc. and Wheeling)	1,051
Marshall County VTD 34	(uninc.)	1,165
Marshall County VTD 35	(uninc.)	989
Marshall County VTD 36	(uninc.)	307
Marshall County VTD 38	(uninc.)	740
Marshall County VTD 39	(uninc. and Wheeling)	562
Subtotal (18 Marshall County precincts)		12,231

Total for New Delegate District 6 19,092

VII. New Delegate District 7:

New Delegate District 7 would be composed of the territory contained in 22 precincts in Marshall County. New Delegate District 7 would be adjacent to, and to the south of, New Delegate District 6.

The population of New Delegate District 7 would be 18,815, as follows:

Marshall County VTD 1	(Moundsville)	839
Marshall County VTD 4	(Moundsville)	850
Marshall County VTD 6	(Moundsville)	732
Marshall County VTD 7	(Moundsville)	1,013
Marshall County VTD 9	(Moundsville)	907
Marshall County VTD 10	(Moundsville)	910
Marshall County VTD 11	(Moundsville)	1,437
Marshall County VTD 13	(Glen Dale)	662
Marshall County VTD 14	(Glen Dale)	864
Marshall County VTD 15A	(uninc.)	787
Marshall County VTD 16	(Moundsville)	598
Marshall County VTD 17	(Moundsville)	579
Marshall County VTD 17A	(uninc.)	547
Marshall County VTD 18	(uninc.)	753
Marshall County VTD 43	(uninc.)	1,431
Marshall County VTD 44	(uninc.)	1,419
Marshall County VTD 45	(uninc.)	740
Marshall County VTD 46	(uninc.)	1,357
Marshall County VTD 56	(Cameron)	946
Marshall County VTD 58	(uninc.)	424
Marshall County VTD 60	(uninc.)	722
Marshall County VTD 61	(uninc.)	298
Total for New Delegate District 7		18,815

VIII. New Delegate District 8:

New Delegate District 8 would be composed of the territory contained in 4 precincts in southern Marshall County and of the territory contained in all of Wetzel County. New Delegate District 8 would be adjacent to, and to the south of, New Delegate District 7.

The population of New Delegate District 8 would be 18,644, as follows:

Marshall County VTD 40 (uninc.)	377
Marshall County VTD 41 (uninc.)	437
Marshall County VTD 48 (uninc.)	361
Marshall County VTD 52 (uninc.)	886
<hr/> Subtotal (4 Marshall County precincts)	2,061
Wetzel County (all)	16,583
Total for New Delegate District 8	18,644

IX. New Delegate District 9:

New Delegate District 9 would be composed of the territory contained in 27 precincts in western and central Monongalia County. New Delegate District 9 would be adjacent to, and to the east of, New Delegate District 8. Of these 27 precincts, 26 would be to the west of the Monongahela River (the Blacksville, Granville, and Westover side), with a combined population of 17,768. These are all of the precincts in Monongalia County that are to the west of the Monongahela River. The only precinct on the east (Morgantown) side of that river would be Monongahela County VTD 81, with a population of 1,107.

The population of New Delegate District 9 would be 18,875, as follows:

Monongalia Co. VTD 40 (uninc.)	466
Monongalia Co. VTD 41 (uninc.)	316
Monongalia Co. VTD 42 (uninc.)	567
Monongalia Co. VTD 44 (uninc.)	1,267
Monongalia Co. VTD 46 (uninc.)	394
Monongalia Co. VTD 47 (uninc.)	1,164
Monongalia Co. VTD 48 (uninc. and Granville)	525
Monongalia Co. VTD 49 (uninc.)	215
Monongalia Co. VTD 51 (uninc. and Blacksville)	593
Monongalia Co. VTD 52 (uninc.)	697
Monongalia Co. VTD 53 (uninc.)	501
Monongalia Co. VTD 54 (uninc.)	840
Monongalia Co. VTD 55 (uninc.)	727
Monongalia Co. VTD 56 (uninc.)	166
Monongalia Co. VTD 58 (uninc.)	485

Monongalia Co. VTD 64	(uninc.)	714
Monongalia Co. VTD 67	(uninc.)	1,076
Monongalia Co. VTD 68	(uninc.)	1,220
Monongalia Co. VTD 69	(uninc.)	699
Monongalia Co. VTD 70	(Westover)	786
Monongalia Co. VTD 71	(uninc. and Westover)	907
Monongalia Co. VTD 72	(Westover)	541
Monongalia Co. VTD 73	(Westover)	951
Monongalia Co. VTD 74	(Granville)	781
Monongalia Co. VTD 75	(Westover)	301
Monongalia Co. VTD 81	(uninc.)	1,107
Monongalia Co. VTD 92	(Westover)	869
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Total for New Delegate District 9		18,875

X. New Delegate District 10:

New Delegate District 10 would be composed of the territory contained in 10 precincts in southeastern Monongalia County. New Delegate District 10 would be adjacent to, and to the southeast of, New Delegate District 9.

The population of New Delegate District 10 would be 18,151, as follows:

Monongalia Co. VTD 33	(uninc. and Brookhaven)	1,212
Monongalia Co. VTD 34	(uninc., B'haven, and C. Lake)	1,973
Monongalia Co. VTD 37	(uninc. and Brookhaven)	1,181
Monongalia Co. VTD 38	(uninc., B'haven, and C. Lake)	3,167
Monongalia Co. VTD 60	(uninc.)	1,567
Monongalia Co. VTD 61	(uninc. and Morgantown)	2,170
Monongalia Co. VTD 63	(uninc.)	766
Monongalia Co. VTD 77	(uninc. and Cheat Lake)	3,998
Monongalia Co. VTD 78	(uninc. and Cheat Lake)	681
Monongalia Co. VTD 85	(uninc. and Morgantown)	1,436
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Total for New Delegate District 10		18,151

XI. New Delegate District 11:

New Delegate District 11 would be composed of the territory contained in 18 precincts in eastern Monongalia County. New Delegate District 11 would be adjacent to, and to the north of, New Delegate District 10. Most of the precincts in New Delegate District 11 would be in the southern part of Morgantown, including downtown Morgantown and much of WVU's downtown campus.

The population of New Delegate District 11 would be 18,394, as follows:

Monongalia Co. VTD 1	(Morgantown)	700
Monongalia Co. VTD 2	(Morgantown)	897
Monongalia Co. VTD 3	(Morgantown)	705

Monongalia Co. VTD 4	(Morgantown)	747
Monongalia Co. VTD 5	(Morgantown)	661
Monongalia Co. VTD 6	(Morgantown)	514
Monongalia Co. VTD 7	(Morgantown)	733
Monongalia Co. VTD 8	(Morgantown)	1,378
Monongalia Co. VTD 9	(Morgantown)	260
Monongalia Co. VTD 10	(Morgantown)	917
Monongalia Co. VTD 12	(Morgantown)	2,540
Monongalia Co. VTD 13	(Morgantown)	1,882
Monongalia Co. VTD 14	(Morgantown)	838
Monongalia Co. VTD 15	(Morgantown)	398
Monongalia Co. VTD 30	(Morgantown)	405
Monongalia Co. VTD 31	(Morgantown)	1,202
Monongalia Co. VTD 32	(uninc.)	1,821
<u>Monongalia Co. VTD 35</u>	<u>(uninc.)</u>	<u>1,796</u>
Total for New Delegate District 11		18,394

XII. New Delegate District 12:

New Delegate District 12 would be composed of the territory contained in 16 precincts in eastern Monongalia County. New Delegate District 12 would be adjacent to, and to the northwest of, New Delegate District 11. Most of the precincts in New Delegate District 12 would be in the northern part of Morgantown, including much of WVU's Evansdale campus, and in Star City.

The population of New Delegate District 12 would be 18,580, as follows:

Monongalia Co. VTD 16	(Morgantown)	858
Monongalia Co. VTD 17	(Morgantown)	1,393
Monongalia Co. VTD 18	(Morgantown)	2,403
Monongalia Co. VTD 20	(Morgantown)	1,163
Monongalia Co. VTD 21	(Morgantown)	2,394
Monongalia Co. VTD 22	(Morgantown)	1,879
Monongalia Co. VTD 23	(Morgantown)	661
Monongalia Co. VTD 25	(Star City)	1,170
Monongalia Co. VTD 26	(Morgantown)	460
Monongalia Co. VTD 27	(Morgantown)	415
Monongalia Co. VTD 28	(uninc. and Morgantown)	415
Monongalia Co. VTD 29	(Star City)	707
Monongalia Co. VTD 36A	(uninc.)	461
Monongalia Co. VTD 76	(uninc.)	542
Monongalia Co. VTD 87	(uninc.)	3,184
<u>Monongalia Co. VTD 90</u>	<u>(uninc., M'town, and Star City)</u>	<u>475</u>
Total for New Delegate District 12		18,580

XIII. New Delegate District 13:

New Delegate District 13 would be composed of the territory contained in 11 precincts in northeastern Monongalia County. New Delegate District 13 would be adjacent to, and to the northeast of, New Delegate District 12. Most of the precincts in New Delegate District 13 would be in Morgantown, in the Cheat Lake area, and in the northeastern corner of Monongalia County.

The population of New Delegate District 13 would be 18,625, as follows:

Monongalia Co. VTD 24	(Morgantown)	830
Monongalia Co. VTD 36B	(uninc.)	493
Monongalia Co. VTD 39	(uninc.)	1,266
Monongalia Co. VTD 79	(Cheat Lake)	2,907
Monongalia Co. VTD 80	(uninc. and Morgantown)	1,886
Monongalia Co. VTD 82	(uninc.)	441
Monongalia Co. VTD 83	(uninc. and Morgantown)	2,619
Monongalia Co. VTD 84	(uninc. and Morgantown)	2,174
Monongalia Co. VTD 86	(uninc.)	1,687
Monongalia Co. VTD 88	(uninc.)	2,418
Monongalia Co. VTD 91	(uninc.)	1,904
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Total for New Delegate District 13		18,625

XIV. New Delegate District 14:

New Delegate District 14 would be composed of the territory contained in 18 precincts in northern and eastern Preston County. New Delegate District 14 would be adjacent to, and to the east and southeast of, New Delegate District 13. All but three of New Delegate District 14's precincts would be located to the east of the Cheat River. Preston County VTD's 4, 9, and 10 would be located to the west of the Cheat River.

The population of New Delegate District 14 would be 18,769, as follows:

Preston County VTD 1	(uninc. and Bruceeton Mills)	1,187
Preston County VTD 2	(uninc. and Brandonville)	1,486
Preston County VTD 3	(uninc.)	3,392
Preston County VTD 4	(uninc.)	1,516
Preston County VTD 5	(uninc.)	894
Preston County VTD 6	(uninc.)	1,243
Preston County VTD 9	(Masontown)	546
Preston County VTD 10	(uninc.)	1,147
Preston County VTD 17	(uninc. and Albright)	959
Preston County VTD 18	(uninc. and Terra Alta)	1,714
Preston County VTD 19	(uninc.)	553
Preston County VTD 20	(uninc.)	752
Preston County VTD 28	(uninc.)	479

Preston County VTD 29 (uninc. and Rowlesburg)	421
Preston County VTD 30 (uninc.)	642
Preston County VTD 31 (uninc.)	528
Preston County VTD 32 (uninc. and Aurora)	770
Preston County VTD 33 (uninc.)	540
<hr/> Total for New Delegate District 14	18,769

XV. New Delegate District 15:

New Delegate District 15 would be composed of the territory contained in all of Grant and Tucker Counties. New Delegate District 15 would be adjacent to, and to the south and southeast of, New Delegate District 14.

The population of this district would be 19,078, as follows:

Grant County (all)	11,937
Tucker County (all)	7,141
<hr/> Total for New Delegate District 15	19,078

XVI. New Delegate District 16:

New Delegate District 16 would be composed of the territory contained in 2 precincts in eastern Monongalia County and of the territory contained in 16 precincts in western Preston County. New Delegate District 16 would be to the northwest of New Delegate District 15.

The population of New Delegate District 16 would be 18,315, as follows:

Monongalia Co. VTD 59 (uninc.)	1,543
Monongalia Co. VTD 62 (uninc.)	2,021
<hr/> Subtotal (2 Monongalia County precincts)	3,564
Preston County VTD 7 (uninc.)	1,048
Preston County VTD 8 (uninc.)	1,493
Preston County VTD 11 (uninc.)	791
Preston County VTD 11A (uninc.)	275
Preston County VTD 12 (uninc. and Reedsville)	1,173
Preston County VTD 13 (Kingwood)	1,651
Preston County VTD 14 (uninc.)	787
Preston County VTD 15 (Kingwood)	1,399
Preston County VTD 16 (uninc.)	418
Preston County VTD 21 (uninc.)	1,039
Preston County VTD 22 (uninc. and Newburg)	692
Preston County VTD 23 (uninc.)	510
Preston County VTD 24 (uninc.)	992
Preston County VTD 25 (uninc. and Tunnelton)	937

Preston County VTD 26 (uninc.)	884
Preston County VTD 27 (uninc. and Rowlesburg)	662
<hr/> Subtotal (16 Preston County precincts)	14,751
 Total for New Delegate District 16	 18,315

XVII. New Delegate District 17:

New Delegate District 17 would be composed of the territory contained in 24 precincts in eastern Marion County. New Delegate District 17 would be adjacent to, and to the west of, New Delegate District 16. All but three of New Delegate District 17's precincts would be located to the east of the Monongahela River and of the Tygart Valley River. Marion County VTD's 38, 39, and 40 would be located to the west of the Tygart Valley River.

The population of New Delegate District 17 would be 18,776, as follows:

Marion County VTD 38 (uninc. and White Hall)	1,316
Marion County VTD 39 (uninc.)	936
Marion County VTD 40 (uninc.)	562
Marion County VTD 96 (Fairmont)	713
Marion County VTD 98 (Fairmont)	499
Marion County VTD 100 (Fairmont)	538
Marion County VTD 101 (Fairmont)	629
Marion County VTD 102 (Fairmont)	571
Marion County VTD 104 (Fairmont)	611
Marion County VTD 111 (uninc. and F'mont and P Valley)	999
Marion County VTD 112 (uninc.)	1,001
Marion County VTD 113 (Fairmont)	855
Marion County VTD 114 (uninc.)	675
Marion County VTD 115 (uninc.)	1,434
Marion County VTD 116 (Pleasant Valley)	801
Marion County VTD 117 (uninc. and Pleasant Valley)	774
Marion County VTD 118 (Fairmont)	11
Marion County VTD 119 (Pleasant Valley)	651
Marion County VTD 120 (Fairmont)	1,118
Marion County VTD 121 (uninc.)	423
Marion County VTD 122 (uninc.)	975
Marion County VTD 123 (uninc.)	772
Marion County VTD 124 (uninc.)	856
<hr/> Marion County VTD 125 (uninc.)	1,056
Total for New Delegate District 17	18,776

XVIII. New Delegate District 18:

New Delegate District 18 would be composed of the territory contained in 23 precincts in central and eastern Marion County. New Delegate District 18 would be adjacent to,

and to the west of, New Delegate District 17. New Delegate District 18 would contain most of the population of Fairmont.

The population of New Delegate District 18 would be 18,643, as follows:

Marion County VTD	1	(Fairmont)	800
Marion County VTD	2	(Fairmont)	1,103
Marion County VTD	5	(Fairmont)	915
Marion County VTD	6	(uninc. and Fairmont)	665
Marion County VTD	7	(Fairmont)	692
Marion County VTD	13	(Fairmont)	839
Marion County VTD	16	(Fairmont)	920
Marion County VTD	18	(Fairmont)	1,523
Marion County VTD	20	(Fairmont)	1,405
Marion County VTD	27	(uninc. and Barrackville)	659
Marion County VTD	28	(uninc. and Barrackville)	937
Marion County VTD	29	(uninc.)	562
Marion County VTD	30	(Fairmont)	625
Marion County VTD	32	(Fairmont)	550
Marion County VTD	34	(Fairmont)	616
Marion County VTD	35	(Fairmont)	745
Marion County VTD	36	(Fairmont)	428
Marion County VTD	41	(uninc. and F'mont and WH)	690
Marion County VTD	42	(uninc. and F'mont and WH)	1,291
Marion County VTD	43	(Fairmont)	677
Marion County VTD	44	(Monongah)	451
Marion County VTD	45	(Fairmont)	1,002
Marion County VTD	48	(Fairmont)	548
Total for New Delegate District 18			18,643

XIX. New Delegate District 19:

New Delegate District 19 would be composed of the territory contained in 30 precincts in northern and western Marion County. New Delegate District 19 would be adjacent to, and to the west of, New Delegate District 18. New Delegate Districts 17, 18, and 19 would contain all of the territory in Marion County.

The population of New Delegate District 19 would be 18,999, as follows:

Marion County VTD	31	(uninc.)	1,092
Marion County VTD	33	(uninc.)	607
Marion County VTD	47	(uninc. and Worthington)	527
Marion County VTD	50	(uninc. and Worthington)	1,042
Marion County VTD	51	(uninc.)	427
Marion County VTD	52	(uninc. and Monongah)	611
Marion County VTD	53	(uninc. and Farmington)	904
Marion County VTD	55	(uninc.)	651
Marion County VTD	56	(uninc.)	734

Marion County VTD 57 (Monongah)	566
Marion County VTD 58 (uninc.)	447
Marion County VTD 59 (uninc.)	745
Marion County VTD 61 (uninc.)	748
Marion County VTD 62 (uninc.)	370
Marion County VTD 66 (Mannington)	684
Marion County VTD 67 (Mannington)	474
Marion County VTD 68 (Mannington)	370
Marion County VTD 69 (Mannington)	535
Marion County VTD 70 (uninc.)	650
Marion County VTD 72 (uninc.)	823
Marion County VTD 74 (uninc.)	715
Marion County VTD 78 (uninc.)	582
Marion County VTD 82 (uninc. and Rivesville)	786
Marion County VTD 83 (uninc.)	476
Marion County VTD 86 (Grant Town)	613
Marion County VTD 87 (uninc. and Fairview)	407
Marion County VTD 88 (uninc. and Grant Town)	678
Marion County VTD 89 (uninc.)	784
Marion County VTD 90 (uninc.)	387
Marion County VTD 92 (uninc.)	564
Total for New Delegate District 19	18,999

XX. New Delegate District 20:

New Delegate District 20 would be composed of the territory contained in 24 precincts in much of northern and western Harrison County. New Delegate District 20 would be adjacent to, and to the south of, New Delegate District 19.

The population of New Delegate District 20 would be 18,558, as follows:

Harrison County VTD 46 (uninc., Gypsy, and Shinnston)	1,175
Harrison County VTD 48 (uninc. and Enterprise)	862
Harrison County VTD 50 (Shinnston)	576
Harrison County VTD 51 (Shinnston)	600
Harrison County VTD 52 (Shinnston)	716
Harrison County VTD 53 (Shinnston)	309
Harrison County VTD 59 (uninc.)	1,074
Harrison County VTD 61 (uninc.)	1,210
Harrison County VTD 62 (uninc.)	396
Harrison County VTD 63 (uninc., Hepzibah, and Spelter)	1,453
Harrison County VTD 92 (uninc.)	1,182
Harrison County VTD 95 (uninc.)	747
Harrison County VTD 96 (Lumberport)	876
Harrison County VTD 98 (uninc.)	1,217
Harrison County VTD 114 (uninc.)	750
Harrison County VTD 130 (uninc.)	1,070

Harrison County VTD 132 (Salem)	506
Harrison County VTD 133 (uninc.)	766
Harrison County VTD 134 (uninc.)	633
Harrison County VTD 135 (uninc.)	459
Harrison County VTD 136 (Salem)	643
Harrison County VTD 137 (Salem)	437
Harrison County VTD 144A (uninc.)	478
<u>Harrison County VTD 145 (uninc.)</u>	<u>423</u>
Total for New Delegate District 20	18,558

XXI. New Delegate District 21:

New Delegate District 21 would be composed of the territory contained in 21 precincts in central and eastern Harrison County. New Delegate District 21 would be adjacent to, and to the south and east of, New Delegate District 20. New Delegate District 21 would contain most of the population of Clarksburg.

The population of New Delegate District 21 would be 18,749, as follows:

Harrison County VTD 1 (uninc.)	2,210
Harrison County VTD 2 (uninc.)	352
Harrison County VTD 14 (Clarksburg)	948
Harrison County VTD 16 (Clarksburg)	1,014
Harrison County VTD 19 (Clarksburg)	568
Harrison County VTD 22 (Clarksburg)	499
Harrison County VTD 28 (Clarksburg)	703
Harrison County VTD 29 (Clarksburg)	848
Harrison County VTD 33 (Clarksburg)	1,069
Harrison County VTD 34 (Clarksburg)	1,467
Harrison County VTD 36A (Clarksburg)	446
Harrison County VTD 37 (Clarksburg)	794
Harrison County VTD 66 (Clarksburg)	1,152
Harrison County VTD 68 (Clarksburg)	779
Harrison County VTD 70 (Clarksburg)	574
Harrison County VTD 74 (Clarksburg)	1,037
Harrison County VTD 78 (Clarksburg)	738
Harrison County VTD 79 (Clarksburg)	606
Harrison County VTD 80 (Clarksburg)	972
Harrison County VTD 82 (Clarksburg)	1,233
<u>Harrison County VTD 83 (Clarksburg)</u>	<u>740</u>
Total for New Delegate District 21	18,749

XXII. New Delegate District 22:

New Delegate District 22 would be composed of the territory contained in 20 precincts in eastern Harrison County. New Delegate District 22 would be adjacent to, and to the east of, New Delegate District 21. New Delegate District 22 would contain all of the population of Bridgeport.

The population of New Delegate District 22 would be 18,924, as follows:

Harrison County VTD	4 (Stonewood)	959
Harrison County VTD	5 (uninc. and Stonewood)	1,082
Harrison County VTD	6 (Nutter Fort)	1,094
Harrison County VTD	9 (Clarksburg)	615
Harrison County VTD	10 (uninc.)	857
Harrison County VTD	13 (Clarksburg)	461
Harrison County VTD	45 (uninc. and Bridgeport)	650
Harrison County VTD	87 (uninc.)	782
Harrison County VTD	120 (uninc.)	736
Harrison County VTD	121 (Anmoore and C'burg)	796
Harrison County VTD	122 (Bridgeport)	511
Harrison County VTD	123 (Bridgeport)	1,313
Harrison County VTD	124 (Bridgeport)	1,541
Harrison County VTD	125 (Bridgeport)	1,138
Harrison County VTD	126 (Bridgeport)	976
Harrison County VTD	128 (Bridgeport and uninc.)	1,677
Harrison County VTD	129 (Bridgeport)	1,174
Harrison County VTD	129A (Bridgeport)	476
Harrison County VTD	129B (Bridgeport)	1,222
Harrison County VTD	129C (Bridgeport and uninc.)	864
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Total for New Delegate District 22		18,924

XXIII. New Delegate District 23:

New Delegate District 23 would be composed of the territory contained in 3 precincts in northeastern Harrison County and of the territory contained in all of Taylor County. New Delegate District 23 would be adjacent to, and to the northeast of, New Delegate District 22.

The population of New Delegate District 23 would be 18,247, as follows:

Harrison County VTD	43 (uninc.)	757
Harrison County VTD	44 (uninc. and Enterprise)	595
Harrison County VTD	49 (uninc. and Enterprise)	347
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Subtotal (3 Harrison County precincts)		1,699
Taylor County (all)		16,895
Total for New Delegate District 23		18,594

XXIV. New Delegate District 24:

New Delegate District 24 would be composed of the territory contained in 3 precincts in eastern Harrison County and of the territory contained in all of Barbour County. New Delegate District 24 would be adjacent to, and to the south of, New Delegate District 23.

The population of New Delegate District 24 would be 18,568, as follows:

Harrison County VTD 102 (uninc.)	654
Harrison County VTD 102A (uninc.)	788
<u>Harrison County VTD 103 (uninc.)</u>	<u>537</u>
Subtotal (3 Harrison County precincts)	1,979
Barbour County (all)	16,589
Total for New Delegate District 24	18,568

XXV. New Delegate District 25:

New Delegate District 25 would be composed of the territory contained in 8 precincts in eastern and southern Harrison County, in 7 precincts in western Randolph County, and in 4 precincts in northern Upshur County. New Delegate District 25 would be adjacent to, and to the south, southwest, and west of, New Delegate District 24.

The population of New Delegate District 25 would 18,894, as follows:

Harrison County VTD 3 (uninc. and Nutter Fort)	1,282
Harrison County VTD 38 (Nutter Fort)	378
Harrison County VTD 104 (uninc.)	416
Harrison County VTD 106 (uninc.)	509
Harrison County VTD 107 (Lost Creek)	488
Harrison County VTD 108 (uninc.)	1,009
Harrison County VTD 110 (uninc.)	1,730
<u>Harrison County VTD 144 (West Milford)</u>	<u>630</u>
Subtotal (8 Harrison County precincts)	6,442
Randolph Co. VTD 28A (Elkins)	281
Randolph Co. VTD 75 (uninc. and Elkins)	308
Randolph Co. VTD 80 (uninc. and Elkins)	1,049
Randolph Co. VTD 150 (uninc. and Womelsdorf)	2,625
Randolph Co. VTD 155 (uninc. and Elkins)	1,837
Randolph Co. VTD 160 (uninc. and Elkins)	914
<u>Randolph Co. VTD 170 (uninc.)</u>	<u>1,113</u>
Subtotal (7 Randolph County precincts)	8,127
Upshur County VTD 33 (uninc.)	1,498
Upshur County VTD 35 (uninc.)	595
Upshur County VTD 38 (uninc.)	919
<u>Upshur County VTD 39 (uninc.)</u>	<u>1,313</u>
Subtotal (4 Upshur County precincts)	4,325
Total for New Delegate District 25	18,894

XXVI. New Delegate District 26:

New Delegate District 26 would be composed of the territory contained in 1 precinct in northwestern Harrison County and of the territory contained in all of Doddridge and Tyler Counties. New Delegate District 26 would be adjacent to, and to the west of, New Delegate District 20 and would be located to the west of New Delegate District 25.

The population of New Delegate District 26 would be 18,185, as follows:

Harrison County VTD 118 (uninc.)	775
Subtotal (1 Harrison County precinct)	775
Doddridge County (all)	8,202
Tyler County (all)	9,208
Total for New Delegate District 26	18,185

XXVII. New Delegate District 27:

New Delegate District 27 would be composed of the territory contained in all of Gilmer and Ritchie Counties. New Delegate District 27 would be adjacent to, and to the southwest of, New Delegate District 26.

The population of New Delegate District 27 would be 19,142, as follows:

Gilmer County (all)	8,693
Ritchie County (all)	10,449
Total for New Delegate District 27	19,142

XXVIII. New Delegate District 28:

New Delegate District 28 would be composed of the territory contained in 9 precincts in eastern Wood County and of the territory contained in all of Pleasants County. New Delegate District 28 would be adjacent to, and to the north and northwest of, New Delegate District 27.

The population of New Delegate District 28 would be 18,187, as follows:

Pleasants County (all)	7,605
Wood County VTD 54 (uninc. and Waverly)	896
Wood County VTD 54A (uninc. and Waverly)	1,026
Wood County VTD 57A (uninc.)	2,506
Wood County VTD 58 (uninc.)	1,042
Wood County VTD 60 (uninc.)	666

Wood County VTD 61	(uninc.)	1,281
Wood County VTD 86	(uninc.)	1,169
Wood County VTD 88	(Mineralwells)	1,180
Wood County VTD 89	(Mineralwells)	816
Subtotal (9 Wood County precincts)		10,582
Total for New Delegate District 28		18,187

XXIX. New Delegate District 29:

New Delegate District 29 would be composed of the territory contained in 19 precincts in northern and central Wood County. New Delegate District 29 would be adjacent to, and to the west of, New Delegate District 28. New Delegate District 29 would include Williamstown and part of Vienna.

The population of New Delegate District 29 would be 18,168, as follows:

Wood County VTD 38	(uninc.)	327
Wood County VTD 44	(Vienna)	1,019
Wood County VTD 44A	(Vienna)	745
Wood County VTD 45	(Vienna)	560
Wood County VTD 45A	(Vienna)	735
Wood County VTD 46	(Vienna)	570
Wood County VTD 46A	(Vienna)	785
Wood County VTD 46B	(Vienna)	1,423
Wood County VTD 47	(uninc.)	766
Wood County VTD 48	(uninc. and Boaz)	1,416
Wood County VTD 49	(uninc.)	1,601
Wood County VTD 50	(uninc.)	642
Wood County VTD 51	(Williamstown)	1,910
Wood County VTD 52	(Williamstown)	998
Wood County VTD 53	(uninc.)	1,014
Wood County VTD 53A	(uninc.)	919
Wood County VTD 56	(uninc.)	658
Wood County VTD 56A	(uninc.)	1,121
Wood County VTD 57	(uninc.)	959
Total for New Delegate District 29		18,168

XXX. New Delegate District 30:

New Delegate District 30 would be composed of the territory contained in 21 precincts in central Wood County. New Delegate District 30 would be adjacent to, and to the southwest of, New Delegate District 29. New Delegate District 30 would include much of Parkersburg.

The population of New Delegate District 30 would be 18,097, as follows:

Wood County VTD 8	(Parkersburg)	640
Wood County VTD 10	(Parkersburg)	1,102
Wood County VTD 13	(Parkersburg)	959
Wood County VTD 16	(Parkersburg)	476
Wood County VTD 17	(Parkersburg)	833
Wood County VTD 19	(Parkersburg)	1,476
Wood County VTD 23	(Parkersburg)	787
Wood County VTD 24	(Parkersburg)	946
Wood County VTD 27	(Parkersburg)	914
Wood County VTD 29	(Parkersburg)	1,000
Wood County VTD 31	(Parkersburg)	901
Wood County VTD 32	(Parkersburg)	1,971
Wood County VTD 36	(Parkersburg)	1,222
Wood County VTD 36B	(Parkersburg)	477
Wood County VTD 36C	(Parkersburg)	721
Wood County VTD 37	(Parkersburg)	524
Wood County VTD 37A	(Parkersburg)	577
Wood County VTD 37B	(Parkersburg)	571
Wood County VTD 37C	(Parkersburg)	525
Wood County VTD 37D	(Parkersburg)	539
Wood County VTD 40	(uninc.)	936
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Total for New Delegate District 30		18,097

XXXI. New Delegate District 31:

New Delegate District 31 would be composed of the territory contained in 17 precincts in central Wood County. New Delegate District 31 would be adjacent to, and to the north, west, and southwest of, New Delegate District 30. New Delegate District 31 would include parts of Parkersburg and Vienna.

The population of New Delegate District 31 would be 18,259, as follows:

Wood County VTD 1	(Parkersburg)	567
Wood County VTD 33	(Parkersburg)	802
Wood County VTD 34A	(Parkersburg)	1,034
Wood County VTD 35	(Parkersburg)	1,055
Wood County VTD 40A	(uninc.)	1,760
Wood County VTD 41	(Vienna)	906
Wood County VTD 42	(Vienna)	862
Wood County VTD 42A	(Vienna)	1,685
Wood County VTD 43A	(Vienna)	1,442
Wood County VTD 49A	(North Hills)	932
Wood County VTD 63	(uninc.)	1,345
Wood County VTD 63A	(uninc.)	952
Wood County VTD 63B	(uninc.)	757

Wood County VTD 64	(uninc.)	1,163
Wood County VTD 66	(Parkersburg)	1,185
Wood County VTD 69	(Parkersburg)	797
Wood County VTD 74	(Parkersburg)	1,015
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Total for New Delegate District 31		18,259

XXXII. New Delegate District 32:

New Delegate District 32 would be composed of the territory contained in 14 precincts in western and central Wood County. New Delegate District 31 would be adjacent to, and to the south of, New Delegate District 30. New Delegate District 30 would include part of Parkersburg.

The population of New Delegate District 32 would be 18,345, as follows:

Wood County VTD 62A	(uninc.)	1,604
Wood County VTD 67	(uninc.)	2,220
Wood County VTD 67A	(uninc.)	1,927
Wood County VTD 71	(Parkersburg)	527
Wood County VTD 71U	(uninc. and Parkersburg)	281
Wood County VTD 74A	(Parkersburg)	814
Wood County VTD 74B	(Parkersburg)	1,482
Wood County VTD 74C	(Parkersburg)	1,613
Wood County VTD 75	(Parkersburg)	1,530
Wood County VTD 77	(Parkersburg)	1,915
Wood County VTD 78	(uninc.)	1,404
Wood County VTD 78A	(uninc.)	852
Wood County VTD 79	(uninc.)	1,107
Wood County VTD 82	(uninc.)	1,159
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Total for New Delegate District 32		18,435

XXXIII. New Delegate District 33:

New Delegate District 33 would be composed of the territory contained in 1 precinct in northern Jackson County, of the territory contained in 4 precincts in southern Wood County, and of the territory contained in all of Calhoun and Wirt Counties. New Delegate District 33 would be adjacent to, and to the south and southeast of, New Delegate District 32. The entire territory of Wood County would be contained in New Delegate Districts 28, 29, 30, 31, 32, and 33.

The population of New Delegate District 33 would be 18,005, as follows:

Jackson County VTD 4	(uninc.)	1,246
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Subtotal (1 Jackson County precinct)		1,246
Wood County VTD 81	(uninc.)	683
Wood County VTD 84	(uninc.)	408

Wood County VTD 85 (uninc.)	797
Wood County VTD 87 (uninc.)	1,527
Subtotal (4 Wood County precincts)	3,415
Calhoun County (all)	7,627
Wirt County (all)	5,717
Total for New Delegate District 33	18,005

XXXIV. New Delegate District 34:

New Delegate District 34 would be composed of the territory contained in 4 precincts in eastern Jackson County and of the territory contained in all of Roane County. New Delegate District 34 would be adjacent to, and to the south and west of, New Delegate District 33.

The population of New Delegate District 34 would be 18,060, as follows:

Jackson County VTD 23 (uninc.)	1,379
Jackson County VTD 38 (uninc.)	382
Jackson County VTD 39 (uninc.)	615
Jackson County VTD 43 (uninc.)	758
Subtotal (4 Jackson County precincts)	3,134
Roane County (all)	14,926
Total for New Delegate District 34	18,060

XXXV. New Delegate District 35:

New Delegate District 35 would be composed of the territory contained in 21 precincts in Jackson County. New Delegate District 35 would be adjacent to, and to the west of, New Delegate District 34.

The population of New Delegate District 35 would be 18,650, as follows:

Jackson County VTD 1 (uninc.)	579
Jackson County VTD 5 (uninc.)	698
Jackson County VTD 6 (uninc.)	707
Jackson County VTD 8 (Ravenswood)	1,021
Jackson County VTD 9 (uninc.)	830
Jackson County VTD 10 (uninc.)	351
Jackson County VTD 11 (uninc.)	1,304
Jackson County VTD 14 (uninc.)	1,011
Jackson County VTD 15 (Ravenswood)	691
Jackson County VTD 16 (Ravenswood)	417
Jackson County VTD 17 (Ravenswood)	909
Jackson County VTD 18 (Ripley)	953

Jackson County VTD 19 (Ripley)	409
Jackson County VTD 20 (Ripley)	565
Jackson County VTD 21 (uninc.)	1,340
Jackson County VTD 22 (uninc.)	1,324
Jackson County VTD 27 (Ripley)	1,331
Jackson County VTD 28 (uninc. and Ripley)	2,203
Jackson County VTD 29 (uninc.)	346
Jackson County VTD 33 (uninc.)	1,090
Jackson County VTD 37 (uninc.)	571
Total for New Delegate District 35	18,650

XXXVI. New Delegate District 36:

New Delegate District 36 would be composed of the territory contained in 27 precincts in Mason County on the north (also east) side of the Kanawha River. New Delegate District 36 would be adjacent to, and to the west of, New Delegate District 35.

The population of New Delegate District 36 would be 18,550, as follows:

Mason County VTD 1 (uninc.)	887
Mason County VTD 2 (uninc.)	329
Mason County VTD 3 (uninc.)	735
Mason County VTD 4 (Mason)	978
Mason County VTD 5 (uninc.)	352
Mason County VTD 6 (Hartford City)	614
Mason County VTD 7 (New Haven)	795
Mason County VTD 8 (uninc.)	676
Mason County VTD 9 (New Haven)	763
Mason County VTD 10 (uninc.)	997
Mason County VTD 11 (uninc.)	706
Mason County VTD 12 (uninc.)	1,120
Mason County VTD 13 (uninc.)	234
Mason County VTD 14 (uninc.)	940
Mason County VTD 15 (uninc.)	943
Mason County VTD 16 (uninc.)	1,181
Mason County VTD 18 (uninc.)	792
Mason County VTD 19 (Point Pleasant)	550
Mason County VTD 20 (uninc. and Point Pleasant)	355
Mason County VTD 21 (uninc.)	430
Mason County VTD 22 (uninc.)	715
Mason County VTD 23 (Point Pleasant)	837
Mason County VTD 24 (Point Pleasant)	513
Mason County VTD 25 (Point Pleasant)	534
Mason County VTD 26 (Point Pleasant)	730
Mason County VTD 27 (Point Pleasant)	336

Mason County VTD 28 (Point Pleasant)	508
Total for New Delegate District 36	18,550

XXXVII. New Delegate District 37:

New Delegate District 37 would be composed of the territory contained in 3 precincts in Cabell County, 5 precincts in Jackson County, and 11 precincts in Mason County. New Delegate District 37 would be adjacent to, and to the east, south, and southwest of, New Delegate District 36. The 11 precincts in Mason County include all of the territory in Mason County that is on the south (also west) side of the Kanawha River and one precinct on the north side of that river. The entire territory of Jackson County would be included in New Delegate Districts 33, 34, 35, and 37. The entire territory of Mason County would be included in New Delegate Districts 36 and 37.

The population of New Delegate District 37 would be 18,150, as follows:

Cabell County VTD 56 (uninc. and Lesage)	929
Cabell County VTD 57 (uninc.)	1,068
Cabell County VTD 66 (uninc.)	1,198
Subtotal (3 Cabell County precincts)	3,195
Jackson County VTD 7 (uninc.)	799
Jackson County VTD 24 (uninc.)	332
Jackson County VTD 26 (uninc.)	1,805
Jackson County VTD 30 (uninc.)	1,895
Jackson County VTD 32 (uninc.)	1,350
Subtotal (5 Jackson County precincts)	6,181
Mason County VTD 17 (uninc.)	921
Mason County VTD 29 (Henderson)	271
Mason County VTD 30 (uninc.)	975
Mason County VTD 31 (uninc.)	670
Mason County VTD 32 (uninc.)	619
Mason County VTD 33 (uninc.)	864
Mason County VTD 34 (uninc.)	535
Mason County VTD 35 (uninc.)	902
Mason County VTD 36 (uninc.)	839
Mason County VTD 37 (uninc.)	627
Mason County VTD 38 (uninc.)	1,551
Subtotal (11 Mason County precincts)	8,774
Total for New Delegate District 37	18,150

XXXVIII. New Delegate District 38:

New Delegate District 38 would be composed of the territory contained in 18 precincts in Putnam County. The district would include all of the territory in Putnam County that is on the north (also east) side of the Kanawha River and one precinct on the south (also

west) side of that river. New Delegate District 38 would be adjacent to, and to the south of, New Delegate District 37.

The population of New Delegate District 38 would be 18,703, as follows:

Putnam County VTD 1	(uninc. and Buffalo)	1,687
Putnam County VTD 2	(uninc.)	855
Putnam County VTD 4	(uninc. and Eleanor)	950
Putnam County VTD 15	(uninc.)	677
Putnam County VTD 16	(uninc. and Poca)	2,238
Putnam County VTD 17	(uninc.)	512
Putnam County VTD 18	(uninc. and Bancroft)	1,220
Putnam County VTD 19	(uninc.)	379
Putnam County VTD 21	(uninc.)	565
Putnam County VTD 22	(uninc. and Nitro)	981
Putnam County VTD 23	(uninc. and Nitro)	2,079
Putnam County VTD 30	(uninc., south of Kanawha)	1,555
Putnam County VTD 34	(uninc. and Eleanor)	910
Putnam County VTD 35	(uninc.)	382
Putnam County VTD 36	(uninc.)	795
Putnam County VTD 37	(uninc. and Hometown)	670
Putnam County VTD 38	(uninc.)	886
Putnam County VTD 40	(uninc. and Eleanor)	1,362
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Total for New Delegate District 38		18,703

XXXIX. New Delegate District 39:

New Delegate District 39 would be composed of the territory contained in 10 precincts in Putnam County on the south (also west) side of the Kanawha River. The district is generally in the central part of Putnam County. New Delegate District 39 would be adjacent to, and to the south of, New Delegate District 38.

The population of New Delegate District 39 would be 18,728, as follows:

Putnam County VTD 25	(uninc. and Teays Valley)	2,850
Putnam County VTD 26	(uninc. and Winfield)	2,829
Putnam County VTD 27	(uninc.)	2,602
Putnam County VTD 28	(uninc.)	2,372
Putnam County VTD 29	(uninc. and Teays Valley)	3,488
Putnam County VTD 31	(uninc., Culloden, and Hurricane)	915
Putnam County VTD 32	(uninc.)	1,067
Putnam County VTD 41	(uninc.)	1,180
Putnam County VTD 47	(uninc. and Teays Valley)	1,139
Putnam County VTD 48	(uninc.)	286
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Total for New Delegate District 39		18,728

XL. New Delegate District 40:

New Delegate District 40 would be composed of the territory contained in 10 precincts in Putnam County on the south (also west) side of the Kanawha River. The district is generally in the most southern part of Putnam County. New Delegate District 40 would be adjacent to, and to the south of, New Delegate District 39. The entire territory of Putnam County would be included in New Delegate Districts 38, 39, and 40.

The population of New Delegate District 40 would be 18,055, as follows:

Putnam County VTD 6	(uninc. and Hurricane)	2,981
Putnam County VTD 7	(Hurricane)	1,154
Putnam County VTD 8	(Culloden and Hurricane)	1,536
Putnam County VTD 9	(uninc., Culloden, and Hurr.)	1,317
Putnam County VTD 10	(uninc.)	1,864
Putnam County VTD 13	(uninc.)	1,161
Putnam County VTD 24	(uninc.)	1,038
Putnam County VTD 33	(uninc., Teays Valley, and Hurr.)	1,672
Putnam County VTD 42	(uninc. and Hurricane)	1,754
Putnam County VTD 43	(uninc. and Teays Valley)	3,578
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Total for New Delegate District 40		18,055

XLI. New Delegate District 41:

New Delegate District 41 would be composed of the territory contained in 17 precincts in southeastern Kanawha County to the north of Boone and Lincoln Counties. Although the district is largely rural, it also includes several precincts in the Kanawha City area of Charleston. New Delegate District 41 would be adjacent to, and to the east of, New Delegate District 40.

The population of New Delegate District 41 would be 19,048, as follows:

Kanawha County VTD 148	(uninc.)	704
Kanawha County VTD 149	(Chesapeake)	613
Kanawha County VTD 150	(Chesapeake)	510
Kanawha County VTD 151	(Chesapeake)	431
Kanawha County VTD 152	(uninc.)	312
Kanawha County VTD 153	(Marmet)	622
Kanawha County VTD 154	(Marmet)	569
Kanawha County VTD 158	(uninc.)	903
Kanawha County VTD 161	(Charleston)	1,219
Kanawha County VTD 163	(Charleston)	1,149
Kanawha County VTD 164	(Charleston)	1,268
Kanawha County VTD 165	(Charleston)	1,100
Kanawha County VTD 202	(uninc. and South Charleston)	2,564
Kanawha County VTD 205	(Charleston)	2,033
Kanawha County VTD 209	(uninc.)	1,131

Kanawha County VTD 307 (uninc. and Upper Falls)	2,386
Kanawha County VTD 379 (uninc. and Upper Falls)	1,534
Total for New Delegate District 41	19,048

XLII. New Delegate District 42:

New Delegate District 42 would be composed of the territory contained in 17 precincts in Kanawha County, primarily in the Fort Hill, South Hills, and Kanawha City areas of Charleston. New Delegate District 42 would be adjacent to, and to the north of, New Delegate District 41. The population of New Delegate District 42 would be 18,746, as follows:

Kanawha County VTD 160 (Charleston)	1,408
Kanawha County VTD 233 (Charleston)	1,546
Kanawha County VTD 234 (Charleston)	997
Kanawha County VTD 238 (Charleston)	1,216
Kanawha County VTD 239 (Charleston)	1,012
Kanawha County VTD 240 (Charleston)	1,387
Kanawha County VTD 241 (Charleston)	1,246
Kanawha County VTD 244 (Charleston)	868
Kanawha County VTD 246 (Charleston)	782
Kanawha County VTD 247 (Charleston)	768
Kanawha County VTD 250 (Charleston)	97
Kanawha County VTD 253 (Charleston)	1,299
Kanawha County VTD 254 (Charleston)	1,220
Kanawha County VTD 258 (Charleston)	1,338
Kanawha County VTD 260 (Charleston)	1,280
Kanawha County VTD 275 (uninc. and Charleston)	500
Kanawha County VTD 277 (Charleston)	1,782
Total for New Delegate District 42	18,746

XLIII. New Delegate District 43:

New Delegate District 43 would be composed of the territory contained in 21 precincts in Kanawha County, primarily in South Charleston and the area to the west of that city. New Delegate District 43 would be adjacent to, and to the west of, New Delegate District 42.

The population of New Delegate District 43 would be 18,413, as follows:

Kanawha County VTD 208 (South Charleston)	878
Kanawha County VTD 213 (South Charleston)	727
Kanawha County VTD 217 (South Charleston)	718
Kanawha County VTD 223 (South Charleston)	1,664
Kanawha County VTD 224 (South Charleston)	430
Kanawha County VTD 226 (South Charleston)	544
Kanawha County VTD 227 (South Charleston)	927
Kanawha County VTD 228 (South Charleston)	548

Kanawha County VTD 276 (Jefferson)	479
Kanawha County VTD 278 (uninc.)	1,012
Kanawha County VTD 279 (uninc.)	685
Kanawha County VTD 280 (uninc. and South Charleston)	1,722
Kanawha County VTD 281 (South Charleston)	896
Kanawha County VTD 282 (South Charleston)	512
Kanawha County VTD 283 (South Charleston)	588
Kanawha County VTD 284 (South Charleston)	397
Kanawha County VTD 285 (South Charleston)	232
Kanawha County VTD 286 (South Charleston)	2,475
Kanawha County VTD 287 (South Charleston)	546
Kanawha County VTD 288 (South Charleston)	846
<u>Kanawha County VTD 310 (uninc. and Upper Falls)</u>	<u>1,587</u>
Total for New Delegate District 43	18,413

XLIV. New Delegate District 44:

New Delegate District 44 would be composed of the territory contained in 18 precincts in Kanawha County, primarily in Saint Albans and the area to the west of that city. New Delegate District 44 would be adjacent to, and to the west of, New Delegate District 43.

The population of New Delegate District 44 would be 18,681, as follows:

Kanawha County VTD 302 (uninc.)	2,059
Kanawha County VTD 304 (uninc.)	993
Kanawha County VTD 305 (uninc.)	1,969
Kanawha County VTD 308 (uninc.)	786
Kanawha County VTD 309 (Saint Albans)	1,115
Kanawha County VTD 311 (uninc.)	631
Kanawha County VTD 317 (Saint Albans)	1,285
Kanawha County VTD 321 (Saint Albans)	1,222
Kanawha County VTD 326 (Saint Albans)	1,362
Kanawha County VTD 329 (Saint Albans)	569
Kanawha County VTD 332 (Saint Albans)	625
Kanawha County VTD 333 (Saint Albans)	1,273
Kanawha County VTD 337 (Saint Albans)	1,232
Kanawha County VTD 340 (Saint Albans)	1,055
Kanawha County VTD 347 (Saint Albans)	1,270
Kanawha County VTD 375 (Upper Falls)	204
Kanawha County VTD 376 (uninc.)	469
<u>Kanawha County VTD 378 (uninc.)</u>	<u>562</u>
Total for New Delegate District 44	18,681

XLV. New Delegate District 45:

New Delegate District 45 would be composed of the territory contained in 17 precincts in Kanawha County, primarily in the Nitro, Institute, and Dunbar areas. New Delegate

District 45 would be adjacent to, and to the north and northeast of, New Delegate District 44.

The population of New Delegate District 45 would be 17,797, as follows:

Kanawha County VTD 289 (Dunbar)	1,166
Kanawha County VTD 290 (Dunbar)	1,009
Kanawha County VTD 291 (Dunbar)	552
Kanawha County VTD 292 (Dunbar)	688
Kanawha County VTD 293 (Dunbar)	1,099
Kanawha County VTD 294 (Dunbar)	892
Kanawha County VTD 295 (Dunbar)	697
Kanawha County VTD 296 (Dunbar)	1,732
Kanawha County VTD 349 (Nitro)	405
Kanawha County VTD 350 (Nitro)	1,000
Kanawha County VTD 351 (Nitro)	952
Kanawha County VTD 352 (Nitro)	722
Kanawha County VTD 353 (Nitro)	940
Kanawha County VTD 354 (Nitro)	826
Kanawha County VTD 355 (Nitro)	1,044
Kanawha County VTD 357 (Institute and West Dunbar)	1,886
Kanawha County VTD 362 (uninc., Nitro, and Cross Lanes)	2,187
Total for New Delegate District 45	17,797

XLVI. New Delegate District 46:

New Delegate District 46 would be composed of the territory contained in 14 precincts in Kanawha County, primarily in the Cross Lanes and Sissonville areas. New Delegate District 46 would be adjacent to, and to the north and northeast of, New Delegate District 45.

The population of New Delegate District 46 would be 18,629, as follows:

Kanawha County VTD 358 (uninc.)	1,420
Kanawha County VTD 359 (uninc. and Cross Lanes)	1,005
Kanawha County VTD 360 (Cross Lanes)	1,508
Kanawha County VTD 361 (Cross Lanes)	2,045
Kanawha County VTD 364 (Cross Lanes)	641
Kanawha County VTD 365 (uninc.)	1,368
Kanawha County VTD 366 (uninc. and Dunbar)	1,138
Kanawha County VTD 368 (Cross Lanes)	1,140
Kanawha County VTD 370 (uninc.)	2,208
Kanawha County VTD 371 (uninc.)	1,770
Kanawha County VTD 373 (uninc.)	267
Kanawha County VTD 431 (uninc. and Sissonville)	1,256
Kanawha County VTD 432 (uninc. and Sissonville)	1,973
Kanawha County VTD 433 (uninc. and Sissonville)	890
Total for New Delegate District 46	18,629

XLVII. New Delegate District 47:

New Delegate District 47 would be composed of the territory contained in 17 precincts in Kanawha County, in Charleston, on the north side of the Kanawha River. New Delegate District 47 would be adjacent to, and to the southwest of, New Delegate District 46.

The population of New Delegate District 47 would be 17,917, as follows:

Kanawha County VTD 167 (Charleston)	791
Kanawha County VTD 168 (Charleston)	893
Kanawha County VTD 169 (Charleston)	1,467
Kanawha County VTD 170 (Charleston)	715
Kanawha County VTD 172 (Charleston)	688
Kanawha County VTD 174 (Charleston)	1,315
Kanawha County VTD 178 (Charleston)	1,364
Kanawha County VTD 179 (Charleston)	1,096
Kanawha County VTD 297 (Charleston)	1,370
Kanawha County VTD 298 (Charleston)	1,165
Kanawha County VTD 402 (Charleston)	671
Kanawha County VTD 404 (Charleston)	1,114
Kanawha County VTD 406 (Charleston)	1,209
Kanawha County VTD 407 (Charleston)	1,013
Kanawha County VTD 411 (Charleston)	1,324
Kanawha County VTD 412 (Charleston)	1,144
<u>Kanawha County VTD 413 (Charleston)</u>	<u>578</u>
Total for New Delegate District 47	17,917

XLVIII. New Delegate District 48:

New Delegate District 48 would be composed of the territory contained in 17 precincts in Kanawha County on the north side of the Kanawha River. Some of these precincts would be in Charleston. New Delegate District 48 would be adjacent to, and to the north and northeast of, New Delegate District 47.

The population of New Delegate District 48 would be 17,986, as follows:

Kanawha County VTD 118 (uninc.)	987
Kanawha County VTD 119 (uninc.)	1,254
Kanawha County VTD 120 (uninc. and Coal Fork)	1,487
Kanawha County VTD 123 (uninc. and Coal Fork)	834
Kanawha County VTD 166 (Charleston)	704
Kanawha County VTD 175 (Charleston)	760
Kanawha County VTD 177 (Charleston)	878
Kanawha County VTD 401 (Charleston)	899
Kanawha County VTD 403 (Charleston)	1,154
Kanawha County VTD 408 (Charleston)	1,441
Kanawha County VTD 410 (Charleston)	530

Kanawha County VTD 414 (Charleston)	785
Kanawha County VTD 415 (Charleston)	1,429
Kanawha County VTD 416 (Charleston)	938
Kanawha County VTD 417 (Charleston)	821
Kanawha County VTD 435 (uninc.)	841
Kanawha County VTD 436 (uninc.)	2,244
Total for New Delegate District 48	17,986

XLIX. New Delegate District 49:

New Delegate District 49 would be composed of the territory contained in 13 precincts in northern Kanawha County on the north side of the Kanawha River. This district would be primarily rural in character. New Delegate District 49 would be adjacent to, and to the north and northwest of, New Delegate District 48.

The population of New Delegate District 49 would be 18,623, as follows:

Kanawha County VTD 374 (uninc. and Sissonville)	1,831
Kanawha County VTD 419 (uninc.)	1,686
Kanawha County VTD 420 (uninc.)	845
Kanawha County VTD 421 (uninc. and Elkview)	653
Kanawha County VTD 422 (uninc. and Elkview)	825
Kanawha County VTD 423 (uninc.)	1,866
Kanawha County VTD 424 (uninc. and Big Chimney)	1,741
Kanawha County VTD 425 (uninc. and Big Chimney)	1,011
Kanawha County VTD 426 (uninc.)	858
Kanawha County VTD 427 (uninc.)	1,579
Kanawha County VTD 428 (uninc.)	1,891
Kanawha County VTD 429 (uninc. and Sissonville)	2,502
Kanawha County VTD 434 (uninc. and Sissonville)	1,335
Total for New Delegate District 49	18,623

L. New Delegate District 50:

New Delegate District 50 would be composed of the territory contained in 6 precincts in northeastern Kanawha County and of the territory contained in all of Clay County. New Delegate District 50 would be adjacent to, and to the east of, New Delegate District 49.

The population of New Delegate District 50 would be 18,375, as follows:

Kanawha County VTD 418 (uninc.)	1,194
Kanawha County VTD 437 (Pinch)	1,800
Kanawha County VTD 438 (uninc. and Elkview)	1,702
Kanawha County VTD 439 (uninc. and Pinch)	1,703
Kanawha County VTD 440 (uninc.)	1,363
Kanawha County VTD 441 (Clendenin)	1,227
Subtotal (6 Kanawha County precincts)	8,989

Clay County (all)	9,386
Total for New Delegate District 50	18,375

LI. New Delegate District 51:

New Delegate District 51 would be composed of the territory contained in 21 precincts in southeastern Kanawha County. New Delegate District 51 would be adjacent to, and to the south and southwest of, New Delegate District 50. The entire territory of Kanawha County would be included in New Delegate Districts 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, and 51.

The population of New Delegate District 51 would be 18,234, as follows:

Kanawha County VTD 103 (uninc.)	1,027
Kanawha County VTD 105 (Glasgow)	905
Kanawha County VTD 106 (Cedar Grove)	997
Kanawha County VTD 108 (uninc.)	769
Kanawha County VTD 110 (uninc.)	1,839
Kanawha County VTD 111 (uninc.)	609
Kanawha County VTD 112 (Belle)	597
Kanawha County VTD 113 (Belle)	663
Kanawha County VTD 114 (uninc.)	798
Kanawha County VTD 115 (uninc. and Rand)	1,223
Kanawha County VTD 116 (uninc. and Rand)	578
Kanawha County VTD 117 (uninc.)	831
Kanawha County VTD 131 (uninc. and Montgomery)	743
Kanawha County VTD 133 (uninc.)	409
Kanawha County VTD 134 (Pratt)	602
Kanawha County VTD 136 (uninc.)	1,217
Kanawha County VTD 138 (uninc.)	959
Kanawha County VTD 140 (uninc.)	498
Kanawha County VTD 142 (uninc.)	490
Kanawha County VTD 145 (uninc. and Chelyan)	1,091
Kanawha County VTD 147 (uninc. and Chelyan)	1,389
Total for New Delegate District 51	18,234

LII. New Delegate District 52:

New Delegate District 52 would be composed of the territory contained in 14 precincts in southeastern Boone County, 7 precincts in southwestern Fayette County, and 7 precincts in northwestern Raleigh County. New Delegate District 52 would be adjacent to, and to the south of, New Delegate District 51.

The population of New Delegate District 52 would be 18,757, as follows:

Boone County VTD 4 (uninc.)	444
Boone County VTD 5 (uninc.)	482
Boone County VTD 35 (uninc.)	323

Boone County VTD 36	(uninc.)	481
Boone County VTD 38	(uninc. and Whitesville)	414
Boone County VTD 40	(uninc. and Whitesville)	398
Boone County VTD 41	(uninc.)	473
Boone County VTD 46	(uninc. and Van)	636
Boone County VTD 47	(uninc. and Van)	236
Boone County VTD 48	(uninc. and Twilight)	211
Boone County VTD 49	(uninc.)	481
Boone County VTD 50	(uninc.)	309
Boone County VTD 51	(uninc.)	414
Boone County VTD 52	(uninc.)	460
Subtotal (14 Boone County precincts)		5,762
Fayette County VTD 5	(uninc., MH, and Scarbro)	1,136
Fayette County VTD 17	(uninc. and Pax)	1,218
Fayette County VTD 18	(uninc. and Mount Hope)	669
Fayette County VTD 19	(uninc., MH, Thurmond, Hilltop, and Glen Jean)	1,873
Fayette County VTD 23	(uninc. and Mount Hope)	1,643
Fayette County VTD 24	(uninc. and Mount Hope)	360
Fayette County VTD 41	(uninc., Page, and Kincaid)	1,170
Subtotal (7 Fayette County precincts)		8,069
Raleigh County VTD 60	(uninc.)	1,962
Raleigh County VTD 61	(uninc.)	428
Raleigh County VTD 62	(uninc.)	679
Raleigh County VTD 63	(uninc.)	350
Raleigh County VTD 64	(uninc.)	869
Raleigh County VTD 65	(uninc.)	496
Raleigh County VTD 66	(uninc.)	142
Subtotal (7 Raleigh County precincts)		4,926
Total for New Delegate District 52		18,757

LIII. New Delegate District 53:

New Delegate District 53 would be composed of the territory contained in 23 precincts in northern and western Boone County. New Delegate District 53 would be adjacent to, and to the northwest of, New Delegate District 52. The entire territory of Boone County would be included in New Delegate Districts 52 and 53.

The population of New Delegate District 53 would be 18,867, as follows:

Boone County VTD 1	(uninc.)	520
Boone County VTD 2	(uninc. and Greenview)	915
Boone County VTD 3	(uninc.)	820
Boone County VTD 7	(uninc.)	1,409

Boone County VTD 9	(uninc.)	634
Boone County VTD 11	(uninc.)	378
Boone County VTD 12	(uninc. and Madison)	990
Boone County VTD 13	(Madison)	969
Boone County VTD 14	(uninc. and Danville)	1,200
Boone County VTD 15	(uninc.)	1,260
Boone County VTD 16	(uninc.)	446
Boone County VTD 17	(uninc.)	847
Boone County VTD 18	(uninc.)	307
Boone County VTD 19	(Madison)	710
Boone County VTD 22	(uninc.)	999
Boone County VTD 23	(uninc.)	834
Boone County VTD 25	(uninc.)	1,153
Boone County VTD 30	(uninc. and Racine)	1,111
Boone County VTD 31	(uninc. and Comfort)	592
Boone County VTD 32	(uninc.)	772
Boone County VTD 33	(uninc.)	562
Boone County VTD 45	(uninc.)	1,018
Boone County VTD 53	(Madison)	421
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Total for New Delegate District 53		18,867

LIV. New Delegate District 54:

New Delegate District 54 would be composed of the territory contained in 22 precincts in Lincoln County. New Delegate District 54 would be adjacent to, and to the northwest of, New Delegate District 53.

The population of New Delegate District 54 would be 18,361, as follows:

Lincoln County VTD 1	(uninc. and Hamlin)	519
Lincoln County VTD 2	(uninc.)	488
Lincoln County VTD 3	(uninc. and Hamlin)	1,180
Lincoln County VTD 4	(uninc.)	360
Lincoln County VTD 5	(uninc.)	867
Lincoln County VTD 7	(uninc.)	898
Lincoln County VTD 8	(uninc.)	1,207
Lincoln County VTD 9	(uninc.)	621
Lincoln County VTD 10	(uninc.)	526
Lincoln County VTD 17	(uninc.)	922
Lincoln County VTD 20	(uninc.)	273
Lincoln County VTD 21	(uninc.)	1,045
Lincoln County VTD 22	(uninc.)	221
Lincoln County VTD 23	(uninc.)	810
Lincoln County VTD 24	(uninc. and West Hamlin)	1,309
Lincoln County VTD 25	(uninc. and West Hamlin)	1,257
Lincoln County VTD 26	(uninc.)	733
Lincoln County VTD 28	(uninc.)	1,389

Lincoln County VTD 29	(uninc.)	569
Lincoln County VTD 31	(uninc. and Alum Creek)	1,967
Lincoln County VTD 32	(uninc.)	632
Lincoln County VTD 33	(uninc.)	568
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Total for New Delegate District 54		18,361

LV. New Delegate District 55:

New Delegate District 55 would be composed of the territory contained in 10 precincts in eastern and southern Cabell County. This district would include the Culloden and Milton areas. New Delegate District 55 would be adjacent to, and to the northwest of, New Delegate District 54.

The population of New Delegate District 55 would be 18,642, as follows:

Cabell County VTD 49	(uninc.)	2,078
Cabell County VTD 50	(uninc.)	2,801
Cabell County VTD 51	(uninc.)	1,437
Cabell County VTD 59	(uninc.)	1,748
Cabell County VTD 60	(uninc.)	3,003
Cabell County VTD 62	(uninc.)	1,993
Cabell County VTD 63	(uninc. -Culloden)	1,830
Cabell County VTD 64	(Milton)	1,409
Cabell County VTD 65	(Milton)	1,071
Cabell County VTD 67	(uninc. -Culloden)	1,272
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Total for New Delegate District 55		18,642

LVI. New Delegate District 56:

New Delegate District 56 would be composed of the territory contained in 13 precincts in central Cabell County. This district would include most of Barboursville and several precincts in eastern Huntington. New Delegate District 56 would be adjacent to, and to the west of, New Delegate District 55.

The population of New Delegate District 56 would be 18,747, as follows:

Cabell County VTD 33	(Huntington)	1,188
Cabell County VTD 34-01	(Huntington)	1,280
Cabell County VTD 34-02	(uninc.)	443
Cabell County VTD 36	(uninc.)	1,863
Cabell County VTD 38	(uninc.)	944
Cabell County VTD 45	(Barboursville)	1,460
Cabell County VTD 46	(Barboursville)	1,837
Cabell County VTD 48	(uninc.)	800
Cabell County VTD 52	(uninc.)	1,410
Cabell County VTD 53	(uninc. and Barboursville)	924
Cabell County VTD 54	(uninc. and Huntington)	2,288
Cabell County VTD 55	(uninc.)	1,814

Cabell County VTD 58 (uninc.)	2,496
Total for New Delegate District 56	18,747

LVII. New Delegate District 57:

New Delegate District 57 would be composed of the territory contained in 14 precincts in western Cabell County. This district would include some precincts in eastern and southern Huntington. New Delegate District 57 would be adjacent to, and to the west of, New Delegate District 56.

The population of New Delegate District 57 would be 18,420, as follows:

Cabell County VTD 4 (Huntington)	1,117
Cabell County VTD 6W (Huntington)	515
Cabell County VTD 14 (Huntington)	1,485
Cabell County VTD 25 (Huntington)	986
Cabell County VTD 31 (Huntington)	1,229
Cabell County VTD 35 (uninc. and Huntington)	1,597
Cabell County VTD 37 (uninc. and Huntington)	1,225
Cabell County VTD 39 (uninc. and Hun'ton and B'ville)	1,714
Cabell County VTD 40 (uninc. and Barboursville)	920
Cabell County VTD 41 (uninc. and Barboursville)	2,740
Cabell County VTD 42 (uninc. and Pea Ridge)	1,648
Cabell County VTD 43 (uninc. and Pea Ridge)	1,262
Cabell County VTD 44 (uninc. and Pea Ridge)	967
Cabell County VTD 47 (uninc. and Pea Ridge)	1,015
Total for New Delegate District 57	18,420

LVIII. New Delegate District 58:

New Delegate District 58 would be composed of the territory contained in 15 precincts in western Cabell County in the eastern and central parts of Huntington. New Delegate District 58 would be adjacent to, and to the west of, New Delegate District 57.

The population of New Delegate District 58 would be 18,571, as follows:

Cabell County VTD 6 (Huntington)	1,377
Cabell County VTD 7 (Huntington)	1,978
Cabell County VTD 10 (Huntington)	1,395
Cabell County VTD 12 (Huntington)	1,382
Cabell County VTD 13 (Huntington)	1,253
Cabell County VTD 16 (Huntington)	1,158
Cabell County VTD 17 (Huntington)	1,177
Cabell County VTD 18 (Huntington)	534
Cabell County VTD 21 (Huntington)	1,177
Cabell County VTD 22 (Huntington)	1,139
Cabell County VTD 23 (Huntington)	1,574
Cabell County VTD 24 (Huntington)	939
Cabell County VTD 28 (Huntington)	1,804

Cabell County VTD 29	(Huntington)	805
Cabell County VTD 30	(Huntington)	879
Total for New Delegate District 58		18,571

LIX. New Delegate District 59:

New Delegate District 59 would be composed of the territory contained in 12 precincts in the westernmost part of Cabell County. These precincts are just south of the Ohio River in the central and western parts of Huntington. New Delegate District 59 would be adjacent to, and to the northwest of, New Delegate District 58. The entire territory of Cabell County would be included in New Delegate Districts 37, 55, 56, 57, 58, and 59.

The population of New Delegate District 59 would be 18,744, as follows:

Cabell County VTD 1	(Huntington)	1,057
Cabell County VTD 1A	(Huntington)	1,049
Cabell County VTD 2	(Huntington)	1,070
Cabell County VTD 3	(Huntington)	1,942
Cabell County VTD 5	(Huntington)	764
Cabell County VTD 9	(Huntington)	1,837
Cabell County VTD 11	(Huntington)	2,797
Cabell County VTD 19	(Huntington)	2,204
Cabell County VTD 20	(Huntington)	2,413
Cabell County VTD 26	(Huntington)	1,346
Cabell County VTD 27	(Huntington)	1,067
Cabell County VTD 32	(Huntington)	1,198
Total for New Delegate District 59		18,744

LX. New Delegate District 60:

New Delegate District 60 would be composed of the territory contained in 16 precincts in northern Wayne County, including Ceredo, Kenova, and the westernmost portion of Huntington. New Delegate District 60 would be adjacent to, and to the south and southwest of, New Delegate District 59.

The population of New Delegate District 60 would be 18,056, as follows:

Wayne County VTD 11	(Ceredo)	724
Wayne County VTD 12	(Ceredo)	755
Wayne County VTD 13	(Kenova)	1,355
Wayne County VTD 14	(uninc.)	1,805
Wayne County VTD 16	(uninc.)	651
Wayne County VTD 17	(uninc.)	1,136
Wayne County VTD 20	(Kenova)	1,086
Wayne County VTD 21	(Kenova)	775
Wayne County VTD 48	(uninc. and Lavalette)	1,466
Wayne County VTD 56	(uninc. and Ceredo)	1,579
Wayne County VTD 57	(uninc.)	1,209
Wayne County VTD 59	(Huntington)	1,136

Wayne County VTD 60	(Huntington)	1,134
Wayne County VTD 61	(Huntington)	926
Wayne County VTD 62	(uninc.)	1,534
Wayne County VTD 63	(Huntington)	785
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Total for New Delegate District 60		18,056

LXI. New Delegate District 61:

New Delegate District 61 would be composed of the territory contained in 15 precincts in central Wayne County. New Delegate District 61 would be adjacent to, and to the south of, New Delegate District 60.

The population of New Delegate District 61 would be 18,050, as follows:

Wayne County VTD 1	(uninc.)	1,659
Wayne County VTD 3	(uninc.)	1,412
Wayne County VTD 5	(uninc. and Prichard)	1,486
Wayne County VTD 6	(Fort Gay)	705
Wayne County VTD 18	(uninc.)	1,046
Wayne County VTD 19	(uninc.)	1,749
Wayne County VTD 22	(uninc. and Lavalette)	933
Wayne County VTD 42	(uninc.)	650
Wayne County VTD 45	(uninc.)	1,070
Wayne County VTD 49	(uninc. and Lavalette)	1,834
Wayne County VTD 50	(uninc. and Wayne)	1,555
Wayne County VTD 51	(Wayne)	1,083
Wayne County VTD 52	(uninc.)	693
Wayne County VTD 53	(uninc.)	1,287
Wayne County VTD 54	(uninc. and Wayne)	888
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Total for New Delegate District 61		18,050

LXII. New Delegate District 62:

New Delegate District 62 would be composed of the territory contained in 5 precincts in southwestern Lincoln County, 8 precincts in northern Mingo County, and 7 precincts in southeastern Wayne County. New Delegate District 62 would be adjacent to, and to the south and southeast of, New Delegate District 61. The entire territory of Lincoln County would be included in New Delegate Districts 54 and 62. The entire territory of Wayne County would be included in New Delegate Districts 60, 61, and 62.

The population of New Delegate District 62 would be 18,249, as follows:

Lincoln County VTD 12	(uninc.)	458
Lincoln County VTD 13	(uninc.)	964
Lincoln County VTD 14	(uninc. and Harts)	544
Lincoln County VTD 15	(uninc. and Harts)	660

Lincoln County VTD 16	(uninc. and Harts)	733
Subtotal (5 Lincoln County precincts)		3,359
Mingo County VTD 27	(Delbarton)	579
Mingo County VTD 28	(uninc.)	1,599
Mingo County VTD 43	(uninc. and Kermit)	991
Mingo County VTD 44	(uninc.)	1,075
Mingo County VTD 45	(uninc.)	989
Mingo County VTD 46	(uninc.)	1,394
Mingo County VTD 47	(uninc.)	323
Mingo County VTD 48	(uninc.)	1,565
Subtotal (8 Mingo County precincts)		8,515
Wayne County VTD 30	(uninc.)	822
Wayne County VTD 31	(uninc.)	1,269
Wayne County VTD 34	(uninc.)	798
Wayne County VTD 36	(uninc.)	1,117
Wayne County VTD 37	(uninc.)	1,111
Wayne County VTD 38	(uninc. and Crum)	192
Wayne County VTD 41	(uninc.)	1,066
Subtotal (7 Wayne County precincts)		6,375
Total for New Delegate District 62		18,249

LXIII. New Delegate District 63:

New Delegate District 61 would be composed of the territory contained in 15 precincts in northern and western Logan County. New Delegate District 63 would be adjacent to, and to the east of, New Delegate District 62.

The population of New Delegate District 63 would be 18,381, as follows:

Logan County VTD 1	(uninc.)	1,455
Logan County VTD 2	(uninc. and Chapmanville)	2,401
Logan County VTD 4	(uninc.)	1,960
Logan County VTD 5	(uninc.)	1,663
Logan County VTD 6	(uninc.)	1,218
Logan County VTD 7	(uninc.)	1,519
Logan County VTD 8	(uninc.)	1,028
Logan County VTD 10	(uninc. and Henlawson)	602
Logan County VTD 14	(uninc.)	338
Logan County VTD 15	(uninc. and Mitchell Heights)	1,665
Logan County VTD 43	(uninc. and Holden)	1,223
Logan County VTD 53	(uninc. and Verdunville)	1,267
Logan County VTD 54	(uninc. and Mt. Gay-Shamrock)	867
Logan County VTD 55	(uninc. and Mt. Gay-Shamrock)	689

Logan County VTD 56	(uninc. and Mt. Gay-Shamrock)	486
Total for New Delegate District 63		18,381

LXIV. New Delegate District 64:

New Delegate District 64 would be composed of the territory contained in 20 precincts in southern and eastern Logan County. New Delegate District 64 would be adjacent to, and to the south of, New Delegate District 63. The entire territory of Logan County would be included in New Delegate Districts 63 and 64.

The population of New Delegate District 64 would be 18,362, as follows:

Logan County VTD 11	(uninc.)	608
Logan County VTD 13	(uninc. and West Logan)	598
Logan County VTD 20	(uninc., Accoville, Amherstdale, and Robinette)	1,702
Logan County VTD 21	(Amherstdale and Robinette)	952
Logan County VTD 22	(uninc.)	696
Logan County VTD 25	(uninc. and Bruno)	1,237
Logan County VTD 26	(Man)	759
Logan County VTD 27	(uninc. and Mallory)	1,761
Logan County VTD 28	(uninc. and Man)	326
Logan County VTD 31	(uninc.)	475
Logan County VTD 36	(Logan)	892
Logan County VTD 37	(uninc. and McConnell)	799
Logan County VTD 39	(uninc. and Logan)	916
Logan County VTD 40	(uninc. and Neibert)	682
Logan County VTD 41	(uninc. and Stollings)	660
Logan County VTD 45	(uninc.)	1,463
Logan County VTD 46	(Monaville and Rossmore)	856
Logan County VTD 47	(Mount Gay-Shamrock)	626
Logan County VTD 49	(Omar, Chauncey, and Switzer)	1,345
Logan County VTD 50	(uninc. and Sarah Ann)	1,009
Total for New Delegate District 64		18,362

LXV. New Delegate District 65:

New Delegate District 65 would be composed of the territory contained in 24 precincts in southern and eastern Mingo County. New Delegate District 65 would be adjacent to, and to the southwest of, New Delegate District 64. The entire territory of Mingo County would be included in New Delegate Districts 62 and 65.

The population of New Delegate District 65 would be 18,324, as follows:

Mingo County VTD 1	(Williamson)	523
Mingo County VTD 3	(Williamson)	193
Mingo County VTD 5	(Williamson)	22
Mingo County VTD 6	(Williamson)	622

Mingo County VTD 7	(Williamson)	462
Mingo County VTD 9	(Williamson)	1,369
Mingo County VTD 22	(uninc. and Chattaroy)	1,126
Mingo County VTD 23	(uninc.)	820
Mingo County VTD 26	(uninc.)	700
Mingo County VTD 30	(uninc.)	995
Mingo County VTD 41	(uninc.)	1,074
Mingo County VTD 50	(Matewan)	493
Mingo County VTD 51	(uninc.)	146
Mingo County VTD 54	(uninc.)	255
Mingo County VTD 55	(uninc. and Red Jacket)	2,548
Mingo County VTD 56	(uninc. and Red Jacket)	469
Mingo County VTD 57	(uninc. and Red Jacket)	643
Mingo County VTD 59	(uninc.)	970
Mingo County VTD 72	(uninc. and Justice)	578
Mingo County VTD 73	(uninc.)	1,052
Mingo County VTD 74	(uninc. and Gilbert Creek)	1,470
Mingo County VTD 75	(uninc.)	775
Mingo County VTD 76	(Gilbert)	450
Mingo County VTD 77	(uninc.)	569
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Total for New Delegate District 65		18,324

LXVI. New Delegate District 66:

New Delegate District 66 would be composed of the territory contained in 32 precincts in western and central McDowell County. New Delegate District 66 would be adjacent to, and to the southeast of, New Delegate District 65.

The population of New Delegate District 66 would be 17,970, as follows:

McDowell County VTD 20	(uninc. and Roderfield)	499
McDowell County VTD 21	(uninc., Big Sandy, and R'field)	381
McDowell County VTD 23	(uninc. and Davy)	821
McDowell County VTD 26	(uninc. and Welch)	545
McDowell County VTD 28	(Welch)	1,738
McDowell County VTD 32	(uninc. and Welch)	337
McDowell County VTD 34	(uninc. and Welch)	811
McDowell County VTD 40	(uninc., Kimball, and Vivian)	729
McDowell County VTD 58	(uninc.)	171
McDowell County VTD 60	(uninc. and Gary)	679
McDowell County VTD 63	(uninc., Gary, and Welch)	281
McDowell County VTD 66	(uninc. and Gary)	180
McDowell County VTD 78	(uninc.)	436
McDowell County VTD 81	(uninc.)	113
McDowell County VTD 84	(War)	920
McDowell County VTD 85	(uninc.)	66
McDowell County VTD 86	(uninc.)	306

McDowell County VTD 87 (uninc., Berwind, and Cucumber)	649
McDowell County VTD 93 (uninc.)	296
McDowell County VTD 100 (uninc., Bartley, and Raysal)	896
McDowell County VTD 102 (uninc. and Bradshaw)	473
McDowell County VTD 103 (uninc. and Bradshaw)	301
McDowell County VTD 104 (uninc., Bradshaw, and Raysal)	1,434
McDowell County VTD 105 (uninc.)	1,288
McDowell County VTD 106 (laeger)	302
McDowell County VTD 107 (uninc.)	515
McDowell County VTD 109 (uninc.)	108
McDowell County VTD 111 (uninc.)	904
McDowell County VTD 112 (uninc.)	397
McDowell County VTD 113 (uninc.)	667
McDowell County VTD 114 (uninc.)	345
McDowell County VTD 116 (uninc. and Raysal)	382
Total for New Delegate District 66	17,970

LXVII. New Delegate District 67:

New Delegate District 67 would be composed of the territory contained in 23 precincts in western and central Wyoming County. New Delegate District 67 would be adjacent to, and to the north of, New Delegate District 66.

The population of New Delegate District 67 would be 18,290, as follows:

Wyoming County VTD 1 (uninc.)	1,134
Wyoming County VTD 2 (uninc. and Brenton)	687
Wyoming County VTD 13 (uninc.)	517
Wyoming County VTD 14 (uninc. and Pineville)	583
Wyoming County VTD 16 (uninc.)	758
Wyoming County VTD 17 (uninc.)	497
Wyoming County VTD 18 (uninc. and Pineville)	376
Wyoming County VTD 19 (uninc. and Pineville)	457
Wyoming County VTD 20 (uninc.)	1,424
Wyoming County VTD 21 (uninc.)	549
Wyoming County VTD 22 (uninc.)	119
Wyoming County VTD 23 (uninc.)	461
Wyoming County VTD 24 (uninc.)	1,604
Wyoming County VTD 26 (uninc. and Matheny)	957
Wyoming County VTD 27 (uninc. and Oceana)	905
Wyoming County VTD 28 (uninc. and Kopperston)	1,534
Wyoming County VTD 29 (uninc.)	1,134
Wyoming County VTD 31 (uninc. and Oceana)	824
Wyoming County VTD 32 (uninc.)	1,076
Wyoming County VTD 33 (uninc.)	705
Wyoming County VTD 34 (uninc.)	289
Wyoming County VTD 43 (uninc. and Glen Fork)	947

Wyoming County VTD 45 (uninc.)	753
Total for New Delegate District 67	18,290

LXVIII. New Delegate District 68:

New Delegate District 68 would be composed of the territory contained in 16 precincts in western Raleigh County. New Delegate District 68 would be adjacent to, and to the east of, New Delegate District 67.

The population of New Delegate District 68 would be 18,744, as follows:

Raleigh County VTD 23	(Lester)	348
Raleigh County VTD 25	(Rhodell)	173
Raleigh County VTD 27	(Sophia)	1,303
Raleigh County VTD 32	(uninc. and Beckley)	1,379
Raleigh County VTD 33	(uninc. and Crab Orchard)	1,478
Raleigh County VTD 34	(uninc. and Crab Orchard)	1,555
Raleigh County VTD 35	(uninc. and Coal City)	1,395
Raleigh County VTD 36	(uninc. and Glen White)	1,417
Raleigh County VTD 37	(uninc.)	722
Raleigh County VTD 38	(uninc. and Coal City)	2,054
Raleigh County VTD 40	(uninc.)	474
Raleigh County VTD 41	(uninc. and Helen)	549
Raleigh County VTD 44	(uninc. and Eccles)	1,763
Raleigh County VTD 45	(uninc.)	2,065
Raleigh County VTD 46	(uninc.)	1,040
Raleigh County VTD 47	(uninc. and Bolt)	1,029
Total for New Delegate District 68		18,744

LXIX. New Delegate District 69:

New Delegate District 69 would be composed of the territory contained in 11 precincts in northeastern Raleigh County. New Delegate District 69 would be adjacent to, and to the northeast of, New Delegate District 68.

The population of New Delegate District 69 would be 18,366, as follows:

Raleigh County VTD 20	(Beckley)	1,869
Raleigh County VTD 52	(un., Piney View, and Stanaford)	1,759
Raleigh County VTD 53	(uninc. and Prosperity)	2,183
Raleigh County VTD 54	(uninc., Bradley, and Prosperity)	1,438
Raleigh County VTD 55	(uninc. and Bradley)	677
Raleigh County VTD 56	(uninc.)	2,037
Raleigh County VTD 57	(uninc. and Bradley)	1,736
Raleigh County VTD 70	(uninc.)	1,153
Raleigh County VTD 73	(uninc.)	4,506
Raleigh County VTD 80	(uninc.)	717

Raleigh County VTD 81 (uninc.)	291
Total for New Delegate District 69	18,366

LXX. New Delegate District 70:

New Delegate District 70 would be composed of the territory contained in 17 precincts in central Raleigh County. New Delegate District 70 would be adjacent to, and to the south of, New Delegate District 69. New Delegate District 70 would include nearly all of the precincts in Beckley.

The population of New Delegate District 70 would be 17,956, as follows:

Raleigh County VTD 1 (Beckley)	1,010
Raleigh County VTD 2 (Beckley)	1,550
Raleigh County VTD 3 (Beckley)	610
Raleigh County VTD 5 (Beckley)	922
Raleigh County VTD 5A (Beckley)	510
Raleigh County VTD 6 (Beckley)	1,315
Raleigh County VTD 7 (Beckley)	1,328
Raleigh County VTD 8 (Beckley)	604
Raleigh County VTD 10 (Beckley)	1,087
Raleigh County VTD 11 (Beckley)	1,155
Raleigh County VTD 12 (Beckley)	1,197
Raleigh County VTD 15 (Beckley)	1,264
Raleigh County VTD 17 (Beckley)	782
Raleigh County VTD 18 (Beckley)	874
Raleigh County VTD 19 (Beckley)	1,352
Raleigh County VTD 50 (uninc.)	237
Raleigh County VTD 51 (uninc.)	2,159
Total for New Delegate District 70	17,956

LXXI. New Delegate District 71:

New Delegate District 71 would be composed of the territory contained in 12 precincts in southeastern Raleigh County. New Delegate District 71 would be adjacent to, and primarily to the south of, New Delegate District 70. The entire territory of Raleigh County would be included in New Delegate Districts 52, 68, 69, 70, and 71.

The population of New Delegate District 71 would be 18,867, as follows:

Raleigh County VTD 21 (Mabscott)	1,395
Raleigh County VTD 30 (uninc. and MacArthur)	1,125
Raleigh County VTD 31 (uninc. and MacArthur)	1,514
Raleigh County VTD 48 (uninc.)	323
Raleigh County VTD 49 (uninc. and Ghent)	1,520
Raleigh County VTD 71 (uninc., Beaver, and MacArthur)	1,667
Raleigh County VTD 72 (uninc., Beaver, and Daniels)	1,723
Raleigh County VTD 74 (uninc. and Daniels)	1,146

Raleigh County VTD 75	(uninc. and Daniels)	2,100
Raleigh County VTD 76	(uninc., D'Is, and Shady Spring)	3,151
Raleigh County VTD 77	(uninc. and Shady Spring)	1,542
Raleigh County VTD 85	(uninc.)	1,661
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Total for New Delegate District 71		18,867

LXXII. New Delegate District 72:

New Delegate District 72 would be composed of the territory contained in 11 precincts in eastern McDowell County, 12 precincts in western Mercer County, and 11 precincts in southeastern Wyoming County. New Delegate District 72 would be adjacent to, and to the south of, New Delegate District 71. The entire territory of McDowell County would be included in New Delegate Districts 66 and 72. The entire territory of Wyoming County would be included in New Delegate Districts 67 and 72.

The population of New Delegate District 72 would be 18,025, as follows:

McDowell County VTD	1 (uninc. and Maybeury)	351
McDowell County VTD	6 (uninc.)	436
McDowell County VTD	11 (uninc. and Northfork)	506
McDowell County VTD	14 (uninc. and Crumpler)	288
McDowell County VTD	17 (uninc. and Crumpler)	291
McDowell County VTD	50 (uninc. and Keystone)	360
McDowell County VTD	72 (uninc. and Pageton)	566
McDowell County VTD	73 (uninc., Anawalt, and Pageton)	512
McDowell County VTD	76 (uninc.)	196
McDowell County VTD	91 (uninc. and Cucumber)	499
McDowell County VTD	98 (uninc.)	138
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Subtotal (11 McDowell County precincts)		4,143
Mercer County VTD	42 (uninc. and Matoaka)	929
Mercer County VTD	46 (uninc.)	109
Mercer County VTD	49 (uninc.)	298
Mercer County VTD	52 (uninc.)	458
Mercer County VTD	53 (uninc.)	1,423
Mercer County VTD	55 (uninc. and Lashmeet)	652
Mercer County VTD	58 (uninc. and Lashmeet)	801
Mercer County VTD	60 (uninc. and Montcalm)	477
Mercer County VTD	61 (uninc.)	224
Mercer County VTD	62 (uninc.)	1,873
Mercer County VTD	64 (uninc.)	921
Mercer County VTD	68 (uninc.)	211
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Subtotal (12 Mercer County precincts)		8,376
Wyoming County VTD	4 (uninc. and Bud)	264
Wyoming County VTD	6 (uninc. and Bud)	730
Wyoming County VTD	7 (uninc.)	423

Wyoming County VTD 9 (uninc. and Corinne)	579
Wyoming County VTD 10 (uninc. and Covell)	567
Wyoming County VTD 12 (uninc. and New Richmond)	416
Wyoming County VTD 15 (uninc. and Pineville)	444
Wyoming County VTD 37 (uninc. and Mullens)	672
Wyoming County VTD 38 (Mullens)	314
Wyoming County VTD 39 (uninc. and Itmann)	356
Wyoming County VTD 44 (uninc.)	741
<hr/> Subtotal (11 Wyoming County precincts)	5,506

Total for New Delegate District 72 18,025

LXXIII. New Delegate District 73:

New Delegate District 73 would be composed of the territory contained in 20 precincts in southwestern Mercer County. New Delegate District 73 would be adjacent to, and to the south and southeast of, New Delegate District 72. New Delegate District 73 would include nearly all of Bluefield.

The population of New Delegate District 73 would be 18,292, as follows:

Mercer County VTD 2 (uninc., Bluewell, and Br. Fork)	1,079
Mercer County VTD 3 (uninc. and Bluewell)	1,556
Mercer County VTD 4 (uninc. and Brush Fork)	985
Mercer County VTD 5 (uninc. and Bluewell)	1,065
Mercer County VTD 14 (Bluefield)	730
Mercer County VTD 15 (Bluefield)	1,436
Mercer County VTD 20 (Bluefield)	1,062
Mercer County VTD 27 (Bluefield)	435
Mercer County VTD 28 (Bluefield)	1,145
Mercer County VTD 30 (Bluefield)	411
Mercer County VTD 31 (Bluefield)	756
Mercer County VTD 32 (Bluefield)	508
Mercer County VTD 33 (Bluefield)	467
Mercer County VTD 34 (Bluefield)	946
Mercer County VTD 36 (Bluefield)	994
Mercer County VTD 37 (Bluefield)	637
Mercer County VTD 38 (Bluefield)	902
Mercer County VTD 66 (uninc. and Bluewell)	1,190
Mercer County VTD 67 (uninc. and Bramwell)	428
Mercer County VTD 69 (uninc. and Montcalm)	1,560
<hr/> Total for New Delegate District 73	18,292

LXXIV. New Delegate District 74:

New Delegate District 74 would be composed of the territory contained in 14 precincts in central Mercer County. New Delegate District 74 would be adjacent to, and to the

northeast of, New Delegate District 73. New Delegate District 74 would include much of Princeton.

The population of New Delegate District 74 would be 17,791, as follows:

Mercer County VTD 71	(uninc.)	2,051
Mercer County VTD 72	(uninc.)	1,983
Mercer County VTD 73	(uninc. and Princeton)	2,796
Mercer County VTD 74	(uninc. and Princeton)	924
Mercer County VTD 77	(uninc. and Princeton)	823
Mercer County VTD 78	(Princeton)	623
Mercer County VTD 79	(uninc.)	1,369
Mercer County VTD 80	(uninc. and Princeton)	2,849
Mercer County VTD 81	(uninc. and Princeton)	1,152
Mercer County VTD 82	(uninc. and Princeton)	753
Mercer County VTD 83	(uninc. and Princeton)	355
Mercer County VTD 84	(uninc. and Princeton)	1,240
Mercer County VTD 85	(Princeton)	436
Mercer County VTD 96	(uninc.)	437
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Total for New Delegate District 74		17,791

LXXV. New Delegate District 75:

New Delegate District 74 would be composed of the territory contained in 15 precincts in central and southeastern Mercer County. New Delegate District 75 would be adjacent to, and to the east of, New Delegate District 74. The entire territory of Mercer County would be included in New Delegate Districts 72, 73, 74, and 75.

The population of New Delegate District 75 would be 17,805, as follows:

Mercer County VTD 1	(uninc. and Bluefield)	914
Mercer County VTD 44	(uninc. and Oakvale)	1,267
Mercer County VTD 47	(uninc.)	811
Mercer County VTD 48	(uninc.)	191
Mercer County VTD 54	(uninc.)	1,337
Mercer County VTD 56	(uninc. and Athens)	1,107
Mercer County VTD 57	(uninc. and Athens)	1,737
Mercer County VTD 59	(uninc.)	524
Mercer County VTD 65	(uninc.)	2,350
Mercer County VTD 86	(uninc. and Princeton)	938
Mercer County VTD 87	(uninc. and Princeton)	1,122
Mercer County VTD 88	(uninc.)	2,694
Mercer County VTD 89	(uninc. and Princeton)	941
Mercer County VTD 95	(uninc.)	632
Mercer County VTD 98	(uninc.)	1,240
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Total for New Delegate District 75		17,805

LXXVI. New Delegate District 76:

New Delegate District 76 would be composed of the territory contained in 7 precincts in southwestern Greenbrier County and of the territory contained in all of Summers County. New Delegate District 76 would be adjacent to, and to the northeast of, New Delegate District 75.

The population of New Delegate District 76 would be 18,670, as follows:

Greenbrier Co. VTD 10 (uninc.)	604
Greenbrier Co. VTD 47 (uninc.)	857
Greenbrier Co. VTD 50 (uninc.)	261
Greenbrier Co. VTD 52 (uninc.)	404
Greenbrier Co. VTD 61 (uninc. and Rainelle)	1,555
Greenbrier Co. VTD 65 (uninc.)	758
<u>Greenbrier Co. VTD 78 (uninc.)</u>	<u>304</u>
Subtotal (8 Greenbrier County precincts)	4,743
Summers County (all)	13,927
Total for New Delegate District 76	18,670

LXXVII. New Delegate District 77:

New Delegate District 77 would be composed of the territory contained in 5 precincts in southern Greenbrier County and of the territory contained in all of Monroe County. New Delegate District 77 would be adjacent to, and to the east of, New Delegate District 76.

The population of New Delegate District 77 would be 18,877, as follows:

Greenbrier Co. VTD 7 (uninc.)	882
Greenbrier Co. VTD 8 (uninc.)	1,095
Greenbrier Co. VTD 11 (Alderson)	804
Greenbrier Co. VTD 21 (Ronceverte)	1,431
<u>Greenbrier Co. VTD 24 (uninc. and Ronceverte)</u>	<u>1,163</u>
Subtotal (5 Greenbrier County precincts)	5,375
Monroe County (all)	13,502
Total for New Delegate District 77	18,877

LXXVIII. New Delegate District 78:

New Delegate District 78 would be composed of the territory contained in 16 precincts in southern and eastern Greenbrier County. New Delegate District 78 would be adjacent to, and to the north and northwest of, New Delegate District 77.

The population of New Delegate District 78 would be 19,135, as follows:

Greenbrier Co. VTD 1 (uninc.)	1,075
Greenbrier Co. VTD 23 (uninc. and Fairlea)	1,795
Greenbrier Co. VTD 27 (uninc. and Fairlea)	966
Greenbrier Co. VTD 29 (uninc.)	1,063
Greenbrier Co. VTD 31 (uninc.)	1,255
Greenbrier Co. VTD 34 (uninc.)	942
Greenbrier Co. VTD 37 (uninc.)	1,218
Greenbrier Co. VTD 41 (Lewisburg)	1,640
Greenbrier Co. VTD 42 (uninc.)	513
Greenbrier Co. VTD 43 (uninc.)	1,872
Greenbrier Co. VTD 45 (uninc. and Lewisburg)	835
Greenbrier Co. VTD 46 (uninc. and Lewisburg)	1,840
Greenbrier Co. VTD 72 (uninc. and W. Sulphur Springs)	933
Greenbrier Co. VTD 73 (uninc. and W. Sulphur Springs)	576
Greenbrier Co. VTD 74 (uninc. and W. Sulphur Springs)	695
<u>Greenbrier Co. VTD 75 (uninc. and W. Sulphur Springs)</u>	<u>1,917</u>
Total for New Delegate District 78	19,135

LXXIX. New Delegate District 79:

New Delegate District 79 would be composed of the territory contained in 8 precincts in northern Greenbrier County and in 3 precincts in eastern Nicholas County and of the territory contained in all of Webster County. New Delegate District 79 would be adjacent to, and to the north and northwest of, New Delegate District 78. The entire territory of Greenbrier County would be included in New Delegate Districts 76, 77, 78, and 79.

The population of New Delegate District 79 would be 18,523, as follows:

Greenbrier Co. VTD 14 (uninc. and Falling Spring)	894
Greenbrier Co. VTD 48 (uninc. and Rupert)	963
Greenbrier Co. VTD 51 (uninc.)	412
Greenbrier Co. VTD 54 (uninc.)	298
Greenbrier Co. VTD 56 (uninc. and Quinwood)	821
Greenbrier Co. VTD 63 (uninc.)	705
Greenbrier Co. VTD 64 (uninc. and Rupert)	1,123
<u>Greenbrier Co. VTD 79 (uninc.)</u>	<u>1,011</u>
Subtotal (8 Greenbrier County precincts)	6,227
Nicholas County VTD 2 (uninc. and Craigsville)	1,210
Nicholas County VTD 5 (uninc. and Richwood)	828
<u>Nicholas County VTD 17 (uninc., Craigsville, and Tioga)</u>	<u>1,104</u>
Subtotal (3 Nicholas County precincts)	3,142
Webster County (all)	9,154
Total for New Delegate District 79	18,523

LXXX New Delegate District 80:

New Delegate District 80 would be composed of the territory contained in 13 precincts in eastern Fayette County. New Delegate District 80 would be adjacent to, and to the west and southwest of, New Delegate District 79.

The population of New Delegate District 80 would be 19,094, as follows:

Fayette County VTD 1	(uninc. and Oak Hill)	2,137
Fayette County VTD 4	(uninc.)	1,586
Fayette County VTD 8	(uninc.)	1,393
Fayette County VTD 9	(uninc. and Minden)	1,467
Fayette County VTD 10	(uninc. and Oak Hill)	1,479
Fayette County VTD 11	(Oak Hill)	829
Fayette County VTD 12	(uninc. and Oak Hill)	1,991
Fayette County VTD 13	(uninc. and Oak Hill)	1,276
Fayette County VTD 15	(Oak Hill)	1,478
Fayette County VTD 67	(uninc. and Hico)	977
Fayette County VTD 68	(uninc. and Meadow Bridge)	1,447
Fayette County VTD 72	(uninc.)	2,016
Fayette County VTD 74	(uninc.)	1,018
Total for New Delegate District 80		19,094

LXXXI. New Delegate District 81:

New Delegate District 81 would be composed of the territory contained in 19 precincts in northern and central Fayette County. New Delegate District 81 would be adjacent to, and to the northwest of, New Delegate District 80. The entire territory of Fayette County would be included in New Delegate Districts 52, 80, and 81.

The population of New Delegate District 81 would be 18,876, as follows:

Fayette County VTD 26	(uninc.)	1,488
Fayette County VTD 28	(Smithers)	583
Fayette County VTD 29	(uninc., Charlton Heights, Falls View, and Glen Ferris)	951
Fayette County VTD 31	(uninc.)	355
Fayette County VTD 32	(uninc. and Dixie)	564
Fayette County VTD 37	(uninc. and Boomer)	843
Fayette County VTD 38	(uninc. and Gauley Bridge)	733
Fayette County VTD 42	(uninc., Beards Fork, and Deep Water)	545
Fayette County VTD 45	(uninc. and Powellton)	651
Fayette County VTD 46	(uninc., Kimberly, and Powellton)	1,455
Fayette County VTD 47	(uninc. and Montgomery)	1,047
Fayette County VTD 51	(uninc. and Fayetteville)	534
Fayette County VTD 52	(uninc. and Fayetteville)	1,425
Fayette County VTD 55	(uninc. and Fayetteville)	1,665

Fayette County VTD 56 (uninc. and Fayetteville)	1,516
Fayette County VTD 58 (uninc. and Hico)	1,673
Fayette County VTD 59 (uninc. and Ansted)	924
Fayette County VTD 60 (uninc. and Ansted)	1,317
Fayette County VTD 65 (uninc.)	607
Total for New Delegate District 81	18,876

LXXXII. New Delegate District 82:

New Delegate District 82 would be composed of the territory contained in 19 precincts in western and southern Nicholas County. New Delegate District 82 would be adjacent to, and to the north and northeast of, New Delegate District 81.

The population of New Delegate District 82 would be 18,889, as follows:

Nicholas County VTD 1 (uninc. and Craigsville)	1,166
Nicholas County VTD 3 (uninc.)	544
Nicholas County VTD 7 (uninc. and Richwood)	789
Nicholas County VTD 8 (uninc.)	672
Nicholas County VTD 9 (uninc. and Richwood)	464
Nicholas County VTD 18 (uninc. and Summersville)	1,651
Nicholas County VTD 19 (uninc. and Summersville)	767
Nicholas County VTD 20 (uninc. and Summersville)	1,295
Nicholas County VTD 21 (uninc. and Summersville))	1,644
Nicholas County VTD 23 (uninc.)	655
Nicholas County VTD 25 (uninc., Belva, and Dixie)	618
Nicholas County VTD 27 (uninc.)	504
Nicholas County VTD 28 (uninc. and Nettie)	1,576
Nicholas County VTD 29 (uninc.)	1,129
Nicholas County VTD 30 (uninc.)	1,026
Nicholas County VTD 31 (uninc.)	601
Nicholas County VTD 32 (uninc.)	620
Nicholas County VTD 33 (uninc.)	1,821
Nicholas County VTD 35 (uninc.)	1,357
Total for New Delegate District 82	18,899

LXXXIII. New Delegate District 83:

New Delegate District 83 would be composed of the territory contained in 4 precincts in northern Nicholas County and of the territory contained in all of Braxton County. New Delegate District 83 would be adjacent to, and to the north of, New Delegate District 82. The entire territory of Nicholas County would be included in New Delegate Districts 79, 82, and 83.

The population of New Delegate District 83 would be 18,715, as follows:

Nicholas County VTD 13 (uninc.)	637
Nicholas County VTD 14 (uninc. and Birch River)	1,244
Nicholas County VTD 15 (uninc.)	925

<u>Nicholas County VTD 16 (uninc.)</u>	1,386
Subtotal (4 Nicholas County precincts)	4,192
Braxton County (all)	14,523
Total for New Delegate District 83	18,715

LXXXIV. New Delegate District 84:

New Delegate District 84 would be composed of the territory contained in 2 precincts in southwestern Harrison County and in 1 precinct in western Upshur County and of the territory contained in all of Lewis County. New Delegate District 84 would be adjacent to, and to the north and northeast of, New Delegate District 83. The entire territory of Harrison County would be included in New Delegate Districts 20, 21, 22, 23, 24, 25, 26, and 84.

The population of New Delegate District 84 would be 19,190, as follows:

Harrison County VTD 143 (uninc.)	1,019
<u>Harrison County VTD 143A (uninc.)</u>	954
Subtotal (2 Harrison County precincts)	1,973
<u>Upshur County VTD 16 (uninc. and Buckhannon)</u>	845
Subtotal (1 Upshur County precinct)	845
Lewis County (all)	16,372
Total for New Delegate District 84	19,190

LXXXV. New Delegate District 85:

New Delegate District 85 would be composed of the territory contained in 17 precincts in central and southern Upshur County. New Delegate District 85 would be adjacent to, and to the east and southeast of, New Delegate District 84. The entire territory of Upshur County would be included in New Delegate Districts 25, 84, and 85.

The population of New Delegate District 85 would be 19,084, as follows:

Upshur County VTD 4 (uninc.)	921
Upshur County VTD 6 (uninc.)	1,102
Upshur County VTD 7 (uninc.)	299
Upshur County VTD 8 (Buckhannon)	651
Upshur County VTD 9 (Buckhannon)	1,010
Upshur County VTD 12 (Buckhannon)	815
Upshur County VTD 13 (Buckhannon)	691
Upshur County VTD 14 (Buckhannon)	885
Upshur County VTD 15 (Buckhannon)	1,540
Upshur County VTD 18 (uninc. and Buckhannon)	1,180
Upshur County VTD 19 (uninc.)	975

Upshur County VTD 20 (uninc.)	1,365
Upshur County VTD 25 (uninc.)	826
Upshur County VTD 27 (uninc.)	1,885
Upshur County VTD 37 (uninc.)	1,991
Upshur County VTD 44 (uninc.)	1,271
Upshur County VTD 47 (uninc.)	1,677
Total for New Delegate District 85	19,084

LXXXVI. New Delegate District 86:

New Delegate District 86 would be composed of the territory contained in 13 precincts in Randolph County. New Delegate District 86 would be adjacent to, and to the east of, New Delegate District 85.

The population of New Delegate District 86 would be 19,070, as follows:

Randolph Co. VTD 23 (Elkins)	1,489
Randolph Co. VTD 24 (Elkins)	595
Randolph Co. VTD 25 (Elkins)	915
Randolph Co. VTD 27 (Elkins)	911
Randolph Co. VTD 28 (Elkins)	960
Randolph Co. VTD 30 (Elkins)	992
Randolph Co. VTD 31 (Elkins)	891
Randolph Co. VTD 85 (uninc. and Elkins)	1,716
Randolph Co. VTD 165 (uninc. and Montrose)	1,547
Randolph Co. VTD 180 (uninc. and Bowden)	870
Randolph Co. VTD 200 (uninc. and Beverly)	1,091
Randolph Co. VTD 205 (Beverly, Dailey, East Dailey Huttonsville, and Valley Bend)	5,557
Randolph Co. VTD 225 (uninc., H'ville, and Mill Creek)	1,536
Total for New Delegate District 86	19,070

LXXXVII. New Delegate District 87:

New Delegate District 87 would be composed of the territory contained in 4 precincts in eastern and southern Randolph County, and of the territory contained in all of Pendleton and Pocahontas Counties. New Delegate District 87 would be adjacent to, and to the southeast of, New Delegate District 86. The entire territory of Randolph County would be included in New Delegate Districts 25, 86, and 87.

The population of New Delegate District 87 would be 18,622, as follows:

Randolph Co. VTD 185 (uninc. and Harman)	851
Randolph Co. VTD 190 (uninc. and Whitmer)	263
Randolph Co. VTD 215 (uninc. and Valley Head)	789
Randolph Co. VTD 220 (uninc., Helvetia, and Pickens)	305

Subtotal (4 Randolph County precincts) 2,208

Pendleton County (all)	7,695
Pocahontas County (all)	8,719
Total for New Delegate District 87	18,622

LXXXVIII. New Delegate District 88:

New Delegate District 88 would be composed of the territory contained in 1 precinct in southwestern Hampshire County and 4 precincts in southern Mineral County, and of the territory contained in all of Hardy County. New Delegate District 88 would be adjacent to, and to the northeast of, New Delegate District 87.

The population of New Delegate District 88 would be 18,634, as follows:

Hampshire Co. VTD 15 (uninc.)	1,023
Mineral County VTD 1 (uninc. and Burlington)	1,165
Mineral County VTD 28 (uninc.)	863
Mineral County VTD 34 (uninc. and Burlington)	1,013
Mineral County VTD 35 (uninc.)	545
Subtotal (4 Mineral County precincts)	3,586
Hardy County (all)	14,025
Total for New Delegate District 88	18,634

LXXXIX. New Delegate District 89:

New Delegate District 89 would be composed of the territory contained in 18 precincts in southern and central Hampshire County. New Delegate District 89 would be adjacent to, and to the northeast of, New Delegate District 88.

The population of New Delegate District 89 would be 18,358, as follows:

Hampshire Co. VTD 2 (uninc.)	1,121
Hampshire Co. VTD 4 (uninc. and Capon Bridge)	2,216
Hampshire Co. VTD 6 (uninc. and Capon Bridge)	1,469
Hampshire Co. VTD 8 (uninc.)	617
Hampshire Co. VTD 10 (uninc.)	1,088
Hampshire Co. VTD 11 (uninc.)	1,075
Hampshire Co. VTD 12 (uninc.)	1,072
Hampshire Co. VTD 14 (Romney)	436
Hampshire Co. VTD 16 (Romney)	411
Hampshire Co. VTD 17 (uninc.)	1,027
Hampshire Co. VTD 18 (uninc.)	1,486
Hampshire Co. VTD 19 (uninc.)	658
Hampshire Co. VTD 20 (Romney)	1,001
Hampshire Co. VTD 21 (uninc.)	1,412

Hampshire Co. VTD 22 (uninc.)	747
Hampshire Co. VTD 23 (uninc.)	593
Hampshire Co. VTD 24 (uninc.)	746
Hampshire Co. VTD 28 (uninc.)	1,183
Total for New Delegate District 89	18,358

XC. New Delegate District 90:

New Delegate District 90 would be composed of the territory contained in 24 precincts in Mineral County. New Delegate District 90 would be adjacent to, and to the northeast of, New Delegate District 89.

The population of New Delegate District 90 would be 18,290, as follows:

Mineral County VTD 2 (uninc.)	1,084
Mineral County VTD 3 (uninc.)	177
Mineral County VTD 4 (uninc.)	823
Mineral County VTD 5 (uninc.)	1,376
Mineral County VTD 6 (uninc.)	386
Mineral County VTD 7 (uninc. and Fort Ashby)	1,610
Mineral County VTD 8 (uninc. and Elk Garden)	651
Mineral County VTD 10 (uninc.)	999
Mineral County VTD 16 (Keyser)	585
Mineral County VTD 17 (Keyser)	289
Mineral County VTD 18 (Keyser)	263
Mineral County VTD 19 (Keyser)	828
Mineral County VTD 20 (Keyser)	1,401
Mineral County VTD 21 (Keyser)	506
Mineral County VTD 22 (Keyser)	353
Mineral County VTD 23 (uninc. and Keyser)	833
Mineral County VTD 24 (Keyser)	473
Mineral County VTD 25 (uninc.)	1,403
Mineral County VTD 26 (uninc.)	1,314
Mineral County VTD 27 (uninc.)	1,025
Mineral County VTD 29 (Piedmont)	876
Mineral County VTD 30 (uninc.)	43
Mineral County VTD 32 (uninc.)	943
Mineral County VTD 33 (uninc.)	49
Total for New Delegate District 90	18,290

XCI. New Delegate District 91:

New Delegate District 91 would be composed of the territory contained in 4 precincts in northern Hampshire County, 7 precincts in northern Mineral County, and 5 precincts in western Morgan County. New Delegate District 91 would be adjacent to, and to the east of, New Delegate District 90. The entire territory of Hampshire County would be included in New Delegate Districts 88, 89, and 91. The entire territory of Mineral County would be included in New Delegate Districts 88, 90, and 91.

The population of New Delegate District 91 would be 18,080, as follows:

Hampshire Co. VTD 7 (uninc.)	1,591
Hampshire Co. VTD 9 (uninc.)	1,229
Hampshire Co. VTD 25 (uninc. and Springfield)	1,213
Hampshire Co. VTD 26 (uninc. and Green Spring)	550
Subtotal (4 Hampshire County precincts)	4,583
Mineral County VTD 9 (uninc. and Fort Ashby)	1,154
Mineral County VTD 11 (uninc.)	811
Mineral County VTD 12 (uninc.)	644
Mineral County VTD 13 (Ridgeley)	399
Mineral County VTD 14 (Ridgeley)	276
Mineral County VTD 15 (uninc.)	1,572
Mineral County VTD 31 (uninc. and Carpendale)	1,480
Subtotal (7 Mineral County precincts)	6,336
Morgan County VTD 13 (uninc. and Great Cacapon)	1,518
Morgan County VTD 18 (uninc. and Pawpaw)	1,056
Morgan County VTD 21 (uninc.)	1,309
Morgan County VTD 24 (uninc.)	1,919
Morgan County VTD 25 (uninc.)	1,359
Subtotal (5 Morgan County precincts)	7,161
Total for New Delegate District 91	18,080

XCII. New Delegate District 92:

New Delegate District 92 would be composed of the territory contained in 8 precincts in northern Morgan County and in 4 precincts in western Berkeley County. New Delegate District 92 would be adjacent to, and to the east of, New Delegate District 91. The entire territory of Morgan County would be included in New Delegate Districts 91 and 92.

The population of New Delegate District 92 would be 18,393, as follows:

Mineral County VTD 1 (uninc.)	1,863
Mineral County VTD 2 (uninc.)	2,274
Mineral County VTD 4 (uninc.)	758
Mineral County VTD 5 (uninc.)	698
Mineral County VTD 6 (uninc.)	1,035
Mineral County VTD 7 (uninc.)	547
Mineral County VTD 8 (uninc.)	1,150
Mineral County VTD 23 (uninc.)	2,055
Subtotal (8 Mineral County precincts)	10,380
Berkeley County VTD 43 (uninc.)	1,667
Berkeley County VTD 45 (uninc.)	2,551
Berkeley County VTD 47 (uninc.)	2,049

<u>Berkeley County VTD 48 (uninc.)</u>	<u>1,746</u>
Subtotal (4 Berkeley County precincts)	8,013
Total for New Delegate District 92	18,393

XCIII. New Delegate District 93:

New Delegate District 93 would be composed of the territory contained in 7 precincts in northern Berkeley County. New Delegate District 93 would be adjacent to, and to the northeast of, New Delegate District 92.

The population of New Delegate District 93 would be 18,026, as follows:

Berkeley County VTD 19 (uninc.)	2,909
Berkeley County VTD 20 (uninc.)	1,658
Berkeley County VTD 21 (uninc.)	5,078
Berkeley County VTD 40 (uninc.)	3,266
Berkeley County VTD 41 (uninc.)	2,607
Berkeley County VTD 42 (uninc.)	1,455
<u>Berkeley County VTD 44 (uninc. and Hedgesville)</u>	<u>1,053</u>
Total for New Delegate District 93	18,026

XCIV. New Delegate District 94:

New Delegate District 94 would be composed of the territory contained in 9 precincts in northeastern Berkeley County. New Delegate District 94 would be adjacent to, and to the southeast of, New Delegate District 93.

The population of New Delegate District 94 would be 19,083, as follows:

Berkeley County VTD 15 (Martinsburg)	211
Berkeley County VTD 15A(Martinsburg)	686
Berkeley County VTD 16 (uninc. and Martinsburg)	2,465
Berkeley County VTD 18 (uninc.)	2,585
Berkeley County VTD 23 (uninc. and Falling Waters)	3,569
Berkeley County VTD 26 (uninc.)	1,891
Berkeley County VTD 27 (uninc.)	2,080
Berkeley County VTD 28 (uninc.)	4,032
<u>Berkeley County VTD 49 (uninc.)</u>	<u>1,564</u>
Total for New Delegate District 94	19,083

XCIV. New Delegate District 95:

New Delegate District 95 would be composed of the territory contained in 11 precincts in central Berkeley County. New Delegate District 95 would be adjacent to, and to the southwest of, New Delegate District 94.

The population of New Delegate District 95 would be 19,145, as follows:

Berkeley County VTD 2 (Martinsburg)	1,562
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Berkeley County VTD 5 (Martinsburg)	1,773
Berkeley County VTD 6 (Martinsburg)	1,068
Berkeley County VTD 7 (Martinsburg)	1,221
Berkeley County VTD 8 (Martinsburg)	1,033
Berkeley County VTD 9 (Martinsburg)	940
Berkeley County VTD 10 (Martinsburg)	1,783
Berkeley County VTD 11 (Martinsburg)	645
Berkeley County VTD 14 (Martinsburg)	925
Berkeley County VTD 17 (Martinsburg)	1,474
Berkeley County VTD 24 (uninc. and Martinsburg)	5,175
Berkeley County VTD 25 (uninc.)	1,546
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Total for New Delegate District 95	19,145

XCVI. New Delegate District 96:

New Delegate District 96 would be composed of the territory contained in 8 precincts in central and southern Berkeley County. New Delegate District 96 would be adjacent to, and to the west and southwest of, New Delegate District 95.

The population of New Delegate District 96 would be 18,708, as follows:

Berkeley County VTD 1 (Martinsburg)	1,967
Berkeley County VTD 22 (uninc. and Martinsburg)	3,029
Berkeley County VTD 33 (uninc. and Inwood)	3,047
Berkeley County VTD 34 (uninc.)	2,067
Berkeley County VTD 38 (uninc.)	2,124
Berkeley County VTD 39 (uninc.)	4,160
Berkeley County VTD 46 (uninc.)	1,970
Berkeley County VTD 50 (uninc.)	344
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Total for New Delegate District 96	18,708

XCVII. New Delegate District 97:

New Delegate District 97 would be composed of the territory contained in 7 precincts in central and eastern Berkeley County. New Delegate District 97 would be adjacent to, and to the southeast of, New Delegate District 96.

The population of New Delegate District 97 would be 19,077, as follows:

Berkeley County VTD 25A(uninc.)	1,582
Berkeley County VTD 29 (uninc.)	1,539
Berkeley County VTD 31 (uninc.)	4,274
Berkeley County VTD 35 (uninc.)	2,220
Berkeley County VTD 36 (uninc. and Inwood)	3,389
Berkeley County VTD 37 (uninc. and Inwood)	4,177
Berkeley County VTD 51 (uninc.)	1,896
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Total for New Delegate District 97	19,077

XCVIII. New Delegate District 98:

New Delegate District 98 would be composed of the territory contained in 1 precinct in eastern Berkeley County and in 7 precincts in central and western Jefferson County. New Delegate District 98 would be adjacent to, and to the southeast of, New Delegate District 97. The entire territory of Berkeley County would be included in New Delegate Districts 92, 93, 94, 95, 96, 97, and 98.

The population of New Delegate District 98 would be 18,611, as follows:

Berkeley County VTD 32 (uninc.)	2,117
Jefferson County VTD 19 (uninc. and Charles Town)	749
Jefferson County VTD 22 (uninc. and Charles Town)	3,408
Jefferson County VTD 23 (uninc. and Charles Town)	2,973
Jefferson County VTD 25 (uninc. and Middleway)	2,653
Jefferson County VTD 26 (uninc.)	2,089
Jefferson County VTD 27 (uninc. and Ranson)	2,798
<u>Jefferson County VTD 28 (uninc. and Ranson)</u>	<u>1,824</u>
Subtotal (7 Jefferson County precincts)	16,494
Total for New Delegate District 98	18,611

XCIX. New Delegate District 99:

New Delegate District 99 would be composed of the territory contained in 8 precincts in central and eastern Jefferson County. New Delegate District 99 would be adjacent to, and to the east of, New Delegate District 98.

The population of New Delegate District 99 would be 18,095, as follows:

Jefferson County VTD 2 (Charles Town)	1,739
Jefferson County VTD 3 (uninc.)	2,492
Jefferson County VTD 4 (uninc. and Ranson)	3,789
Jefferson County VTD 6 (Ranson)	732
Jefferson County VTD 7 (Ranson)	2,379
Jefferson County VTD 16 (uninc. and Charles Town)	1,806
Jefferson County VTD 20 (uninc.)	1,143
<u>Jefferson County VTD 21 (uninc. and Shannondale)</u>	<u>4,015</u>
Total for New Delegate District 99	18,095

C. New Delegate District 100:

New Delegate District 100 would be composed of the territory contained in 10 precincts in northeastern Jefferson County. New Delegate District 100 would be adjacent to, and to the north of, New Delegate District 99. The entire territory of Jefferson County would be included in New Delegate Districts 98, 99, and 100.

The population of New Delegate District 100 would be 18,909, as follows:

Jefferson County VTD 12 (uninc. and Ranson)	2,698
Jefferson County VTD 13 (uninc.)	2,750
Jefferson County VTD 14 (Harpers Ferry)	284
Jefferson County VTD 15 (Bolivar)	1,047
Jefferson County VTD 17 (uninc.)	1,985
Jefferson County VTD 31 (uninc. and Shepherdstown)	1,690
Jefferson County VTD 32 (uninc.)	1,900
Jefferson County VTD 33 (Shepherdstown)	1,210
Jefferson County VTD 34 (uninc.)	2,002
<u>Jefferson County VTD 35 (uninc. and Shepherdstown)</u>	<u>3,343</u>
Total for New Delegate District 100	18,909

Debates and Proceedings
OF THE
First Constitutional Convention
OF
West Virginia
(1861 - 1863)

Edited By

CHARLES H. AMBLER,
FRANCES HANEY ATWOOD AND WILLIAM B. MATHEWS

Under Direction of the

SUPREME COURT OF APPEALS
OF WEST VIRGINIA

GENTRY BROTHERS, PRINTERS
HUNTINGTON, WEST VIRGINIA

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tion that certain changes should be duly made in the proposed Constitution for that State:

And, whereas, proof of a compliance with that condition as required by the Second Section of the Act aforesaid, has been submitted to me:

Now, therefore, be it known, that I, Abraham Lincoln, President of the United States, do, hereby, in pursuance of the Act of Congress aforesaid, declare and proclaim that the said act shall take effect and be in force, from and after sixty days from the date hereof.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.¹⁶⁷

(7) BY THE COURT

The Supreme Court of the United States has rendered no opinion on the legality of the formation and admission of West Virginia to separate statehood. In the several cases coming before it involving these points, notably *Virginia v. West Virginia*¹⁶⁸ to determine the territorial status of Jefferson and Berkeley counties, annexed to the latter after she had attained statehood, and in *Commonwealth of Virginia v. West Virginia*¹⁶⁹ to determine the defendant's proportionate share of the Virginia debt as of January 1, 1861, the Court accepted the formation and admission of West Virginia as a fact. As in the case *Luther v. Borden*,¹⁷⁰ decided in 1848, West Virginia statehood was regarded as a political question to be determined solely by Congress. In formulating opinions in *Commonwealth of Virginia v. West Virginia* and in other cases, certain judges, notably the late Oliver Wendell Holmes,¹⁷¹ reviewed the steps in the formation and admission of West Virginia, but they accepted the action of Congress as final.¹⁷²

167. See photostatic copy of the original in Ambler, *Francis H. Pierpont*, pp. 206-207. The original is in the National Archives, Washington, D. C.

168. 78 U. S. 39 (20 L. Ed. 67).

169. 209 U. S. 514; 220 U. S. 1; 246 U. S. 565.

170. 7 Howard 1.

171. 220 U. S. 1.

172. With views to influencing the result of the referendum on the amended constitution the *Wheeling Daily Intelligencer* for March 6-7, 1863, and March 17-19, 1863, carried two noteworthy articles. The first of these was by Ephraim B. Hall and was entitled "The New State." The second was entitled "Some Objections to the New State Considered," but, whether significant or not, the name of the author was not given.

PART TWO

A. MEMBERS

Of the Constitutional Convention, assembled at Wheeling, Virginia, November 26, 1861, and re-assembled February 12, 1863, together with their age, places of nativity, occupations, the counties represented, and postoffice addresses.

	Names	Age	Nativity	Occupation	County	Postoffice
1	Battelle, Gordon.....	47	Ohio	Minister	Ohio	Wheeling
2	Boggs, John.....	48	Virginia	Farmer	Pendleton	Mouth Seneca
3	Brooks, Richard L.....	52	Virginia	Minister	Upshur	Rock Cave
4	Brown, James H.....	42	Virginia	Lawyer	Kanawha	Kanawha C.H.
5	Brown, John J.....	35	Virginia	"	Preston	Kingwood
6	Brumfield, William W.....	33	Virginia	Farmer	Wayne	Ceredo
7	Caldwell, Elbert H.....	52	Virginia	Lawyer	Marshall	Moundsville
8	Carakadon, Thomas R.....	24	Virginia	Farmer	Hampshire	New Creek Sta.
9	Cassaday, James S.....	40	Virginia	"	Fayette	Fayette C.H.
10	Chapman, Henry D.....	63	Mass.	Physician	Roane	Spencer
11	Cook, Richard M.....	41	Virginia	Farmer	Mercer	Long Branch
12	Dering, Henry.....	50	Virginia	Merchant	Monongalia	Morgantown
13	Dille, John A.....	40	Penn.	Lawyer	Preston	Kingwood
14	Dolly, Abijah.....	44	Virginia	Farmer	Hardy	Greenland
15	Gibson, David W.....	32	Virginia	Physician	Pocahontas	Buckhannon
16	Griffith, Samuel T.....	32	Virginia	"	Mason	West Columbia
17	Hagar, Robert.....	51	Virginia	Minister	Boone	Boone C.H.
18	Hall, Ephraim B.....	39	Virginia	Lawyer	Marion	Fairmont
19	Hall, John (President).....	56	Ireland	Farmer	Mason	Pt. Pleasant
20	Hansley, Stephen M.....	42	Virginia	"	Raleigh	Marshall
21	Harrison, Thomas W.....	37	Virginia	Lawyer	Harrison	Clarksburg
22	Haymond, Hiram.....	55	Virginia	Farmer	Marion	Palatine
23	Hervey, James.....	41	Ohio	Lawyer	Brooke	Wellsburg
24	Hoback, Johans P.....	26	Virginia	Teacher	McDowell	McDowell C.H.
25	Hubbs, Joseph.....	54	Penn.	Farmer	Pleasants	St. Marys
26	Irvine, Robert.....	47	Virginia	Lawyer	Lewis	Weston
27	Lamb, Daniel.....	51	Penn.	Cashier	Ohio	Wheeling
28	Lauck, Richard W.....	49	Virginia	Lawyer	Wetzel	New Martinsville
29	Mahon, Edward S.....	45	Maryland	Farmer	Jackson	Ravenswood
30	Mann, Andrew W.....	29	Virginia	"	Greenbrier	Falling Springs
31	McCutchen, John R.....	51	Virginia	"	Nicholas	Summersville
32	Montague, Dudley S.....	61	Virginia	Hotel Keeper	Putnam	Red H. Shoals
33	O'Brien, Emmet J.....	42	Virginia	Mechanic	Barbour	Burnersville
34	Parker, Granville.....	51	Mass.	Lawyer	Cabell	Guyandotte
35	Parsons, James W.....	49	Virginia	Farmer	Tucker	St. George
36	Faxton, James W.....	40	Virginia	Merchant	Ohio	Wheeling
37	Pinnall, David S.....	50	Virginia	Physician	Upshur	Buckhannon
38	Pomeroy, Joseph S.....	40	Penn.	Minister	Hancock	Fairview
39	Powell, John M.....	36	Virginia	"	Harrison	Buckhannon
40	Robinson, Job.....	45	Virginia	Farmer	Calhoun	Arnoldsburg
41	Ross, Andrew F.....	47	Penn.	Teacher	Ohio	West Liberty
42	Ruffner, Lewis.....	64	Virginia	Salt Manu.	Kanawha	Kanawha Saines
43	Ryan, Edward W.....	25	Virginia	Minister	Fayette	Gauley Bridge
44	Sheets, George W.....	38	Virginia	Carpenter	Hampshire	Piedmont
45	Simmons, Josiah.....	47	Virginia	Farmer	Randolph	Claysville
46	Sinsel, Harmon.....	44	Virginia	Mechanic	Taylor	Pruntytown
47	Smith, Benjamin H.....	63	Virginia	Lawyer	Logan	Kanawha C.H.
48	Soper, Abraham D. (Pres. Recalled Session).....	66	New York	"	Tyler	Slistersville
49	Stephenson, Benjamin L.....	35	Virginia	Farmer	Clay	Clay C.H.

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Names	Age	Nativity	Occupation	County	Postoffice
50 Stevenson, Wm. E.....	40	Penn.	"	Wood	Parkersburg
51 Stewart, Benjamin F.....	52	New York	Merchant	Wirt	Newark
52 Stuart, Chapman J.....	41	Virginia	Lawyer	Doddridge	West Union
53 Taylor, Gustavus F.....	26	Virginia	"	Braxton	Braxton C.H.
54 Tichenell, Moses.....	56	Virginia	Minister	Marion	Palatine
55 Trainer, Thomas H.....	42	Virginia	"	Marshall	Cameron
56 Van Winkle, Peter G.....	53	New York	Lawyer	Wood	Parkersburg
57 Walker, William.....	34	Virginia	"	Wyoming	Oceana
58 Warder, Wm. W.....	40	Virginia	Farmer	Gilmer	Troy
59 Wheat, Joseph S.....	60	Virginia	"	Morgan	Sir Johns Run
60 Willey, Waitman T.....	50	Virginia	Lawyer	Monongalia	Morgantown
61 Wilson, Archibald J.....	60	Virginia	Farmer	Ritchie	Pennsboro
Hall, Ellery R. (Secretary).....	27	Virginia	Lawyer	Marion	Fairmont
Hall, Sylvanus W. (Asst. Secy.).....	24	"	Clerk	"	"
Orr, Jas. C. (Serg.-at-Arms).....	33	"	Merchant	Ohio	Wheeling
Startzman, Henry (Serg.-at-Arms, Recalled Ses.).....	38	"	Tanner	Preston	Kingwood

B.—BIOGRAPHICAL SKETCHES

BATTELLE, GORDON (November 14, 1814-August 7, 1862), delegate from Ohio County, was born at Newport, Ohio, and educated at Marietta College, Marietta, Ohio, and Allegheny College, Meadville, Pennsylvania, where he and Francis H. Pierpont were, during a part of their college course, messmates at a total cost to each of forty-five cents per week. Battelle was graduated at the head of his class. He then read law. During the year 1842-43 he was head of Asbury Academy, Parkersburg, (West) Virginia, and from 1843 to 1851 he was principal of the Northwestern Virginia Academy at Clarksburg, when he resigned to devote his entire time to the ministry of the Methodist Episcopal Church. In the course of his ministry he served charges in Clarksburg, Charleston, and finally in Wheeling, (West) Virginia. In 1861 he was presiding elder of the Wheeling district.

With the call to arms Battelle was made chaplain of the First (West) Virginia infantry. At the request of Governor Pierpont, he was active in other war services. For instance, he looked after the food, clothing, shelter, and health of Federals stationed at Philippi, Elkwater, and Cheat Mountain and made confidential reports to Pierpont. He was chairman of the convention committee on education, and from the beginning to the end of the deliberations, he sought to abolish slavery in the new State. Although he was outgeneraled in this effort, he was indirectly responsible for the so-called Willey Amendment which provided for the gradual abolition of slavery in West Virginia. Battelle's influence in this mat-

ter was attested in the memorial exercises to his memory on the opening day of the recalled session of the Convention. He died of typhoid fever in line of duty.

References: J. W. Hamilton, *Gordon Battelle—Preacher, Statesman and Soldier* (1916); O. D. Lambert, *Pioneer Leaders of West Virginia* (1935), pp. 143-151; C. H. Ambler, *West Virginia Stories and Biographies* (1937), pp. 241-245; George C. Wilding, *Promoted Pioneer Preachers* (1927).

BOGGS, JOHN (October 15, 1815-May 14, 1893), delegate from Pendleton County in the recalled session, was born in Franklin, present county seat of that county. He was the son of John and Margaret (Kee) Boggs, Irish immigrants, who settled in 1807 on South Branch River. Seven children, four boys and three girls, were born to this union. In 1818 they moved to the Mouth of Seneca, where John Boggs, Jr., subject of this sketch, lived and died. In 1845 he married Elizabeth Carr of Pendleton County, to which union six children, five boys and one girl, were born. In 1895 one of them, William Henry Boggs, still living (1941), represented Pendleton County as a delegate in the West Virginia Legislature.

John Boggs, Jr., twice sheriff of Pendleton County (1865-1866, and 1867-1871), was a farmer and stock man on a large scale. He and his brother, Aaron Boggs, each owned several thousand acres at and near the Mouth of Seneca and were among the few slave owners of that region. In the secession controversy Aaron Boggs sided with the Confederates, John with the Federals. In 1863 the latter organized the "Pendleton Scouts," otherwise known as the "Swamp Dragons," which in May, 1864, were called into active service. In that year Captain Boggs withstood a Confederate attack at Petersburg, in its only important engagement of the war. He was later a delegate in the First, Second, Third, and Ninth West Virginia legislatures. Like most members of his family, he was a member of the Presbyterian church. A monument marks his grave on the top of an arm of Allegheny Mountain, about one mile northeast of Onego, Pendleton County. His children in the order of their ages were: Joseph F., Isaac P., Henrietta, Aaron C., Martin Kenny and William H. (twins), and John A.

References: Oran F. Morton, *History of Pendleton County*, pp. 182-183, 373, 403; and Boggs, Family Bible.

BROOKS, RICHARD LOCKE (December 5, 1810-September 25, 1895), delegate from Upshur County, was a son of Richard and Margaret (McClancy) Brooks. Through his grandmother, Anne Locke, wife of William Brooks of Prince William County, Virginia, he descended from John Locke of England. He was born in Taze-

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MR. LAMB. The reapportionment is, of course, regulated by the act of Congress, the reapportionment would be made for the State of Virginia between this time and the fourth of March, 1863. But it is none of our business. The Convention but executes the expression of Congress in making that reapportionment. All the Convention can do is to describe the principles on which the legislature may make that reapportionment when the new State is in existence.

The question was taken and section 14 adopted.

MR. VAN WINKLE. I understand the only thing now before the Convention for action is the report of the Executive Committee. The chairman of that committee is absent and I do not know whether he has left any other word with any member of the committee, but he told me on Saturday he did not wish it to be considered in his absence. It is not necessary to explain the reason why and as there is nothing before the Convention, sir, I avail myself of the opportunity to ask the Committee on Council Organization to meet this evening at half past six if it is convenient to them at our room, and then move the adjournment.

MR. LAMB. Before the question is put on the motion to adjourn, I beg leave to say that the Committee on the Legislative Reapportionment are to meet at their room this evening at half past six.

MR. STUART of Doddridge. In the absence of the chairman of the Committee on the Judiciary Department—

MR. HALL of Marion. I desire the Committee on the Schedule of Meetings to meet tonight at some of the committee rooms provided across the street at seven o'clock.

MR. LAMB. I move, Mr. Chairman, that when this Convention adjourns, it adjourn to meet tomorrow at eleven. As long as the preparation of reports is the main business it would be better for the Convention to meet at eleven o'clock instead of ten so as to have the committees meeting in the morning instead of evening. It is necessary for some of the committees to meet at one time and some at another.

MR. STUART of Doddridge. I hope the motion will prevail. I really think the committees have not time to act. We get down at nine o'clock, and against we get into committee, it is the afternoon hour and we are unable to act. It would be much better to adjourn.

MR. VAN WINKLE. Probably the committees may have their final meeting tonight on some reports. Or at any rate, we will be ready to report to the Convention by tomorrow; and if those committees sit till bed-time, and the chairmen have the additional hour in the morning they can come in here tomorrow and then they will have to be printed. It will take a day, of course. If the report of the Committee on the Executive Department is ready tomorrow, we shall have something to do, and if it doesn't we will not. So the probability is we shall have to adjourn at an early hour. I think the motion as stated will save time rather than waste it.

The motion made by Mr. Lamb was agreed to.

MR. STEVENSON of Wood. Mr. President, I am going to say, as we have a vacant hour that there was some of the officers employed by the present Convention whose salary is not fixed by any resolution of this body—pages, door-keepers and probably some others. I think it might be well to make a motion that the salaries of those officers and any others not fixed, should be the same of those of the last Convention. I make that motion for the purpose of bringing the matter before the Convention.

Several members inquired what was the pay of the last Convention.

MR. STEVENSON of Wood. I do not know, sir, what it is.

MR. VAN WINKLE. It is only one or two officers and the boys. And it would not make much difference if they got twice as much as they ought to get.

The motion was agreed to.

MR. STEVENSON of Wood. Well, sir, I move we adjourn, if we have nothing else to do.

The motion prevailed and the Convention adjourned.

XVIII. TUESDAY, DECEMBER 17, 1861.

The Convention assembled at the appointed hour.
The minutes were read without objection.

MR. LAMB. Mr. President—

THE PRESIDENT. If the gentleman will wait a moment until the President signs the Journals.

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MR. LAMB. (after an interval). I am instructed by the Com-
mittee on the Legislative Department to submit their second
report.

In submitting this report I trust the Convention will indulge
me in a remark or two. I cannot say—and I suppose there is no
member of the committee can say—that I approve entirely of
everything contained in the report; but we have found during the
process of the consideration of this subject the necessity for
reform. If each one were to adhere rigidly to his own motion,
it would be impossible in any reasonable time—if at all—to pro-
duce a constitution to the people of West Virginia. We have
done another thing: The great difficulty which is inherent in the
nature of the subject. Our constituents are perhaps not duly
informed of this matter. Every one almost would consider that he
could form a constitution for the State with very little difficulty,
without consideration. To take to pieces the frame of gov-
ernment and put it together, each one in its proper place, and each
provision to operate properly, is a work of immense difficulty.
In my consideration I mention in regard to this report: we
have appointed a Committee on Fundamental Principles, a Com-
mittee on the Legislative Department, a Committee on the Execu-
tive, and other committees, to whom the various branches of the
Constitution have been entrusted. It is impossible to define with
precision, in many instances what comes more properly within
the sphere of one committee or the other. There is nothing, in
my sense of the term, which is to be provided in the Constitution
that must involve some fundamental and general principles
which may affect the executive, judiciary or other department so it
regard to the matter of this committee and the other several
committees. In this state of the case, it will necessarily be found
that our reports are overlapping each other. Provisions will be
introduced by different committees on the same subject, nor do I
know of a case that there will be found any inconvenience in this. The
Convention will have where this occurs different projects upon
the same matter submitted for their consideration. Whatever is
introduced will be finally referred to the Committee on Revision, whose
duty it will be to render everything consistent and put ev-
erything in its proper place in the Constitution. It will then
be put up at last for final revision by the Convention itself.

With these remarks I submit the report.

Mr. Lamb then sent the report to the desk of the Secretary
as follows:

The committee respectfully recommend that the following
provisions be inserted in the Constitution of West Virginia:

1. The legislative power of the State shall be vested in a
Senate and House of Delegates. The style of their acts shall be,
“Be it enacted by the Legislature of West Virginia.”

2. The senate shall be composed of eighteen, and the house of
delegates of forty-six members. The term of office for senators
shall be three years, and that of delegates one year, commencing, in
each case, on the first day of October next succeeding their election.
The regular elections for members of the legislature shall be held
on the fourth Thursday of May. But vacancies in either branch
shall be filled by election, for the unexpired term, in such a manner
as shall be prescribed by law.

3. For the election of senators, the state shall be divided
into nine senatorial districts, as nearly equal as possible in white
population; each district to choose two senators. Every such dis-
trict shall be compact, formed of contiguous territory and be
bounded by county lines. After each census hereafter taken by
authority of the United States, the legislature shall alter the sen-
atorial districts, so far as may be necessary to make them con-
formable to the foregoing provisions.

4. Until the senatorial districts shall be differently arranged
after the next census taken by authority of the United States the
counties of Hancock, Brooke and Ohio shall constitute the First
senatorial district; Marshall, Wetzel and Marion, the second;
Monongalia, Preston and Taylor, the third; Pleasants, Tyler, Ritch-
ie, Doddridge and Harrison, the fourth; Wood, Jackson, Wirt,
Roane, Calhoun and Gilmer, the fifth; Barbour, Tucker, Lewis,
Braxton, Upshur and Randolph, the sixth; Mason, Putnam, Kana-
wha, Clay and Nicholas, the seventh; Cabell, Wayne, Boone, Logan,
Wyoming, Mercer and McDowell, the eighth; and Webster, Poca-
hontas, Fayette, Raleigh, Greenbrier and Monroe, the ninth.

5. For the election of delegates, every county containing a
white population of less than one-half the ratio of representation
for the house of delegates, shall, at each apportionment, be at-
tached to some contiguous county or counties, to form a delegate
district.

6. After each census hereafter taken by authority of the
United States, the delegates shall be apportioned as follows:

The ratio of representation for the house of delegates shall
be ascertained by dividing the whole white population of the State
by the number of which the house is to consist, and rejecting the
fraction of a unit, if any, resulting from such division.

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Dividing the white population of every delegate district, and of every county not included in a delegate district, by the ratio thus ascertained, there shall then be assigned to each, a number of delegates equal to the quotient obtained by this division of its white population, excluding the fractional remainder.

The additional delegates which may be necessary to make up the whole number of which the house is to consist, shall then be assigned to those delegate districts, and counties not included in a delegate district, which would otherwise have the largest fractions unrepresented. But every delegate district and county not included in a delegate district, shall be entitled to at least one delegate.

7. Until a new apportionment be declared under the next census to be taken by authority of the United States, the counties of Calhoun and Gilmer shall form the first delegate district; Clay and Braxton the second; Pleasants and Wood the third; McDowell, Wyoming and Raleigh the fourth; Tucker and Randolph the fifth; and Webster and Nicholas the sixth. And the apportionment of delegates shall be as follows:

To the third delegate district, two delegates; and to the other five, one each.

To Barbour, Boone, Brooke, Cabell, Doddridge, Fayette, Greenbrier, Hancock, Jackson, Lewis, Logan, Mason, Mercer, Monroe, Pocahontas, Putnam, Ritchie, Roane, Taylor, Tyler, Upshur, Wayne, Wetzel and Wirt counties, one delegate each.

To Harrison, Kanawha, Marion, Marshall, Monongalia and Preston counties, two delegates each. And to Ohio county, three delegates.

8. The arrangement of the senatorial and delegate districts, and apportionment of delegates, shall hereafter be declared by law as soon as possible after each succeeding census. When so declared, they shall apply to the first regular election for members of the legislature to be thereafter held; and shall continue in force, unchanged, until the districts be changed and delegates reapportioned under the next census.

9. No new county shall be formed having an area of less than four hundred and fifty square miles. Nor shall a new county be formed if another county be thereby reduced below that area; or if any territory be thereby taken from a county containing less than four hundred and fifty square miles.

And no new county shall be formed containing a white population of less than four thousand. Nor shall a new county be formed if the white population of another county be thereby reduced below that number; or if any county containing less than four thousand white inhabitants be thereby reduced in area. But the legislature may, at any time, include any county containing less than four thousand white inhabitants within an adjoining county or counties as part thereof.

10. Additional territory may be admitted into and become part of this State, with the consent of the legislature thereat. And in such case, the legislature shall provide by law for the representation of the white inhabitants thereof in the senate and house of delegates, in conformity with the principles set forth in this Constitution. And the number of members of which each branch of the legislature is to consist, shall thereafter be increased by the representation assigned to such additional territory.

11. The legislature shall have power to provide for a register of votes, and to prescribe the manner of conducting and making returns of elections, and of determining contested elections. They shall have power to pass all laws necessary or proper to prevent intimidation, disorder or violence at elections, or corruption or fraud in voting.

12. No person shall be a senator who shall not have attained to the age of twenty-five years; or who was not, at the time of his election, entitled to vote in the senatorial district for which he was chosen. And no person shall be a delegate who was not, at the time of his election, entitled to vote in the delegate district or county for which he was chosen.

Nor shall any person holding an office of profit under this State or the United States; any minister or priest, of a religious denomination; any salaried officer of a banking corporation or company; or any attorney for the State, be a member of either branch of the legislature.

No person who may have collected, or been entrusted with public money, whether State, county, township or municipal, shall be eligible to the legislature, or to any office of honor, trust or profit, under this State, until he shall have duly accounted for a paid over such money.

If a senator or delegate remove from the district or county for which he was chosen, his office shall be thereby vacated.

13. Any citizen of this State, who shall, after the adoption of this Constitution, either in or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do; or who shall act as second, or knowingly aid or assist in such duel, shall ever thereafter be incapable of holding any office of honor, trust or profit under this State.

14. The legislature shall meet once in every year, and oftener, unless convened by the governor. Unless another time be prescribed by law, the regular session shall begin on the first Monday of December.

15. The governor may convene the legislature by proclamation, whenever in his opinion, the public safety or welfare shall require it. It shall be his duty to convene them, on application of a majority of the members elected to each branch.

16. The seat of government shall be at the city of Wheeling, until the legislature shall establish a permanent seat of government by law.

17. When by reason of war, insurrection, contagious or epidemic diseases, or for other causes, the legislature, in the opinion of the governor, cannot safely meet at the seat of government, the governor, by proclamation, may convene them at another place.

18. No session of the legislature, after the first, shall continue longer than forty-five days, without the concurrence of three-fifths of the members elected to each branch.

19. Neither branch, during the session, shall adjourn for more than two days, without the consent of the other. Nor shall either, without the consent of the other, adjourn to any other place than that in which the legislature is then sitting.

20. Each branch shall be the judge of the elections, qualifications and returns of its own members.

21. A majority of each branch shall constitute a quorum to do business. But a smaller number may adjourn from day to day, and compell the attendance of absent members in such manner as shall be prescribed by law.

22. The senate shall choose from their own body a president, and the house of delegates one of their own number as speaker. Each branch shall appoint its own officers and remove them at pleasure; and shall determine its own rules of proceeding.

23. Each branch may punish its own members for disorderly behavior; and, with the concurrence of two-thirds of the members present, expel a member; but not a second time for the same offence.

24. Each branch shall have the power necessary to provide for its own safety, and the undisturbed transaction of its own business; and may punish, by imprisonment, any person, not a member, for disrespectful behavior in its presence; for obstructing any of its proceedings, or any of its officers in the discharge of his duties; or for any assault, threatening or abuse of a member for words spoken in debate. But such imprisonment shall cease at the termination of the session; and shall not prevent the punishment of any offence by the ordinary course of law.

25. For words spoken in debate, or any report, motion or proposition made, in either branch, a member shall not be questioned in any other place.

26. Members of the legislature shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same.

27. Senators and delegates shall receive for their services a compensation to be prescribed by law. No act changing the compensation shall affect members of the legislature then in office.

28. Bills and resolutions may originate in either branch, to be approved, amended or rejected by the other.

29. No bill shall become a law until it has been fully and distinctly read, on three different days, in each branch, unless in cases of urgency, three-fourths of the members present dispense with this rule.

30. No law shall embrace more than one object, which shall be expressed in its title.

31. On the passage of every bill, the vote shall be taken by yeas and nays, and be entered on the Journal; and no bill shall be passed by either branch without the affirmative vote of a majority of the members elected thereto.

32. The presiding officers of each branch shall sign publicly, in the presence of the branch over which he presides, while the same is in session, all bills and joint resolutions passed by the legislature.

33. Each branch shall keep a journal of its proceedings, and cause the same to be published from time to time; and the yeas and nays on any question, shall at the desire of one-fifth of those present, be entered on the journal.

34. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

35. The legislature, in cases not provided for in this Constitution, shall prescribe by law the terms of office, powers, duties, and compensation of all officers of the State, and the manner in which they shall be appointed and removed.

36. No extra compensation shall be granted or allowed by the legislature to any public officer, agent or contractor, after the services shall have been rendered, or the contract entered into. Nor shall the salary or compensation of any public officer be increased or diminished during his term of office, unless the office be abolished.

37. Any officer of the State may be impeached for maladministration, corruption, neglect of duty or any high crime or misdemeanor.

The house of delegates shall have sole power of impeachment. The senate shall have the sole power to try impeachments. When sitting for that purpose, the senators shall be on oath or

affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in case of impeachment shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit under the State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

The Senate may sit during the recess of the legislature for the trial of impeachments.

38. No act to incorporate any joint stock company, or to confer additional privileges on the same; and no private act of any kind, shall be passed, unless public notice of the intended application for such act be given under such regulations as shall be prescribed by law.

39. No man shall be compelled to frequent or support any religious worship, place or ministry whatsoever; nor shall any man be enforced, restrained, molested or burthened in his body or goods, or otherwise suffer on account of his religious opinions or belief; but all men shall be free to profess, and by argument to maintain, their opinions in matters of religion; and the same shall in no wise affect, diminish or enlarge their civil capacities. And the legislature shall not prescribe any religious test whatever; or confer any peculiar privileges or advantages on any sect or denomination; or pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves or others, any tax for the erection or repair of any house for public worship, or for the support of any church or ministry; but it shall be left free to every person to select his religious instructor, and to make for his support such private contract as he shall please.

40. The legislature shall not grant a charter of incorporation to any church or religious denomination; but may provide by general laws for securing the title of church property so that it shall be held and used for the purposes intended.

41. The legislature shall confer on the courts the power to grant divorces, change the names of persons, and direct the sales of estates belonging to infants and other persons under legal disabilities; but shall not, by special legislation, grant relief in such cases.

42. The legislature shall pass laws to protect the property of the wife against the acts and debts of the husband.

43. No convention shall be called, having authority to alter the constitution of the state, unless it be in pursuance of a law passed by the affirmative vote of a majority of the members elected to each branch of the legislature, declaring distinctly the powers and object of such convention, and providing that polls shall be

held through out the state, on some day therein specified, which shall be not less than three months after the passage of such law, for the purpose of taking the sense of the voters on the question of calling a convention for the purpose and with the powers set forth in such law. And such convention shall not be held unless a majority of the votes cast at such polls be in favor of calling the same; nor shall members be elected to such convention, until at least one month after the result of the polls shall be duly ascertained, declared and published. And all acts and ordinances of said convention shall be submitted to the voters of the state for ratification or rejection, and shall have no validity whatever until they are ratified; and in no event shall they, by any shift or device, be made to have any retrospective operation or effect.

DANIEL LAMB, Chairman.

SENATORIAL DISTRICTS PROPOSED

1		2		3	
Hancock	4,442	Marshall	12,936	Monongalia	12,907
Brooke	5,425	Wetzel	6,691	Preston	13,183
Ohio	22,196	Marion	12,656	Taylor	7,300
Whites	32,063		32,283		33,390
4		5		6	
Pleasants	2,926	Wood	10,791	Barbour	8,729
Tyler	6,488	Jackson	8,240	Tucker	1,396
Ritchie	6,809	Wirt	3,728	Lewis	7,736
Doddridge	5,168	Roane	5,309	Braxton	4,885
Harrison	13,185	Calhoun	2,492	Upshur	7,064
		Gilmer	3,685	Randolph	4,793
Whites	34,576		34,245		34,603
7		8		9	
Mason	8,752	Cabell	7,691	Webster	1,552
Putnam	5,708	Wayne	6,604	Pocahontas	3,686
Kanawha	13,787	Boone	4,681	Fayette	5,716
Clay	1,761	Logan	4,789	Raleigh	3,291
Nicholas	4,470	Wyoming	2,797	Greenbrier	10,499
		Mercer	6,428	Monroe	9,526
		McDowell	1,535		
Whites	34,478		34,525		34,270

Whole white population of above 44 counties, 304,433, being an average of 33,825 to each district.

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Proposed House of Delegates, 46 members—Ratio 1 to 6618 whites.

	White Population by Census of 1860	Quotients	Fractions	Del- egates As'd.
1. Calhoun.....	2,492			
Gilmer.....	3,685	6,177	0	6,177
2. Clay.....	1,761			
Braxton.....	4,885	6,646	1	28
3. Pleasants.....	2,926			
Wood.....	10,791	13,717	2	481
4. McDowell.....	1,535			
Raleigh.....	3,291			
Wyoming.....	2,797	7,623	1	1,005
5. Tucker.....	1,396			
Randolph.....	4,793	6,189	0	6,189
6. Webster.....	1,552			
Nicholas.....	4,470	6,022	0	6,022
Barbour.....		8,729	1	2,111
Boone.....		4,681	0	4,681
Brooke.....		5,425	0	5,425
Cabell.....		7,691	1	1,073
Doddridge.....		5,168	0	5,168
Fayette.....		5,716	0	5,716
Greenbrier.....	10,499		1	3,881
Hancock.....		4,442	0	4,442
Harrison.....	13,185		1	6,567
Jackson.....		8,240	1	1,622
Kanawha.....	13,787		2	551
Lewis.....		7,736	1	1,118
Logan.....		4,789	0	4,789
Marion.....	12,656		1	6,038
Marshall.....	12,936		1	6,318
Mason.....		8,752	1	2,134
Mercer.....		6,428	0	6,428
Monongalia.....	12,907		1	6,289
Monroe.....		9,526	1	2,908
Ohio.....	22,196		3	2,342
Pocahontas.....		3,686	0	3,686
Preston.....	13,183		1	6,565
Putnam.....		5,708	0	5,708
Ritchie.....		6,809	1	191
Roane.....		5,309	0	5,309
Taylor.....		7,300	1	682
Tyler.....		6,488	0	6,488
Upshur.....		7,064	1	446

	White Population by Census of 1860	Quotients	Fractions	Del- egates As'd.
Wayne.....	6,604	0	6,604	1*
Wetzel.....	6,691	1	73	1
Wirt.....	3,728	0	3,728	1*
	304,433	25	139,033	46

*These districts and counties have one delegate assigned to each of them on the rule that each delegate district, etc., shall have at least one delegate.

†These counties, which would otherwise have the largest fractions unrepresented, have an additional delegate each assigned to them, in order to make up the full number of forty-six.

In the other counties, the fractions are unrepresented.

MR. PAXTON. I thought by an order sometime ago all reports were to be laid on the table without reading.

MR. LAMB. Not reports; propositions.

THE PRESIDENT. That applied to propositions, petitions, etc. Any such papers as were to be referred to standing committees.

MR. LAMB. I believe I will move to dispense with the reading. The paper will be printed and handed to the members in the morning. I will move that it lie on the table and be printed.

The motion was agreed to.

MR. LAMB. I should mention to the members of the committee that I have appended to the report the figures showing the apportionment and arrangement of the senatorial districts.

MR. BROWN of Kanawha. On that subject of apportionment, the committee was not able entirely to agree. I may be wrong, but I have deemed it my duty to bring in a minority report so far as that is concerned. The balance of the report I fully concur with. My object is that the whole subject may be before the Convention. I will make it my duty as soon as I can to furnish a minority report to this report now under consideration so far as apportionment is concerned. That is the difficulty in arranging the districts. It is a matter of a great deal of trouble and calculation. The committee have not been fully able to agree in the arrangement that has been adopted.

THE PRESIDENT. The minority report is now ready?

Vol. II.
DEBATES AND PROCEEDINGS
OF THE
First Constitutional Convention of
West Virginia
(1861, 1862, 1863)

XXIII. WEDNESDAY, JANUARY 8, 1862.

The Convention was opened with prayer by Rev. R. L. Brooks, member from Upshur.

Minutes read and approved.

THE PRESIDENT. The question is on the adoption of the thirty-second section of the second report of the Committee on the Legislative Department.

MR. STEVENSON of Wood. Mr. President, before the Convention proceeds to the regular business, I would wish to offer a resolution.

The Secretary reported it:

"RESOLVED, That the sergeant-at-arms be authorized to give up the rooms at present used by the committees of the Convention."

MR. VAN WINKLE. I would like to know what the facts are, sir. The rooms were hired for a certain period. There is no use giving them up before the time is out.

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have two and Ohio four, being an increase of one delegate in each case. The rest would be the same as now, except that Raleigh would be separated and entitled to a delegate by herself.

MR. BROWN of Kanawha. I move to postpone the subject.

MR. HERVEY. Upon that motion I wish to submit a remark or two. It would be evidently proper to postpone this question. This apportionment is made on a report embracing forty-four counties—apportioning delegates among forty-four counties, population 304,433. Now, there are seven additional counties within our boundary which are not taken into this count.

MR. VAN WINKLE. They will make about two senatorial districts with the same population as the others and would be entitled to the same number of delegates as the other districts.

MR. HERVEY. I wish to call the attention of the Convention to this additional fact, that the senate shall be composed of a certain additional number and it is now proposed to fill that blank, and if that blank is filled there is no provision—

SEVERAL MEMBERS. There is another provision in another place, already adopted.

MR. HERVEY. I speak now of the house of delegates; and if the house proceeds now to fill this blank absolutely without taking in these seven transmontane counties, it will evidently have to do this work over again for it is leaving out a population of 54,059.

MR. VAN WINKLE. The case is provided for in Section 10, passed by.

MR. HERVEY. That may be true, but in our estimates this argument has not been taken into account.

MR. DERING. I move we adjourn.

The motion was put, and the Convention adjourned.

XXV. FRIDAY, JANUARY 10, 1862.

The Convention was opened with prayer by Rev. James G. West, member of the house of delegates from Wetzel county. Record of yesterday read and approved.

MR. VAN WINKLE. Mr. President, I want to make an admission. I offered some ciphering last evening which I find not quite

correct. I find that the six members to a district will not divide equally owing to some economical affinity by which those counties in the three northern districts have settled themselves down to such shapes that they cannot be changed. I had endeavored to draw an argument from the importance of doing so in my remarks last evening, and it is but fair to say I find it will not work. However, I find while the three northern senatorial districts lose a member in consequence of difficulty of making a distribution, and while I believe the counties composing that district would be much better satisfied with the numbers assigned them—which of course have to be even numbers, two or one—than they would under the other arrangement, the thing is compensated by this: those three districts have the least population of all the senatorial districts; and thus what they lose in reference to the delegate is gained in reference to the senate. So that there is a sort of poetical justice yet maintained. What is lost in the extreme northern district is gained in the extreme southern district where the counties are small and numerous and where a much better arrangement would be made. I may say in this connection that I have tried to figure forty-six and fifty-four, and am satisfied that fifty-four makes a division which will be much more acceptable to all concerned than forty-six can possibly be made. The principle I spoke of in reference to senatorial districts cannot be carried out with fifty-four or with forty-six, nor, I suppose with any number short of sixty-three. I thought it was proper, as I had endeavored to make that an argument to say that I found the facts would not bear me out.

MR. STUART of Doddridge. I knew the gentleman would find that difficulty. I tried it myself.

I desire to offer an amendment to the amendment to test the sense of the Convention, and I believe we can get at it in this way. I will support the amendment of the gentleman from Wood provided the amendment to the amendment is adopted. It is this "and be so distributed as to give every county one delegate." I want to test the sense of the Convention on that.

MR. VAN WINKLE. I can reply to that, sir, that it is utterly impossible. If you are going to do that you have got to rob other counties and make the fractions of those greater than the whole population of these small counties. The hardship of having no separate delegate under the fifty-four arrangement will fall on seven counties neither of which has a population over 1761. Now, whose wisdom it was to make such counties I do not know; but if

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people will make a county that cannot afford to support itself, to build its public buildings or pay the taxes necessary, they ought to be willing to take the consequences. I am told some of them now would gladly be annexed back where they came from, or have some other arrangement made by which they would be relieved from this burden of taxation if they go on and erect public buildings. The counties are Calhoun, Webster, Clay and McDowell. If I am not mistaken, and the one having the most population is 1761 and it goes down as low as 1396. The divisor under this arrangement is 5637. Now the largest of those counties is not one-third and is not entitled to one-fourth of a member.

MR. LAMB. About one-fourth.

MR. VAN WINKLE. Not to one-third of a member. If you give them one-half a member, you are doing more than you do for other counties. In order to give a county of 1396 white population a member, Wood must be deprived of one member and will have a fraction of nearly five thousand that will be unrepresented. Now if gentlemen think there is any justice in that, their ideas are different from mine.

MR. STUART of Doddridge. Wood county will get two even under that arrangement.

MR. VAN WINKLE. She cannot have it. The additional members, by which Pleasants, with a population of nearly three thousand gets one to herself under fifty-four, which she would not get under forty-six, would deprive Wood of the other member. She would have to elect, as it was in forty-six, to elect one member in company with Wood and leave Wood to elect one. So that Wood might have one and a half; which would still give her a fraction double the whole population of Clay or Webster. It would be too great an injustice. We cannot help it if these counties have run themselves down so. As they increase in population and a new apportionment is made, their condition will be altered. But most certainly if this want of representation is to be visited anywhere, it ought to be visited on those who have the least claim to full representation.

MR. STUART of Doddridge. Mr. President, the gentleman is mistaken in regard to the county of Wood. It will be found that under the plan adopted by the committee there is exactly eight counties that get no delegate under that arrangement of forty-six

If we add eight it gives to Pleasants a delegate and leaves the two to Wood. There is no mistake about that. We have calculated. If the gentleman will look at it, he will find that is true, that Wood will be left with two delegates, and the eight additional delegates proposed here will be given to those that have no delegate under the basis proposed by the committee. I can see no reasonable object in increasing the number unless that object would be to give the small counties a delegate. It is only giving additional delegates to the larger counties, which is unnecessary; and consequently the increase, in my opinion, is not necessary. But if it is to give the small counties a representative, then there is an object in it, and in order to test whether that is the object, I propose the amendment. I desire to test the question by it.

MR. VAN WINKLE. I would suggest to the gentleman to withdraw his amendment until we come to vote on that subject. The consideration of what could be done with fifty-four members, would afford a place where the amendment would come in more properly.

MR. STUART of Doddridge. I want to vote for the gentleman's amendment, but I want to understand where the additional delegates are to go to before I vote for it—whether to the larger counties. If it goes to them, I cannot vote for it.

MR. BROWN of Kanawha. Like the gentleman from Doddridge, I feel very much disposed to know before I vote to increase the number, to change the number at all—to know how they are to be distributed—and as he has made a motion which looks to the end in view, but I think fails to accomplish it, I propose to amend his amendment if that be in order.

MR. PRESIDENT. That would not be in order.

MR. DIZLE. I would suggest the amendment might be accepted by the gentleman from Doddridge.

MR. BROWN of Kanawha. I will state it and see. I propose to amend the amendment by adding:

to be distributed so as to give Hancock 1, Brooke 1, Ohio 3, Marshall 2, Wetzel 1, Monongalia 2, Preston 2, Tucker 1, Barbour 1, Boone 1, Marion 2, Harrison 2, Doddridge 1, Tyler 1, Ritchie 1, Pleasants 1, Wirt 1, Wood 1, Jackson 1, Roane 1, Calhoun 1, Gilmer 1, Putnam 1, Usher 1, Randolph 1, Pocahontas 1, Webster 1, Braxton 1, Clay 1, Nicholas 1, Greenbrier 2, Monroe 2, Fayette 1, Kanawha 1, Putnam 1, Mason 1, Cabell 1, Wayne 1, Boone 1, Logan 1, Mercer 1, and McDowell 1."

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MR. STUART of Doddridge. I cannot accept that for this reason it gives to Monroe one, to Wood one, when Wood is a larger county. My arrangement is much better.

MR. HERVEY. I would inquire of the gentleman from Doddridge whether or not the number eight would not give one more representative than he desires. If you will refer to the list you will find that Raleigh, Wyoming, with a white population of 7600 have now one delegate, whereas his amendment proposes to give them each one. It seems to me the number forty-three, if I am not mistaken in my calculation, would give each of the unrepresented counties delegates and allow the other counties to remain just as they are. If that is the object of the gentleman from Doddridge, then the number seven would accomplish his purpose. I find that he provides for two counties here, giving them the benefit of one delegate each, which two counties now have one. Consequently the number seven will meet the requirements of all the counties unrepresented, and allow the other counties to remain as they are. I would like to vote for that amendment if I understand it. I am in favor of giving the smaller counties each a delegate and allowing the counties now provided for remain as they are, if the number seven is the proper number, as I think it is.

MR. SINSEL. I am opposed to the amendment, because to carry it out it carries with it absolute injustice. It looks to me—and I cannot see it in any other light—only a grasping after power. Now, I am willing, let me be located in what part of this new State I may, to submit to anything like a fair rule carried out upon fair principles. What is Tucker, with 1300 inhabitants that she should have one representative while others with a population of eight thousand and over only have one. There is Greenbrier with ten thousand; and Wood, according to this arrangement would have two.

MR. VAN WINKLE. One and a half.

MR. SINSEL. Well, you say seven unrepresented. They will have that with two to Wood, and this just consumes the eight. Many of these counties in the southwest now have representatives with only the fractional number—the largest portion of them. Then every county almost from the Baltimore & Ohio Railroad south or the Northwestern Virginia Railroad, the large majority of them would have representatives on only fractional numbers, and some of them not one-fourth. The county of Tucker with 1300

inhabitants, but we are at the expense of a court in that county just as much as in the county of Ohio—costs just as much to pay the judges to pay the prosecuting attorney, as in Ohio, and all the expenses of the judiciary when carried out; and add to that the expense of a separate representative. Why there will be nothing but a bill of expense any way you take them. And then the principle itself is unjust, unreasonable. I am opposed to it, utterly opposed to it.

MR. LAMB. Mr. President, I coincide entirely with the principle announced by the gentleman from Taylor for Ohio county. We are willing to consent to any fair principle fairly applied. I would ask the members of the Convention to reflect if there is not a principle concerned in this matter. We have announced and adopted unanimously among our fundamental principles that representation should be apportioned as nearly as possible in proportion to the numbers of those entitled to be represented. We have passed that and it passed unanimously. Now, the old system of equality is to be forced upon us in West Virginia. Mr. President, I am not a very old man but I do recollect when throughout the whole northwest when the changes were rung upon the various counties character of such a principle, when little Warwick and the counties down in the oyster and herring eating country with a population of four or five hundred were entitled to an equal representation in the legislature of the State with counties of twenty to thirty thousand. The whole northwest rang with the iniquity of such a scheme. The gentleman from Doddridge is not a very old man but he too will recollect—and perhaps he may have made a grand political speech upon the iniquity of abandoning all principles and forcing such a scheme upon the people in western Virginia. Now, it is to be brought in again. Are we to abandon all principles in this matter? Gentlemen, if you adopt this, do not attempt to perpetrate a fraud upon the people by holding out a false profession that you intend to apportion representation according to the principle that it shall be apportioned according to the number of people to be represented. Tell them at once that your system of apportioning representation is not the system proclaimed in the Declaration of Independence, that all men are free and equal, and you amend that declaration by inserting that "all counties shall be equal." Is this proper and right? You abandon all principles. Then do not profess to be governed by principle. Do not profess that that clause which you have already adopted. Do not hold that profession out if you are to be governed in this measure

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proposed. I hope the Chair will rule it out, and if he does not will take an appeal from the decision of the Chair.

MR. POMEROY. As I am on the other side, I hope the gentleman from Ohio will not press making his speech now. I hope the Chair will . . .

MR. LAMB. It strikes me . . .

MR. STUART of Doddridge. I want the question settled, sir . . .

MR. LAMB. The gentleman ought to have raised his point of order when the representation made on this subject was . . .

MR. STUART of Doddridge. I have a perfect right to raise the point. I rise to a question of order.

MR. LAMB. Then it is in order to impugn the report of the committee and it is not in order to reply. I think the whole marks are out of order on both sides.

THE PRESIDENT. The Chair will take the sense of the house . . .

MR. VAN WINKLE. I contend this debate is strictly in order. I call for the point of order in writing.

MR. STUART of Doddridge. I can soon state my point of order. I will reduce it to writing.

MR. HALL of Marion. Allow me, in the interim, again to say that the gentleman from Kanawha did not purposely misrepresent my argument; but as I conceive did very much misrepresent me upon the point of the balance of power, representing that my argument tended necessarily to show that the little counties' power over the big ones was unjust to the latter. That was not my argument. I said distinctly that the balance of power held by the small county prevented the great populous county from controlling by throwing its vote to one or the other candidates compelling them to give terms to the small county.

THE PRESIDENT. The Chair would remark that there is nothing before the house at present.

MR. LAMB. I am certainly entitled to the floor.

MR. VAN WINKLE. When you are called to order, you must take your seat (Merriment)!

THE PRESIDENT. TAKE YOUR SEATS, gentlemen.

MR. POMEROY. I would like to pour oil on these troubled waters and say that before the point is decided we would all feel it was decided right and go on harmoniously.

MR. STEVENSON of Wood. Is that what you call "oil?"

MR. POMEROY. Yes.

THE PRESIDENT. The gentleman from Ohio will proceed, then.

MR. LAMB. The gentleman from Kanawha announces at length that he has not done before, his adhesion to this principle that every citizen of the State shall be entitled to equal representation, that "in all apportionments of representation, equality of numbers of those entitled thereto shall as far as possible be preserved." But he is somewhat late, it strikes me, in announcing now his adhesion to this principle, for his arguments heretofore sounded to me more like arguments that this principle was of no account and that nobody need attempt to preserve it; that it was a principle that was not observed in any case, but was here as a mere idle proposition to be violated whenever we came to apply it in practice. But it has at least admitted.

Now, let us see how near the senatorial apportionment, which he proposes, approaches this principle. This principle does not require a precise equality in all respects. As expressed here it means that an exact equality is impossible. But the rule is, we are to approach equality as "nearly as possible." How near we approach it in the senatorial districts is to be ascertained, perhaps, and the only mode of ascertaining that it exists is to compare the apportionment which is proposed with another. The gentleman in conformity with the principle which he now admits, has submitted his apportionment of the senatorial districts, and the committee has submitted theirs. If we wish to ascertain whether the apportionment of the committee is in conformity with this principle as near as possible, it is certainly a fair test upon that question to see whether the gentleman's own apportionment is an improvement in reference to the principle we adopt in common.

Now, in the apportionment of senatorial districts which the committee have suggested, the severest test possible in any case is that the members take all the small districts and put them together and then take all the large districts and put them together. You cannot subject an apportionment to any severer test.

There are nine senatorial districts reported here by the committee. You have to take four upon one side—the four largest,

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by this scheme of county equality. Sir, in reference to this matter it is not any one county—the county of Ohio—that is directly concerned. Shall not we here rise to the dignity of maintaining a principle? Is it to be imputed to us that we are influenced by some such petty motive as this, that it is a question—as was said here the other day—of whether Ohio county shall have three or four members. It makes not the slightest difference in regard to the county of Ohio, whether she shall have three or four out of a house of forty-six or a house of fifty-four. Her relative weight is very nearly the same in any case, and the proposition that has been made has been entirely misunderstood in that respect. If you will look at the seventh section reported by the Legislative Committee in which this thing is carried into practical operation, you will see that after the county of Ohio and the seven counties of Harrison, Kanawha, Marion, Marshall, Monongalia and Preston, and the third delegate district, the apportionment is strictly according to principle. In seven counties and one delegate district, the principle is fairly applied. The representation, even upon the number forty-six is fairly distributed among those counties according to a fair principle fairly applied so far as those counties are concerned. The difficulty as we found in the number forty-six is just here. The application of the principle of distributing representation according to population ceases when you come to the number 12,656 and all the counties below that and districts below that are put on a dead level. Is that fair? The number forty-six is objectionable not because it affects the representation of the larger counties, for those counties, as I say, even upon the number forty-six have their representation fairly distributed; but it is objectionable because below the number 12,656 you put all upon a dead level. There this scheme of county equality is to govern instead of the principle of apportioning representation according to population.

I want, however, to put myself right in regard to this matter with the gentleman from Taylor. I am afraid he misunderstood the meaning and purpose of my remarks yesterday. I certainly did not intend to intimate in the slightest degree that there was anything improper in the conduct of the committee, or that they were influenced by improper motives in stopping at the number 12,656 in applying the principle of apportionment according to population. I did remark that when our work went out to the public and they saw that it fixed the house of delegates at forty-six that no possible reason could be assigned by the public, they could see nothing else in selecting such an odd number but that it must

have been adopted to accomplish some temporary and local purpose. It spoke merely of the impression which the public would receive in regard to that. I did not intend to say that this number was unfairly adopted, or adopted from unfair reasons in the committee. The committee preferred forty-two, as has been stated already. It was extended to forty-six in order to do justice to certain counties, and my sole objection to it is that it stopped too soon. I do not wish to misstate the argument, to state the argument on the other side unfairly. We have two things to look to. One is to apportion representation according to correct principles; the other is not to make too large a house of delegates. I concur in the proper application of both these principles; but I think the number forty-six, really and practically as it does do, applying the principle of apportionment only to the seven larger counties and one delegate district, that we stopped there too short, for twenty-four counties and five delegate districts on that number are put upon a dead level. There is no apportionment there so far as those twenty-four counties and five delegate districts are concerned. The principle of county or district equality governs in regard to them. It would extend the principle of apportionment a little farther. At the same time I may say that I do not think upon any fair consideration of the subject we can determine that fifty-four would be an unreasonable number for the house of delegates for the forty-two or sixty-six if the additional seven delegates are adopted. If gentlemen will look at the seventh section in which the matter is practically applied, compare that with the tables, they will see that if we state the matter correctly; that if we adopt the number forty-six the practical result of it is just this: we do apportion upon a fair principle of apportionment the representation so far as seven counties and one delegate district are concerned, and then we reduce all the others to a dead level of one each without regard to population. From the population of 10,499, which is the population of Greenbrier, down to a population of between three and four thousand (3686) in Pocahontas—from a population of 13,787 in Kanawha down to 1535 in McDowell—we adopt the simple plan of county equality instead of apportionment. I would extend the principle of apportionment a little further. I am aware that we cannot in any plan that the committee did or can devise make an exact equality. We are necessarily compelled to submit to some inequalities. In this case, as in all other cases where general regulations must have to be adopted, individual cases of hardship can be excluded. Such will be the result let us adopt any system that

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can be devised. But the principle upon which we proceeded, as announced in the apportionment principle as unanimously adopted by this Convention is that representation shall be apportioned according to population, as far as may be practicable, consistent with the preservation of other great and important objects. I admit that one great and important object is—should be—that we should not expand unreasonably the number of the house of delegates. I mentioned yesterday the result of the examination of the constitutions of the different states; that even if we adopted the number fifty-four we would have, with the exception of two states, Florida and Delaware, a smaller house of delegates, I believe, than any other state in the Union. Is not this some evidence, is not this some proof, that the number fifty-four would not be unreasonably large? We have thirty-two states having a larger number, and two having a smaller number. One of these is Delaware, in which there are just three counties. It was impossible there to make a large house. They give in the State of Delaware seven representatives to each county, making twenty-one.

Mr. President, a great deal has been said about getting back to the "flesh-pots of Egypt." It strikes me we are not now disposed to go back to the old system which existed in Virginia prior to 1860. We all recollect what that was. Every county, I believe, had two delegates. Warwick, with 500 white inhabitants, we recollect right—for it has been twenty or thirty years since I heard anything about this matter—had two delegates, and other counties with twenty and thirty thousand inhabitants had just two delegates. One man in Warwick counted as many as forty or fifty in other sections of the state. We do not extend the thing quite to that extreme yet. One man in one section of the state bounded by certain county lines is to count only as much as seven or eight men in other sections of the state. And yet we profess this principle of equality; and in the first instrument to which this nation owes its existence, the Declaration of Independence, is laid down the principle that all men—in all counties—are created free and equal. I know all counties are not. They may be "free" but they certainly are not "equal."

I must contend for the principle that a man whether he resides here or there, so far as political matters are concerned, is equal to the man that resides elsewhere. And I must also say to the Convention that this is a question in which Ohio and the larger counties have no interest. We may lose a fraction now; but the principle is fairly applied to us and what we lose now we will gain

in another apportionment. But it is the principle I object to—the principle embodied in the amendment of the gentleman from Doddridge—the principle which is also carried too far in reducing the house to forty-six, that the larger counties and districts should be put upon a precise equality of counties, not equality of men. As illustrating this same matter, I may refer here—at least it may serve the purpose of illustration—to the motion made by the gentleman from Doddridge yesterday, that the house should be thirty-six. Now gentlemen, you have got six delegate districts in your plan; you have got thirty-one counties outside of those delegate districts; that makes thirty-seven. You would have had to make another delegate district, if the amendment which the gentleman proposed—but which he very properly withdrew, had been carried, to get a house of thirty-six, with your principle of county equality in full operation.

MR. STUART of Doddridge. I rise to a question of order. The gentleman ought to confine himself to the question before the house.

THE PRESIDENT. The gentleman in discussing the question—

MR. LAMB. I am merely using it as an illustration of the principle of county equality; and if the gentleman would wish to carry out that principle fairly—to strike out the principle of apportionment which we have adopted in our fundamental provisions—if he would wish to carry out his own principle fairly and to its proper extent, let him renew his motion and let the Convention adopt a house of thirty-six. You would then have this principle of county equality in full and fair operation; for you would be compelled just to give each county and district one representative, large and small. This would be carrying the thing to extremes, and the gentleman very properly withdrew it. The number thirty-six applies that principle in every case where the population is less than 12,656. That is the result of that number. It stops the principle of apportionment at that number, and then applies the principle of county equality below that. The number fifty-four is subject to the same objection, only it carries the principle of apportionment somewhat farther. It still leaves this principle of county equality to operate with a few, however. It sacrifices that much to that other principle—too much; I am willing to concede a good deal—that the legislature may not be made too large a body.

MR. SOPER. Mr. President, I ask the Convention to look at this matter calmly. If I understand the principle upon which the

s 34,976; and I make no complaint because it is as near the principle as we can possibly come. We cannot make any classification anything like it, and I think we are willing to submit to this report. The gentleman complains because there are a few thousand more in the lower end, when we have as many in the middle as the other end a little more, he ought to be satisfied.

The question was taken on Mr. Brown's substitute, and it was rejected.

The question recurring on the fourth section of the majority report, it was adopted.

MR. STEVENSON of Wood. I move we adjourn, Mr. President. The motion was agreed to and the Convention adjourned.

XXXVI. SATURDAY, JANUARY 11, 1862.

Convention met at the appointed hour, President in the chair. Prayer by Rev. Gideon Martin, of the M. E. Church, West.

Journal read and approved.

THE PRESIDENT. The Convention when it adjourned had under consideration the 5th section of the report of the Committee on the Legislative Department.

MR. HERVEY. Mr. President, before proceeding with the report on the Legislative Department, I want to submit a paper to come up on the report of this report, to amend the first part of the 3rd section of the report of the Committee on the Legislative Department, and ask that this paper be printed.

There being no objection the paper was received and ordered made that it be printed. The paper is as follows:

Until the senatorial districts shall be differently arranged after the next census, taken by authority of the United States, the counties of

1. Pendleton..... 5,878
 - Randolph..... 4,793
 - Pocahontas..... 3,687
- Shall constitute the 1st district.

Preston..... 13,183
Packer..... 1,396
Shall constitute the 2nd district.

Parsons..... 13,185
Shall constitute the 3rd district.

Parake..... 6,809
Gamer..... 3,685
Doddridge..... 5,168
Shall constitute the 4th district.

Monongalia..... 12,907
Shall constitute the 5th district.

Marshall..... 12,936
Shall constitute the 6th district.

Marion..... 12,656
Shall constitute the 7th district.

Faylor..... 7,300
Barbour..... 8,729
Shall constitute the 8th district.

Mason..... 8,752
Phillips..... 5,708
Shall constitute the 9th district.

Jackson..... 8,240
Wirt..... 3,728
Gathorn..... 2,492
Shall constitute the 10th district.

Wood..... 10,791
Pleasants..... 2,926
Shall constitute the 11th district.

Wetzel..... 6,691
Tyler..... 6,488
Shall constitute the 12th district.

Lewis..... 7,736
Lincoln..... 4,885
Shall constitute the 13th district.

Upshur..... 7,064
Webster..... 1,552
Nicholas..... 4,470
Shall constitute the 14th district.

Boone..... 5,309
Gardner..... 1,761
Beverly..... 5,716
Shall constitute the 15th district.

16. Greenbrier.....	10,499	13,790
Raleigh.....	3,291	
Shall constitute the 16th district.		
17. Kanawha.....	13,787	13,787
Shall constitute the 17th district.		
18. Cabell.....	7,691	14,295
Wayne.....	6,604	
Shall constitute the 18th district.		
19. Boone.....	4,681	
Logan.....	4,789	
Wyoming.....	2,797	
McDowell.....	1,535	14,802
Shall constitute the 19th district.		
20. Mercer.....	6,428	15,954
Morroe.....	9,526	
Shall constitute the 20th district.		
21. Brooke.....	5,425	
Hancock.....	4,442	
Ohio County.....	4,210	14,067
Shall constitute the 21st district.		
22. City of Wheeling.....	18,000	18,000
Shall constitute the 22nd district.		

At the first election held under this Constitution the city of Wheeling shall elect one senator, and the counties of Brooke, Hancock and Ohio County, one senator, and in this manner for the next three succeeding terms. For the fifth term the city of Wheeling shall elect two senators; and the counties of Brooke, Hancock, Ohio County and the city of Wheeling, shall elect in the above manner until a reapportionment of this State.

MR. VAN WINKLE. I will offer this amendment that I indicated yesterday. I think it ought to come in between the 4th and 5th sections. It relates partly to senators and partly to delegates and if adopted should be an additional section.

"Of the senators first elected, one from each senatorial district to be determined by lot, in the presence of the senate, shall serve until the fourth day of July, 1863, and the other until the same day of the year 1864; and delegates as elected shall serve until the same day of the year 1863."

MR. VAN WINKLE. I tried yesterday when offering the amendment which was adopted to explain to the Convention the uncertainty as to what time the Constitution would go into operation. The object of the amendment was to make the term begin

twenty days after the election. Now if that twenty days should expire after the 4th of July as the matter stands we have fixed it so that they hold for two years. This is intended to make it that the first class of senators hold until two years has expired after the 4th of July next. So far as this feature of the amendment is concerned, it is only to make that certain so there shall be no difficulty in determining when the terms of these senators will end. It also contains another feature which I have contemplated in connection with these double districts and which I think will tend to reconcile many to them. As I said yesterday, it is impossible to make single senatorial districts without diminishing the members too much. You ought to have sufficient numbers to do the business, to divide into the proper committees, and on the other hand we have to avoid making the senate too large. There ought to be a certain ratio between that and the house of delegates. Of the senators first elected, one from each senatorial district, to be determined by lot in the presence of the senate, shall serve to the 4th of July, 1863, the other to the same day, 1864. The effect of that in connection with the clause passed under the report of the Committee on Fundamental and General Provisions, would establish the rule and the principle and the operation of one-half the senate being elected every year, one half going out each year. The advantage of that is very apparent, you retain one-half the senate in office. They are familiar with the mode of business, and what is perhaps more important—they are practically acquainted with what you may call the state of the business. They know the reasons and position of the legislation of the previous session, and they, as it were, transmit it to the next house. It will give steadiness to our legislation, and will give us a dignity, which if the senate were nothing but a house of delegates with smaller numbers they would not attain. The Senate of the United States, as everybody is aware changes one-third of its members every year, they being elected for six years, and it is to realize the same advantages that we propose this amendment. Everything of human institution, or which humans have the management of is apt to be defective in some points; and while there can be no doubt that the people are always safest under a popular government when they have the management of their own affairs, in their own hands, they are always safest because their interests dictate to them what is the safest course to pursue. But it has been found that mere popular assemblies are very apt to decide hastily or without due consideration, and the second house is in all our states and in the national government

The question on the motion of the member from Tyler was taken and it was lost.

THE PRESIDENT. Does the gentleman from Wood renew his amendment?

MR. VAN WINKLE. I propose to renew it in another shape. I offer the following, to come in before the 5th section:

"If the first elections of senators and delegates are held within six months after the 4th day of July, in any year, their respective terms of service shall be reckoned from that day; and if held within six months next preceding that day, in any year, their terms shall be reckoned from the 4th day of July next after such election."

If elected after the 4th day of July, their terms will be at least less than two years, not exceeding two years. I believe that, in the case, meets the objections that were made to the other.

MR. LAMB. I would ask, Mr. President, to lay the amendment on the table, to allow us to think about the matter until Monday.

MR. VAN WINKLE. I have no objections, sir.

THE PRESIDENT. What will you do with the section—pass it by?

MR. VAN WINKLE. O, yes, sir; there is no immediate connection between them.

The question was taken on the adoption of the section, and it was adopted.

The Secretary reported Section 6 as follows:

"6. After each census hereafter taken by authority of the United States, the delegates shall be apportioned as follows:

The ratio of representation for the house of delegates shall be ascertained by dividing the whole white population of the State by the number of which the house is to consist, and rejecting the fraction of a unit, if any, resulting from such division.

Dividing the white population of every delegate district, and of every county not included in a delegate district, by the ratio thus ascertained, there shall then be assigned to each, a number of delegates equal to the quotient obtained by this division of the white population, excluding the fractional remainder.

The additional delegates which may be necessary to make up the whole number of which the house is to consist, shall then be assigned to those delegate districts, and counties not included in a delegate district, which would otherwise have the largest fractions unrepresented. But every delegate district and county not in-

cluded in a delegate district, shall be entitled to at least one delegate.

MR. LAMB. I can only say in reference to this that it is the plan which has been finally adopted by Congress in apportioning representation in the House of Representatives of the United States. The matter of the principle of making that apportionment has been under discussion at different periods in the Congress of the United States since 1789 down to 1850. This plan was adopted as the most equal of any other that could be devised. As a merely mathematical proposition giving us an adequate number in the case of delegates, it does, as near as possible apportion representation according to population. It does accomplish that result as nearly as a mathematical proposition nearer than any other principle that has been adopted. These were the considerations which recommended it to Congress, where it was adopted by the act of May 23, 1850.

These are the considerations which recommended it to the committee. It accomplishes another object. This rule avoids controversy regard to the distribution of fractions. They are kept out of the legislative halls and conventions. It becomes thus a matter of figures simply. You will have no squabbling in your mind about fractions because the figures will decide it according to the census; and if a question arises between two counties, you go to the census which has the largest fraction gets it. It is certainly what you are to distribute to fractions, the members should go to the counties which have the largest fractions. It is simply the principle of the whole matter.

MR. RUFFNER. There seems to me a propriety in authorizing the State to take a census and make the apportionment on it. In order to bring this idea before the Convention I would move that the words "United States" the words "or of the State" be inserted.

MR. LAMB. I do not know that there can be any objection. The committee considered the question of making an apportionment according to a State census, and of requiring a State census; and the great expense of taking the census was one great objection. When as a census is provided for by the Constitution of the United States every ten years, as long as the Constitution of the United States operates over West Virginia, and as long as West Virginia exists it will operate over it, a census has to be taken in that Constitution every ten years. We supposed this was generally often to bring up this question of representation with

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†The seventh section of the Report of the Legislative Committee was taken up and reported:

7. Until a new apportionment be declared under the next census to be taken by authority of the United States, the counties of Calhoun and Gilmer shall form the first delegate district; Clay and Braxton the second; Pleasants and Wood the third; McDowell, Wyoming and Raleigh the fourth; Tucker and Randolph the fifth; and Webster and Nicholas the sixth. And the apportionment of delegates shall be as follows:

To the third delegate district, two delegates; and to the other five, one each.

To Barbour, Boone, Brooke, Cabell, Doddridge, Fayette, Greenbrier, Hancock, Jackson, Lewis, Logan, Mason, Mercer, Monroe, Pocahontas, Putnam, Ritchie, Roane, Taylor, Tyler, Upshur, Wayne, Wetzel and Wirt counties, one delegate each.

To Harrison, Kanawha, Marion, Marshall, Monongalia and Preston counties, two delegates each. And to Ohio county, three delegates.

Mr. Van Winkle moved to insert after "to the third district, two delegates," in the second paragraph, these words: "of whom the county of Wood shall elect one delegate, and Wood and Pleasants together shall elect another delegate.

After considerable discussion of this amendment,

Mr. Warder moved (such a motion taking precedence) to reconsider the vote by which the second section was adopted, in order to afford opportunity for a motion to strike out "forty-six" as the number of the house of delegates, as then proposed, and substitute "fifty-four."

The motion to reconsider was agreed to.

Mr. Haymond then moved to strike out "forty-six" and substitute "fifty-six."

Mr. Lamb moved to amend the amendment by substituting "fifty-four."

The Convention then adjourned.

†As reported in the Wheeling Intelligencer, January 13, 1862.

XXVII. MONDAY, JANUARY 13, 1862.

The Convention was opened with prayer by Rev. Gordon Battelle.

President Hall in the chair.

Mr. HAYMOND. Mr. President, I ask leave to withdraw my motion made on Saturday to increase the number of the house of delegates from 46 to 56, for the present.

Mr. SINSEL. Mr. President, it seems to me according to the rule established here and the usage in such matters that the vote on Saturday evening was out of order. There was a motion then before the house. It had not been determined and was still there. It is correct in that, why the motion this morning would require the amendment of the gentleman from Wood and not on any amendments offered afterwards.

THE PRESIDENT. The Chair is of opinion that the motion to reconsider was not out of order; that the work which we were then doing depended very much or entirely on the numbers to be inserted in the member's resolution which determined the Convention to reconsider.

Mr. SINSEL. Mr. President, I do not understand it in that way. I understood that the matter under discussion at that time was how they should regulate the two representatives assigned to the counties of Pleasants and Wood. We had decided on the number 46. The committee had reported how the 46 should be disposed of, and that amendment was in reference to the disposition to be made of the two representatives which made up the 46.

THE PRESIDENT. The gentleman from Taylor will remember that the increase contemplated by the reconsideration occurred and was made there is no use for the controversy between the counties of Pleasants and Wood; that the difficulty would be removed by the insertion of the larger number. Hence the motion to reconsider and go back prepared for the work in Wood and Pleasants, was proper, in the opinion of the Chair.

Mr. SINSEL. It seems that I have failed to make myself understood. The point that I raised was this, that at the time the motion was made to reconsider, we had under consideration the disposition of the delegates assigned to the district of Wood and Pleasants.

25
5

I have urged the effect of departing from our principle would have on our Constitution. I have had opportunities of knowing Of course we cannot tell what people may do; but if there is something that we can know, it is that the people have clamored against this very thing as the very origin, the sum total as it were, of the evils of which they have complained; and it is presumption to suppose that they will abandon the ground on which they have stood so long and so heroically and accept contentedly a government in our new State of the old servitude which they have in the past times found so grievous. We must also remember that while the Union part of our community are anxious, and secessionists are really anxious to be over here from eastern Virginia. While that has been the common sentiment of all the people of northwestern Virginia for years, it has been already claimed a cry has gone up and we must recollect it, that when we called on to vote on this very question there is a portion of the people in this country that are ready to oppose anything or support anything, ready to cry out against anything the Government of the country are in favor of, and that no matter how much they might under other circumstances desire the very thing themselves They will go naturally for any measure that will beat us down.

MR. STUART of Doddridge rose to say that he waived the point usually accorded the mover of having the last word in the argument. He got up to move the previous question. The President said he would put the question direct, as there appeared to be no disposition to speak further.

MR. BROWN of Preston called for the yeas and nays, and they were ordered and taken, resulting as follows:

YEAS—Messrs. John Hall (President), Brown of Kanawha, Brunfield, Dering, Dolly, Hansley, Haymond, Harrison, Higgins, Lauck, Montague, McCutchen, Robinson, Simmons, Stephenson, Clay, Stuart of Doddridge, Soper, Taylor, Walker, Warden, Winkler—21.

NAYS—Messrs. Brown of Preston, Brooks, Battelle, Chapman, Caldwell, Dille, Hall of Marion, Hervey, Irvine, Lamb, Martin, O'Brien, Parsons, Powell, Parker, Paxton, Pomeroy, Ruffner, Snel, Stevenson of Wood, Stewart of Wirt, Sheets, Trayner, Winkle—24.

So the amendment to the amendment was rejected.

MR. VAN WINKLE. I move we adjourn.

The motion was agreed to and the Convention adjourned.

XXIX. WEDNESDAY, JANUARY 15, 1862.

In the absence of the President, the chair was assumed by Mr. Puffer.

Prayer by Rev. Joseph S. Pomeroy, a member of the Convention.

Reading and approval of journal.

MR. VAN WINKLE. Mr. President, I spent some hours of the day in endeavoring to carry out in a fugitive form what I suggested yesterday might be done in the nature of a compromise. It is a compromise between the small counties and the big counties, or with all the counties having a sufficient number to be considered a representative. As I suggested yesterday that the proper mode in approaching this subject would be to fix a rule to be discussed, of course, on its own merits and that could be so framed, undoubtedly, as to embrace within itself all the elements of fairness and equality that are possible. There would be, of course, as to every rule that can possibly be made in reference to such a thing as this exceptional cases where it would not operate to the entire satisfaction of those concerned. This is a truism that is constantly pressed on our attention which we know could not be denied. Because it is hardly possible take what number you please—take 100 as the number of the house of delegates—and apply any rule that you may make strictly, there might yet be a few, or one or two or three that would think their situation a little more hard than the others. But the Convention would be able to consider whether really any hardship that was worth considering much about was really perpetrated. And I apprehend that a rule was settled while the light we have had on the difficulties to be encountered, a rule we should look to, forgetting those things as far as possible, that the real cases of hardship would be a few and the hardship very light. Now, sir, this compromise is based on the idea that the larger counties shall surrender something and the smaller counties shall surrender something of extreme demands of a representative for every county. Of course, the only idea of a compromise between conflicting interests is that both parties surrender something; and, of course, if this is done there can be no compromise; for to attempt to make a compromise on the basis that one party shall get all and

countries—I think the relative numbers are 24 and 20—twenty have a surplus of 23,186 and twenty-four which have a joint aggregate deficit of 42,783. Now, in order to ascertain how this comes out in accordance with the fundamental principle of equality of population, I have taken the true ratio—6000 you understand is above the true ratio, the true ratio being 5637½—and the result is pleased me very much. Because this being the actual number (with the exception that it ought to be 5637½—but under the rule the ½ is thrown away) but under this the surpluses are 32,048 and the deficits are 32,005, making a difference of 43, which is occasioned by the half that is thrown overboard. Now, this is the variation—if I am correct in my view of it—from a true apportionment under the general principle of equality of white population. The whole surplus, or deficit which are equal, amounts to about one-tenth of the whole number to be divided. And I apprehend that even a larger figure would not bring it out much closer than that. Now, if the Convention had an opportunity of examining these rules, which they will admit are concessions on both sides are in the true nature of a compromise because each party here yields something in order to arrive at a conclusion that shall satisfy us all; and I certainly hope that if this rule is found to work under present circumstances it may be engrafted in the Constitution as a permanent rule because it would be a rule that would work with any other numbers. I do not mean to say that I have the precise proportions in this, but something in the nature of this.

Whether it would be proper for me now, in the stage of this matter before the Convention to offer this, when members here had an opportunity of seeing how it works out. I do not know but I apprehend if we turn our attention to it and consider whether there is not as much yielded on either side as fairness and consistency would require, whether we would not be willing to take these rules and work them out and abide by the result.

Mr. STUART of Doddridge. What will the result be?

Mr. VAN WINKLE. Presently, sir, I will add here that there are only two counties that appear in the last column which if the division were made upon the true ratio, 5637, that have a fraction or surplus over one-half of that amount; and if the Convention could raise its ideas to 56 and give to each of these counties two additional delegates and bestow them on these two counties, I think not see that a word of complaint could issue from anybody. You see that out of all the counties that are placed together in the

of the committee and vote in connection there are but four and those the smallest in the lot, counties whose population is so disproportionate to the divisor, or to any divisor that you can give; if you enlarge the house even considerably; for as I showed you, if you make a house of 86 members the largest of these counties would not be entitled to a representative on the white population, and if you make one of 100 members the county of Tucker is the lowest. The county of Tucker would not be entitled to a delegate for a fraction over one-half. Because 100 members would give you a divisor of upwards of seven thousand, and Tucker is short of 1400. By this gentlemen will see how much we would have to yield to give each of these counties a delegate.

But while, sir, I am sure we invite the prosperity of these counties that I certainly look for an increase of population in all of them and that I would be as pleased as the members representing them to hear of their prosperity, I would submit now to the members here representing those small counties whether in the face of the statements that have been made here and which they will find to be accurate, whether they do not think themselves they are asking too much if they ask for a separate delegate from each of those counties? If the Convention will bear with me—and I trust that they will view as I do that it is desirable to prevent hard thoughts and such things, if a compromise cannot be reached that will be satisfactory to all. It is worth spending a little time for. If the Convention, then, will bear with me, I will give them an apportionment of the delegates under this system.

Mr. Van Winkle then read to the Convention the following scheme of the apportionment prepared by him:

Counties	White Population	Quotients	Fractions	Delegates	Ratio of 6000	True Ratio 5637
Barbour	8,729	1	2,729	1	2,729	3,092
Berkeley	4,885	0	4,885	1		752
Bolton	4,681	0	4,681	1		752
Buckhannon	5,425	0	5,425	1		956
Calhoun	7,691	1	1,691	1	1,691	212
Clay	2,492	1	2,492	1		
Clinton	1,761	0	1,761	1		3,145
Cross	5,168	0	5,168	1	½	1,057
Doddridge	5,716	0	5,716	1		469
Fayette	10,499	1	4,499	2		775
Greenbrier	3,685	0	3,685	1		2,315
Lincoln	4,442	0	4,442	1		1,952
Mingo						1,195

Counties	White Population	Quotients	Fractions	Delegates	Ratio of 6000	True Ratio
					Surplus	Deficit
Harrison	13,185	2	1,185	2	1,185	1,911
Jackson	8,240	1	2,240	1	2,240	2,603
Kanawha	13,787	2	1,787	2	1,787	2,513
Lewis	7,736	1	1,736	1	1,736	2,099
Logan	4,789	0	4,789	1		1,211
Marion	12,656	2	656	2	656	1,382
Marshall	12,936	2	936	2	936	1,662
Mason	8,752	1	2,752	1	2,752	3,115
McDowell	1,535	0	1,535	1/2		1,465
Mercer	6,428	1	428	1	428	791
Monongalia	12,907	2	907	2	907	1,633
Monroe	9,526	1	3,526	2		2,474
Nicholas	4,470	0	4,470	1		1,530
Ohio	22,196	3	4,196	4		1,804
Pleasants	2,926	0	2,926	1		3,074
Preston	13,133	2	1,133	2	1,133	1,909
Pocahontas	3,686	0	3,686	1		2,314
Putnam	5,708	0	5,708	1		292
Raleigh	3,291	0	3,291	1		2,709
Randolph	4,793	0	4,793	1		1,207
Ritchie	6,809	1	809	1	809	1,172
Roane	5,309	0	5,309	1		691
Taylor	7,300	1	1,300	1	1,300	1,663
Tyler	6,488	1	488	1	488	851
Tucker	1,396	0	1,396	1/2		1,604
Upshur	7,064	1	1,064	1	1,064	1,427
Wayne	6,604	1	604	1	604	967
Wetzel	6,691	1	691	1	691	1,054
Webster	1,552	0	1,552	1/2		1,448
Wirt	3,728	0	3,728	1		2,272
Wood	10,791	1	4,791	2		1,209
Wyoming	2,797	0	2,797	1		3,203
Total	304,433	30	124,433	54	23,186	42,753
					32,048	32,000

1. Give to every county having over 6,000 white population one delegate for every 6,000, and one for a surplus of 3,500.

2. Give to every other county having not less than 2,500, and no Calhoun county, one delegate.

3. Give to the remaining four counties two delegates, and provide that Tucker and Webster shall each elect one delegate in alternate years, that Clay and McDowell shall do the same.

MR. VAN WINKLE, resuming. Now, the two counties here having the lowest fraction over the half of the actual ratio of 5637 are Barbour and Mason, one in the northeast, the other in the

west; and if those who are looking to a balancing of different sections of the new State, here is an opportunity, if that convention would be a little generous to add two members, giving each of those counties an additional delegate which would balance one another in sectional interest that might arise when I think that very matter would be stopped. I do where the case of hardship could be picked out.

Now as to the number 54 or the number 56 I do not think that house would be properly constituted of a less number. In general calculations for the 39 counties before I came to Wheeling before the Convention sat some few days, I was trying to give the representation could be apportioned among the 39 counties of which the State, as far as I knew then, could consist; and I never thought of taking a less number than 55 as the number of house of delegates. It appeared to me, from the best reflection I could give the subject at that time, free, of course, from the influence of any arguments or suggestion made here, that with 55 members the business could hardly be done. I have already alluded to the difficulty that is now experienced. My friend from Berkeley has, I think, very experimental evidence of the number of members. I do not know that there are so many and he can get on with fifteen or twenty standing committees. How can they possibly do that business? Again, the house of delegates that we present constituted has 39 members. There the same difficulty on the committees, or else you must take committees so small that they are practical idea of a legislative committee is defeated. But if you will remember in the constitution of committees the endeavor was to scatter the members of the committee over the State. The reason was this, that in the committee in the Convention, every shade of opinion would be represented. With committees laboring in that way the difficulties would be presented, the hardships would be suggested; and a committee a small body, debating these propositions in a conversational way would be able to hit on some compromise and obvious conditions that would be raised in committee. The result is, that we very plainly seen, we have in most cases adhered to the resolutions of the committees. Frequently, when alterations are proposed we get back to the result of the committee's labors; and we say without offense that it is necessarily so, because the conditions are peculiarly calculated for that business, and hence we

Vol. III.

DEBATES AND PROCEEDINGS

OF THE

First Constitutional Convention of West Virginia

(1861, 1862, 1863)

XLII. THURSDAY, JANUARY 30, 1862.

The Convention assembled and was opened with prayer by Rev. R. L. Brooks, a member.

After the reading and signing of the journal,

MR. LAMB. Mr. President, the first business I suppose would be the improvement suggested to the 11th section of the third report of the Committee on the Legislative Department which the Convention had under consideration last evening in regard to the apportionment of Raleigh, Wyoming and McDowell. Are the gentlemen present?

MR. HAGAR. Two of them are here.

MR. LAMB. If not ready, the subject I suppose could be passed by with general consent.

THE PRESIDENT. The gentleman from Marshall had intimated a purpose to make an amendment to this report. The motion would be in order.

MR. CALDWELL. The proposition that I made here which I discussed is a substitute offered by the gentleman from Wood, and

The 7th section was then adopted as amended.

The 9th section, heretofore passed by, was then taken and amended so as to read as follows:

"All citizens entitled to vote, and no other persons, shall be elected to any State, county or municipal office; but the judges must have attained the age of thirty-five years; the governor the age of thirty years; and the attorneys general and senators the age of twenty-five years, the beginning of their respective terms of service, and the first have been citizens of the State for five years next preceding, or at the time this Constitution goes into operation."

The 1st section of the second report was then read and adopted.

Mr. Van Winkle moved to insert between the 1st and 2d sections, the following additional section:

"All elections of State and county officers shall be held on the day of _____"

Mr. Brown, of Kanawha, moved to fill the blank with "fourth Thursday of May."

Mr. Harrison moved to amend by filling the blank with "fourth Thursday of October;" and the question being upon the amendment to the amendment, it was decided in the affirmative.

The said additional section was then adopted as amended.

On motion of Mr. Van Winkle the blank, in the 10th section, was filled by inserting the "first day of January."

Mr. Soper then moved further to amend the 2nd section by striking out the words "and appointments," in the 11th line, and inserting in lieu of the words "by special elections," the words "in such manner as may be prescribed by law."

The 2nd section was then adopted as amended.

Upon the reading of the 3rd section,

Mr. Soper moved to insert after the word "crime," in the 17th line, the words "not cognizable by a justice of

the peace," which was agreed to; after which the 3rd section, as amended, was adopted.

The 4th section being read,

Mr. Lamb moved to amend by striking out the words "having in view the overthrow of the government thereof," which motion was agreed to; after which the section was adopted.

The 5th, 6th, 7th, 8th, and 9th sections were then respectively read and adopted as reported.

The 10th section was read, when,

Mr. Van Winkle moved to amend by adding at the end of the fourth sentence the words "or to imprisonment," which was disagreed to.

Mr. Stuart of Doddridge moved to strike out the fourth sentence, which was put and decided in the affirmative.

And, on motion of Mr. Irvine, the fifth sentence was stricken out.

The question then being upon the adoption of the 10th section, as amended, it was agreed to.

And, on motion of Mr. Battelle, the Convention adjourned.

* * * * *

XLIX. FRIDAY, FEBRUARY 7TH, 1862.

The Convention met at 9 o'clock, A. M.

Prayer by Rev. Mr. Pomeroy.

Journal read and approved.

The second report of the Committee on Fundamental and General Provisions, submitted January 30th, was taken up, the report being as follows:

195

The Committee on Fundamental and General Provisions respectfully report the following additional provisions, and recommend their insertion in the Constitution.

By order of the Committee,

P. G. Van Winkle, chairman.

1 "1. All officers elected or appointed under this Constitution
2 may be removed from office for misconduct, incompetence, or
3 neglect of duty, in such manner as may be prescribed by law, and
4 unless so removed, shall continue to discharge the duties of
5 their respective offices until their successors are elected or ap-
6 pointed and qualified.

7 "2. The terms of all state and county officers, and of the
8 members of both houses of the legislature, not elected or
9 appointed to fill a vacancy, shall, unless herein otherwise pro-
10 vided, begin on the day of next succeeding
11 their election. All elections and appointments to fill vacan-
12 cies shall be for the unexpired term. All vacancies in elective
13 offices shall be filled by special elections.

14 "3. The privilege of the writ of *habeas corpus* shall not be
15 suspended, except when, in time of invasion, insurrection or
16 public danger, the public safety may require it. No person
17 shall be held to answer for treason, felony or other crime, un-
18 less on presentment or indictment of a grand jury. No bill
19 of attainder, *ex post facto* law, or law impairing the obligation
20 of a contract, shall be passed.

21 "4. No law abridging freedom of speech or of the press shall
22 be passed, but the legislature may provide for the restraint and
23 punishment of the publishing and vending of obscene books,
24 papers and pictures, and of libel and defamation of character,
25 and

26 for the recovery, in civil actions, by the aggrieved party, of suit-
27 able damages for such libel and defamation. Attempts to justify
28 and uphold an armed invasion of the State, or an organized in-
29 surrection therein, having in view the overthrow of the govern-
30 ment thereof, during the continuance of such invasion or in-
31 surrection, by publicly speaking, writing or printing, or by
32 publishing or circulating such writing or printing, may be, by
33 law, declared a misdemeanor, and punished accordingly.

34 "5. Private property shall not be taken for public use without
35 just compensation. No person, in time of peace, shall be de-
36 prived of life, liberty or property without due process of law.
37 The military shall be subordinate to the civil power.

38 "6. The right of the citizens to be secure in their houses, per-
39 sons, papers and effects, against unreasonable searches and
40 seizures,

39 shall not be violated. No warrant shall issue but upon proba-
40 ble cause, supported by oath or affirmation, and particularly
41 describing the place to be searched and the persons and things
42 to be seized.

43 "7. In suits at common law, where the value in controversy
44 exceeds twenty dollars, the right of trial by jury, unless waived
45 by the parties, shall be preserved. No fact tried by a jury,
46 shall be otherwise re-examined in any case than according to
47 the rules of the common law.

48 "8. The trial of crimes and misdemeanors, unless herein
49 otherwise provided, shall be by jury, and shall be held publicly, and
50 without unreasonable delay, in the county where the alleged
51 offense was committed, unless, upon petition of the accused,
52 and for good cause shown, or in consequence of the existence
53 of war or insurrection in such county, it is removed to some
54 other county. In all such trials the accused shall be informed
55 of the character and cause of the accusation, and be confront-
56 ed with the witnesses against him, and shall have the assistance
57 of counsel for his defense, and compulsory process for obtain-
58 ing witnesses in his favor.

59 "9. In all criminal prosecutions, the jury shall be the judges
60 of both the law and the fact. In prosecutions and civil suits
61 for libel, the truth may be given in evidence; and if it shall
62 appear to the jury that the matter charged as libelous is true,
63 and was published with good motives, and for justifiable ends,
64 the verdict shall be for the defendant.

65 "10. Excessive bail shall not be required, or excessive fines im-
66 posed, or cruel and unusual punishment inflicted. Penalties
67 shall be proportioned to the character and degree of the of-
68 fence. No person shall be compelled to be a witness against
69 himself, or be twice put in jeopardy for the same offence. No
70 citizen shall be subjected to corporal punishment, except to
71 death by hanging, for treason, murder, rape or arson. All
72 prisoners shall be bailable by sufficient sureties, except in cap-
73 ital cases where the proof is evident or the presumption great.

74 "11. The enumeration in this Constitution of certain rights
75 and
76 privileges shall not be construed to impair or deny others re-
77 tained by, or inherent in, the citizens of the State.

78 "12. Such parts of the common law, and of the laws of the
79 State
80 of Virginia, as are in force within the boundaries of the State
81 of West Virginia when this Constitution goes into operation,
82 and are not repugnant thereto, shall be and continue, the law
83 of this State, until altered or repealed by the legislature.
84 Nothing herein contained shall affect grants of lands, legally
85 issued by the Commonwealth of Virginia before the seven-

CONSTITUTION

OF

WEST VIRGINIA.

ARTICLE I

THE STATE.

1. The State of West Virginia shall be and remain one of the United States of America. The Constitution of the United States, and the laws and treaties made in pursuance thereof, shall be the supreme law of the land.

2. The following counties, formerly parts of the State of Virginia, shall be included in, and form part of, the State of West Virginia, namely: the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Pleasants, Tyler, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt, Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Mercer, McDowell, Webster, Pocahontas, Fayette, Raleigh, Greenbrier and Monroe.

And if a majority of the votes cast at the election or elections held, as provided in the schedule hereof, in the district composed of the counties of Pendleton, Hardy, Hampshire and Morgan, shall be in favor of the adoption of this Constitution, the said four counties shall also be included in, and form part of, the State of West Virginia; and if the same shall be so included, and a majority of the votes cast at the said election or elections, in the district composed of the counties of Berkeley, Jefferson and Frederick shall be in favor of the adoption of this Constitution, then the three last mentioned counties shall also be included in, and form part of, the State of West Virginia.

The State of West Virginia shall also include so much of the bed, banks and shores of the Ohio river as heretofore appertained to the State of Virginia; and the territorial rights and property in, and the jurisdiction of whatever nature over, the said bed, banks and shores heretofore reserved by, or vested in, the State of Virginia, shall vest in, and be hereafter exercised by, the State of West Virginia.

*Barbour
Berkeley
Boone
Cabell
Clay
Doddridge
Fayette
Greenbrier
Hancock
Harrison
Jefferson
Kanawha
Marshall
Mason
McDowell
Mercer
Monongalia
Morgan
Nicholas
Ohio
Pocahontas
Putnam
Raleigh
Randolph
Roane
Tucker
Tyler
Upshur
Wetzel
Wirt
Wood
Wyoming
Yelp*

3. The powers of Government reside in all the citizens of the State, and can be rightfully exercised only in accordance with their will and appointment.
4. The Legislative, Executive and Judicial Departments of the government shall be separate and distinct. Neither shall exercise the powers properly belonging to either of the others. No person shall be invested with or exercise the powers of more than one of them at the same time.
5. Writs, grants and commissions, issued under State authority, shall run in the name of, and official bonds shall be made payable to, The State of West Virginia. Indictments shall conclude "against the peace and dignity of the State of West Virginia."
6. The citizens of the State are the citizens of the United States residing therein; but no person in the military, naval or marine service of the United States shall be deemed a resident of this State by reason of being stationed therein.
7. Every citizen shall be entitled to equal representation in the Government, and in all apportionments of representation, equality of numbers of those entitled thereto shall, as far as practicable, be preserved.

ARTICLE II.

BILL OF RIGHTS.

1. The privilege of the writ of *habeas corpus* shall not be suspended, except when in time of invasion, insurrection or other public danger, the public safety may require it. No person shall be held to answer for treason, felony or other crime not cognizable by a Justice, unless on presentment or indictment of a grand jury. No bill of attainder, *ex post facto* law, or law impairing the obligation of a contract, shall be passed.
2. Excessive bail shall not be required, or excessive fines imposed, or cruel and unusual punishments inflicted. Penalties shall be proportioned to the character and degree of the offence. No person shall be compelled to be a witness against himself, or be twice put in jeopardy for the same offence.
3. The right of the citizens to be secure in their houses, persons, papers and effects, against unreasonable searches and seizures, shall not be violated. No warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons and things to be seized.

4. No law abridging freedom of speech or of the press shall be passed; but the Legislature may provide for the restraint or punishment of the publishing and vending of obscene books, papers and pictures, and of libel and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of suitable damages for such libel or defamation. Attempts to justify and uphold an armed invasion of the State, or an organized insurrection therein, during the continuance of such invasion or insurrection, by publicly speaking, writing or printing, or by publishing or circulating such writing or printing, may be, by law, declared misdemeanor, and punished accordingly.
5. In prosecutions and civil suits for libel, the truth may be given in evidence; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motive and for justifiable ends, the verdict shall be for the defendant.
6. Private property shall not be taken for public use without just compensation. No person, in time of peace, shall be deprived of life, liberty or property without due process of law. The military shall be subordinate to the civil power.
7. In suits at common law, where the value in controversy exceeds twenty dollars, the right of trial by jury, if required by either party, shall be preserved. No fact tried by a jury shall be otherwise re-examined in any case than according to the rules of the common law.
8. The trial of crimes and misdemeanors, unless herein otherwise provided, shall be by jury, and shall be held publicly and without unreasonable delay, in the county where the alleged offence was committed, unless upon petition of the accused and for good cause shown, or in consequence of the existence of war or insurrection in such county, it is removed to, or instituted in, some other county. In all such trials the accused shall be informed of the character and cause of the accusation, and be confronted with the witness against him, and shall have the assistance of counsel for his defence, and compulsory process for obtaining witnesses in his favor.
9. No man shall be compelled to frequent or support any religious worship, place or ministry whatsoever; nor shall any man be enforced, restrained, molested or burthened in his body or good name, or otherwise suffer, on account of his religious opinions or beliefs, but all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and the same shall in no wise affect, diminish or enlarge their civil capacities. And the Legislature shall not prescribe any religious test whatever; or confer any peculiar privileges or advantages on any sect or denomination;

pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves, or others any tax for the erection or repair of any house for public worship, or for the support of any church or ministry; but it shall be left free to every person to select his religious instructor, and to make for his support, such private contract as he shall please.

10. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open Court. Treason shall be punished, according to the character of the acts committed, by the infliction of one or more of the penalties of death, imprisonment, fine, or confiscation of the real and personal property of the offender, as may be prescribed by law.

ARTICLE III.

ELECTIONS AND OFFICERS.

1. The white male citizens of the State shall be entitled to vote at all elections held within the election districts in which they respectively reside; but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the State for one year, and of the county in which he offers to vote for thirty days, next preceding such offer, shall be permitted to vote while such disability continues.

2. In all elections by the people the mode of voting shall be by ballot.

3. No voter, during the continuance of an election at which he is entitled to vote, or during the time necessary and convenient for going to and returning from the same, shall be subject to arrest upon civil process, or be liable to attend any court or judicial proceeding as suitor, juror or witness; or to work upon the public roads; or, except in time of war or public danger, to render military service.

4. No persons, except citizens entitled to vote, shall be elected or appointed to any State, county or municipal office. Judges must have attained the age of thirty-five years, the Governor, the age of thirty years, and the Attorney General and Senators the age of twenty-five years, at the beginning of their respective terms of service, and must have been citizens of the State for five years next

preceding, or at the time this Constitution goes into operation.

5. Every person elected or appointed to any office or trust, civil or military, shall, before proceeding to exercise the authority or discharge the duties of the same, make oath or affirmation that he will support the Constitution of the United States, and the Constitution of this State; and every citizen of this State may, in time of war, insurrection or public danger, be required by law to make the like oath or affirmation, upon pain of suspension of his right of voting, and holding office under this Constitution.

6. All officers elected or appointed under this Constitution may be removed from office for misconduct, incompetence, neglect of duty, or other causes, in such manner as may be prescribed by general laws; and unless so removed, shall continue to discharge the duties of their respective offices, until their successors are elected or appointed and qualified.

7. The general elections of State and County officers, and of members of the Legislature, shall be held on the fourth Thursday of October. The terms of such officers and members, not elected or appointed to fill a vacancy, shall, unless herein otherwise provided, begin on the first day of January next succeeding their election. Elections to fill vacancies shall be for the unexpired term. Vacancies shall be filled in such manner as may be prescribed by law.

8. The Legislature, in cases not provided for in this Constitution, shall prescribe by general laws the terms of office, powers, duties and compensation of all public officers and agents, and the manner in which they shall be elected, appointed and removed.

9. No extra compensation shall be granted or allowed to any public officer, agent or contractor, after the services shall have been rendered, or the contract entered into. Nor shall the salary or compensation of any public officer be increased or diminished during his term of office.

10. Any officer of the State may be impeached for maladministration, corruption, incompetence, neglect of duty, or any high crime or misdemeanor. The House of Delegates shall have the sole power of impeachment. The Senate shall have the sole power to try impeachments. When sitting for that purpose, the Senators shall be on oath or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold any office of honor, trust or profit under the State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment

ment and punishment according to law. The Senate may sit during the recess of the Legislature for the trial of impeachments.

11. Any citizen of this State, who shall, after the adoption of this Constitution, either in or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do; or who shall act as a second, or knowingly aid or assist in such duel, shall ever thereafter be incapable of holding any office of honor, trust or profit under this State.

12. The Legislature may provide for a registry of voters. They shall prescribe the manner of conducting and making returns of elections, and of determining contested elections; and shall pass such laws as may be necessary and proper to prevent intimidation, disorder or violence at the polls, and corruption or fraud in voting.

ARTICLE IV.

LEGISLATURE.

1. The Legislative power shall be vested in a Senate and House of Delegates. The style of their acts shall be, "*Be it enacted by the Legislature of West Virginia.*"

2. The Senate shall be composed of eighteen, and the House of Delegates of forty-seven, members, subject to be increased according to the provisions hereinafter contained.

3. The term of office of Senators shall be two years, and that of Delegates one year. The Senators first elected shall divide themselves into two classes, one Senator from every district being assigned to each class; and of these classes, the first, to be designated by lot in such manner as the Senate may determine, shall hold their offices for one year, and the second for two years; so that after the first election one-half of the Senators shall be elected annually.

4. For the election of Senators, the State shall be divided into nine Senatorial Districts; which number shall not be diminished, but may be increased as hereinafter provided. Every district shall choose two Senators, but after the first election both shall not be chosen from the same county. The districts shall be equal, as nearly as practicable, in white population, according to the returns of the United States census. They shall be compact, formed of contiguous territory, and bounded by county lines. After every such census the Legislature shall alter the Senatorial Districts, so far as may be necessary to make them conform to the foregoing provisions.

5. Any Senatorial District may at any time be divided, by county lines or otherwise, into two sections, which shall be equal, as nearly as practicable, in white population. If such division be made, each section shall elect one of the Senators for the district; and the Senators so elected shall be classified in such manner as the Senate may determine.

6. Until the Senatorial Districts are altered by the Legislature after the next census, the counties of Hancock, Brooke and Ohio shall constitute the first Senatorial District; Marshall, Wetzel and Marion the second; Monongalia, Preston and Taylor the third; Pleasants, Tyler, Ritchie, Doddridge and Harrison the fourth; Wood, Jackson, Wirt, Roane, Calhoun and Gilmer the fifth; Barbour, Tucker, Lewis, Braxton, Upshur and Randolph the sixth; Mason, Putnam, Kanawha, Clay and Nicholas the seventh; Cabell, Wayne, Boone, Logan, Wyoming, Mercer and McDowell the eighth; and Webster, Pocahontas, Fayette, Raleigh, Greenbrier and Monroe the ninth.

7. For the election of Delegates, every county containing a white population of less than half the ratio of representation for the House of Delegates, shall, at each apportionment, be attached to some contiguous county or counties, to form a Delegate District.

8. When two or more counties are formed into a Delegate District, the Legislature shall provide by law that the Delegates to be chosen by the voters of the District shall be, in rotation, residents of each county, for a greater or less number of terms, proportioned, as nearly as can be conveniently done, to the white population of the several counties in the District.

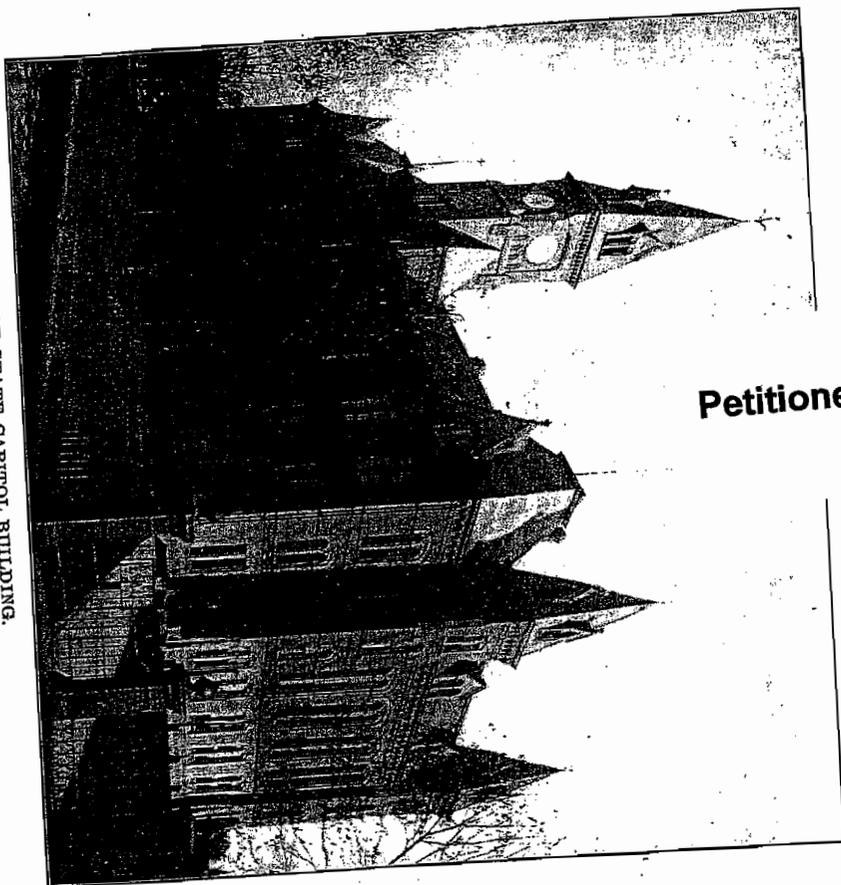
9. After every census the Delegates shall be apportioned as follows:

The ratio of representation for the House of Delegates shall be ascertained by dividing the whole white population of the State by the number of which the House is to consist, and rejecting the fraction of a unit, if any, resulting from such division.

Dividing the white population of every Delegate District, and of every county not included in a Delegate District, by the ratio thus ascertained, there shall be assigned to each a number of delegates equal to the quotient obtained by this division, excluding the fractional remainder.

The additional Delegates necessary to make up the number of which the House is to consist, shall then be assigned to those Delegate Districts, and counties not included in a Delegate District, which would otherwise have the largest fractions unrepresented. But every Delegate District and county not included in a Delegate

Petitioner's Exhibit No. 18



THE STATE CAPITOL BUILDING.

MANUAL

OF THE

STATE OF WEST VIRGINIA

FOR THE

YEARS 1907-1908

ISSUED BY

C. W. SWISHER

Secretary of State



CHARLESTON:
THE TRIBUNE PRINTING CO.
1907.

POPULATION OF WEST VIRGINIA.

The following statistics of population of West Virginia are taken from Census Bulletin No. 53, prepared under the direction of William C. Hurst, chief statistician for population for the twelfth census:

West Virginia was set off from Virginia December 31, 1862, and admitted as a State June 20, 1863. The following table shows the population at each census from 1870 to 1900, inclusive, with the increase by number and per cent. during each decade:

CENSUS YEARS.	POPULATION.	INCREASE.	
		NUMBER.	PER CENT.
1890.....	958,800	186,006	25.7
1880.....	762,794	144,337	23.3
1870.....	618,457	176,448	39.9
1870.....	442,014		

The population of the State in 1900 was 958,800 as against 762,794 in 1890, representing an increase since 1890 of 196,006, or 25.7 per cent. The first census of West Virginia was taken in 1870, seven years after it was organized as a separate State, and the population at that time was 442,014. Since then it has increased by satisfactory percentages, and is at present more than twice as large as it was in 1870. [The present population (1907) based upon the same ratio of increase as that of the decade from 1890 to 1900, should be about 1,100,000.]

The total land surface of West Virginia is, approximately, 24,645 square miles, the average number of persons to the square mile at the census of 1890 and 1900 being as follows: 1890, 31.00; 1900, 38.9.

POPULATION OF WEST VIRGINIA BY COUNTIES, 1790 to 1900.

COUNTIES.	1900	1890	1880	1870	1860	1850	1840	1830	1820	1810	1800	1790
*The State.	958,800	762,794	618,457	442,014	376,688	302,313	224,537	176,924	136,768	105,469	78,592	55,873
Barbour.....	14,198	12,702	11,870	10,312	8,958	9,005	.....	.....	.....	.....	.....	.....
Berkeley.....	19,489	18,702	17,380	14,900	12,525	11,771	10,972	10,518	11,211	11,479	22,006	19,718
Boone.....	8,194	8,885	5,824	4,553	4,840	3,237	.....	.....	.....	.....	.....	.....
Braxton.....	18,904	18,928	9,787	6,480	4,992	4,212	2,575	7,041	6,631	5,848	4,706	.....
Brooke.....	7,219	6,680	6,013	5,464	5,494	5,054	7,948	7,041	6,631	5,848	4,706	.....
Cabell.....	29,252	23,595	13,744	6,429	8,020	6,299	8,163	5,884	4,789	2,717	.....	.....
Calhoun.....	10,286	8,155	6,072	2,989	2,502	.....	.....	.....	.....	.....	.....	.....
Clay.....	8,248	4,659	3,460	2,196	1,787	.....	.....	.....	.....	.....	.....	.....
Doddridge.....	13,689	12,183	10,552	7,076	5,208	2,750	.....	.....	.....	.....	.....	.....
Fayette.....	81,987	20,542	11,560	6,847	5,997	3,956	3,924	.....	.....	.....	.....	.....
Gilmer.....	11,762	9,740	7,108	4,338	3,759	3,475	.....	.....	.....	.....	.....	.....
Grant.....	7,275	6,802	5,542	4,487	.....	.....	.....	.....	.....	.....	.....	.....
Greenbrier.....	20,683	18,034	15,030	11,417	12,211	10,022	8,995	9,006	7,041	5,914	4,845	4,015
Hampshire.....	11,806	11,419	10,366	7,843	13,913	14,036	12,395	11,279	10,889	9,784	8,848	7,846
Hancock.....	6,698	6,414	4,832	4,363	4,445	4,050	.....	.....	.....	.....	.....	.....
Hardy.....	8,449	7,567	6,794	5,518	9,684	9,543	7,622	6,798	5,700	5,625	6,627	7,336
Harrison.....	27,690	21,919	20,181	16,714	18,790	11,723	17,669	14,722	10,932	9,958	4,848	2,080
Jackson.....	22,987	19,021	16,312	10,300	8,306	.....	.....	.....	.....	.....	.....	.....
Jefferson.....	15,935	15,553	15,005	13,219	14,535	15,357	14,032	12,927	13,087	11,851	8,239	.....
Kanawha.....	54,696	42,755	22,466	22,846	16,150	15,353	18,567	9,826	6,899	8,866	.....	.....
Lewis.....	16,999	15,895	13,299	10,175	7,999	10,081	8,151	6,241	4,247	.....	.....	.....
Lincoln.....	15,434	11,248	7,739	6,053	4,968	3,620	4,309	3,680	.....	.....	.....	.....
Logan.....	6,955	11,101	8,329	5,124	5,952	1,535	.....	.....	.....	.....	.....	.....
McDowell.....	18,747	7,800	8,074	12,107	12,722	10,552	.....	.....	.....	.....	.....	.....
Marion.....	32,430	20,721	17,198	12,219	11,417	10,188	6,937	.....	.....	.....	.....	.....
Marshall.....	26,444	20,735	18,840	14,841	12,997	10,188	6,937	.....	.....	.....	.....	.....
Mason.....	24,142	22,863	22,293	15,973	9,173	7,559	6,777	6,534	4,868	1,991	.....	.....
Mercer.....	23,023	16,002	7,467	7,064	6,819	4,222	2,238	.....	.....	.....	.....	.....
Mineral.....	12,883	12,085	8,630	6,332	.....	.....	.....	.....	.....	.....	.....	.....
Mingo.....	11,859	.....	14,985	13,547	13,043	12,387	17,366	14,056	11,060	12,798	8,540	4,768
Monongalia.....	19,049	15,705	11,501	11,124	10,757	10,204	8,422	7,798	6,580	5,444	4,188	.....
Monroe.....	13,180	12,429	7,223	4,815	3,732	3,557	4,253	2,694	2,500	.....	.....	.....
Morgan.....	7,294	6,744	5,777	4,458	4,627	3,963	2,515	3,346	1,853	.....	.....	.....
Nicholas.....	11,403	9,309	7,223	4,458	4,627	3,963	2,515	3,346	1,853	.....	.....	.....
Ohio.....	48,024	41,557	37,457	23,831	22,422	18,006	13,357	15,584	9,182	8,175	4,740	5,212
Pendleton.....	9,167	8,711	8,322	6,455	6,164	5,795	6,940	6,271	4,846	4,239	3,962	2,452
Pleasants.....	9,845	7,599	6,256	3,012	2,945	.....	.....	.....	.....	.....	.....	.....
Pocahontas.....	9,572	7,599	5,591	4,069	3,958	.....	.....	.....	.....	.....	.....	.....
Preston.....	22,727	20,355	19,091	14,555	13,312	11,708	6,866	5,144	3,422
Putnam.....	17,330	14,342	11,375	7,794	6,301	5,835

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POPULATION OF WEST VIRGINIA BY COUNTIES, 1790 TO 1900—Continued.

COUNTIES.	1900	1890	1880	1870	1860	1850	1840	1830	1820	1810	1800	1790
Raleigh	12,486	9,597	7,367	3,073	3,367	1,765						
Randolph	17,670	11,633	8,102	5,563	4,990	5,243	6,206	5,000	9,357	2,354	1,826	951
Ritchie	18,901	16,621	13,474	9,055	6,847	3,902						
Roane	19,852	15,303	12,184	7,232	6,381							
Summers	16,265	13,117	9,033									
Taylor	14,978	12,147	11,455	9,367	7,463	5,967						
Tucker	13,433	6,459	8,151	1,937	1,423							
Tyler	15,252	11,962	11,073	7,823	6,517	5,498	6,954	4,104	2,314			
Upshur	14,696	12,714	10,249	6,023	7,292							
Wayne	23,519	15,632	14,739	7,852	6,747	4,760						
Webster	8,862	4,783	3,207	1,730	1,555							
Wetzel	22,880	16,841	13,896	8,595	6,703	4,284						
Wirt	10,284	9,411	7,104	4,804	3,751	3,353						
Wood	34,452	28,612	25,006	19,000	11,046	9,450	7,923	6,429	5,860	3,036	1,217	
Wyoming	8,380	6,247	4,322	3,171	2,361	1,645						

*The population of counties credited to West Virginia from 1790 to 1860 inclusive, belongs properly to the State of Virginia, of which these counties then formed a part.

†Greenbrier and Kanawha reported together and credited to Greenbrier in 1790.

‡Mingo organized from part of Logan in 1895.

The population of Wheeling, beginning with 914 in 1810, increased by a large percentage during each decennial period until that from 1880 to 1890, its greatest growth having been attained between 1870 and 1880, when the population was augmented by 11,457, or 59.4 per cent. At the last two census the percentage of increase have declined to 12.3 and 12.6, respectively, but the present population of the city is double that of 1870 and more than forty-two times that of 1810.

Of the 140 incorporated places in West Virginia there are 22 that had a population in 1900 of more than 2,000; of these 8 had more than 5,000, namely, Wheeling, 33,378; Huntington, 11,923; Parkersburg, 11,703; Charleston, 11,099; Martinsburg, 7,564; Fairmont, 5,655; Grafton, 5,650; and Moundsville, 5,362 inhabitants.

INCREASE IN POPULATION BY COUNTIES, 1890 TO 1900.

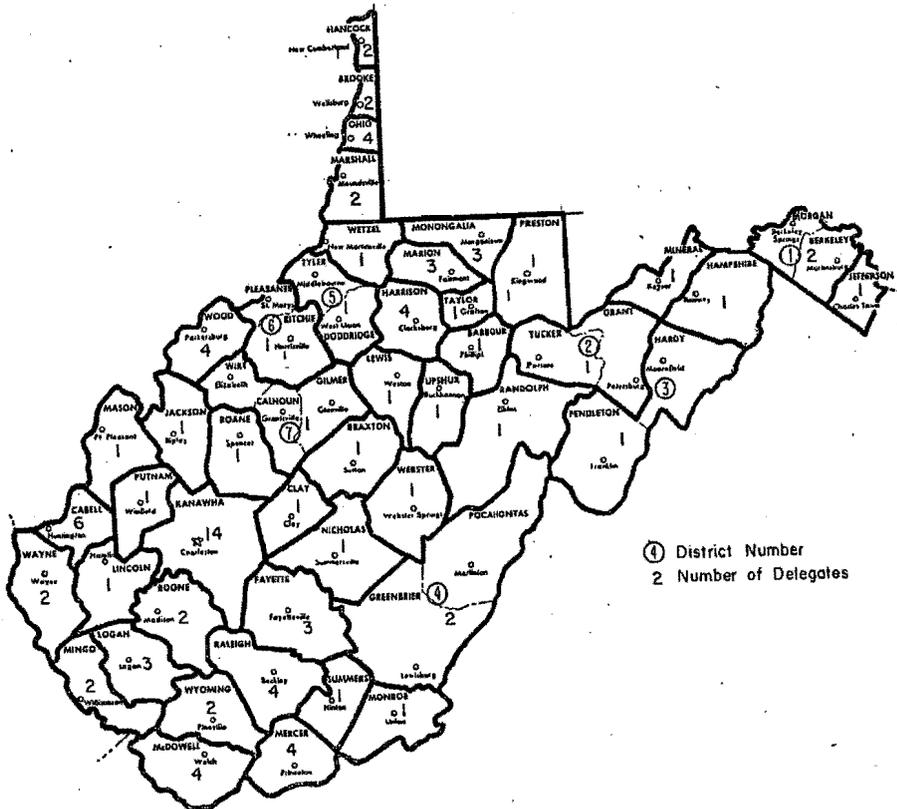
COUNTIES	INCREASE	
	Number	Per Cent.
Barbour	1,496	11.8
Berkeley	1,767	4.1
Boone	1,369	19.0
Braxton	4,976	36.7
Brooke	5,359	3.4
Calwell	5,171	24.0
Calhoun	2,157	77.5
Clay	1,536	12.4
Podiatge	11,445	50.7
Payette	2,018	20.7
Green	2,473	7.0
Great	2,649	14.7
Greenbrier	3,897	3.4
Hampshire	2,979	4.3
Hancock	882	11.7
Hardy	5,771	26.3
Harrison	3,966	2.5
Jackson	3,882	27.9
Jefferson	11,940	6.8
Kanawha	1,985	37.2
Lewis	4,188	158.8
Lincoln	4,146	27.5
Logan	11,447	56.5
McDowell	11,709	27.5
Marion	6,709	5.6
Marshall	7,021	48.9
Mercer	708	6.8
Mineral	11,359	21.3
Mingo	3,344	5.6
Monongalia	701	8.2
Monroe	2,094	22.5
Morgan	6,467	13.6
Nichols	1,436	6.2
Ohio	1,606	24.0
Pendleton	2,372	23.9
Pleasants	1,708	11.7
Pocahontas	2,988	20.8
Preston	2,639	29.6
Putnam	9,067	51.9
Raleigh	2,280	18.7
Randolph	3,133	29.7
Ritchie	3,143	24.0
Roane	2,571	102.0
Summers	6,290	132.6
Taylor	1,682	15.6
Tucker	1,967	28.8
Tyler	4,079	85.3
Upshur	6,039	35.3
Wayne	873	9.3
Webster	5,840	20.4
Wetzel	2,133	34.1
Wood		
Wyoming		

The only territorial change which has occurred in the counties of West Virginia since 1890 is the organization of Mingo from part of Logan in 1895.

Of the 55 counties in the State all but one have increased in population during the decade, the counties showing the largest percentage of increase being McDowell, 156.8 per cent.; Tucker, 108.0 per cent.; Webster, 85.3 per cent.; Clay, 77.0 per cent.; Marion, 56.5 per cent.; Fayette, 55.7 per cent.; Tyler, 52.6 per cent.; and Randolph, 51.9 per cent.

The county showing a decrease in population is Logan, from which territory was taken to form Mingo county in 1895.

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MAP, WEST VIRGINIA DELEGATE DISTRICTS

* Apportionment of 1964

- First District—two delegates. Berkeley, Morgan. Population, 42,167.
- Second District—one delegate. Grant, Tucker. Population, 16,054.
- Third District—one delegate. Hardy, Pendleton. Population, 17,401.
- Fourth District—two delegates. Greenbrier, Pocahontas. Population, 44,582.
- Fifth District—one delegate. Doddridge, Tyler. Population, 16,996.
- Sixth District—one delegate. Pleasants, Ritchie. Population, 18,001.
- Seventh District—one delegate. Calhoun, Gilmer, Wirt. Population, 20,389.
- Counties having one delegate, population: Barbour, 15,474; Braxton, 15,152; Clay, 11,942; Hampshire, 11,705; Jackson, 18,541; Jefferson, 18,665; Lewis, 19,711; Lincoln, 20,267; Mason, 24,459; Mineral, 22,354; Monroe, 11,584; Nicholas, 25,414; Preston, 27,233; Putnam, 23,561; Randolph, 26,349; Roane, 15,720; Summers, 15,640; Taylor, 15,010; Upshur, 18,292; Webster, 13,719; Wetzel, 19,347.
- Counties having two delegates, population: Boone, 28,764; Brooke, 28,940; Hancock, 39,613; Marshall, 38,041; Mingo, 39,742; Wayne, 38,977; Wyoming, 34,836.
- Counties having three delegates, population: Fayette, 61,731; Logan, 61,570; Marion, 63,717; Monongalia, 55,617.
- Counties having four delegates, population: Harrison, 77,856; McDowell, 71,359; Mercer, 68,206; Ohio, 68,437; Raleigh, 77,826; Wood, 78,331.
- County having six delegates, population: Cabell, 108,202.
- County having fourteen delegates, population: Kanawha, 252,925.

* Effective January 1, 1964.

Petitioner's Exhibit No. 19

DIGEST OF ACTS

REGULAR SESSION—1966

GENERAL LAWS

ABANDONED AND UNCLAIMED PERSONAL PROPERTY

Chapter

1—Uniform Disposition of Unclaimed Property Act

AGRICULTURE

2—Inspection of Animals, Carcasses, Meats, Meat Food Products and Meat By-Products; Inspection and Licensing of Establishments

ALCOHOLIC LIQUORS

3—Continuation of Price Increase on Alcoholic Liquors

APPROPRIATIONS

4—General Appropriations (Budget Bill)

100

AUDITOR

5—Transfer of Sum from Barbers and Beauticians Special Fund to General Revenue Fund

BENEVOLENT INSTITUTIONS

6—Establishment of Fees to Be Charged Patients in Hospitals, Homes and Sanitaria under Jurisdiction of Commissioner of Public Institutions

BONDED INDEBTEDNESS

7—Form, Interest Rate and Negotiability of Refund Bonds

COMMISSIONS

8—Issuance of Revenue Bonds by the State Building Commission for Construction of State Office Buildings and Buildings at Mental Hospitals and Benevolent Institutions

9—Appointment and Qualifications of Director of Personnel of the Civil Service Commission

CONSTITUTIONAL AMENDMENTS

10—Constitutional Improvement Amendment

11—Governor's Succession Amendment

12—Judicial Circuit Amendment

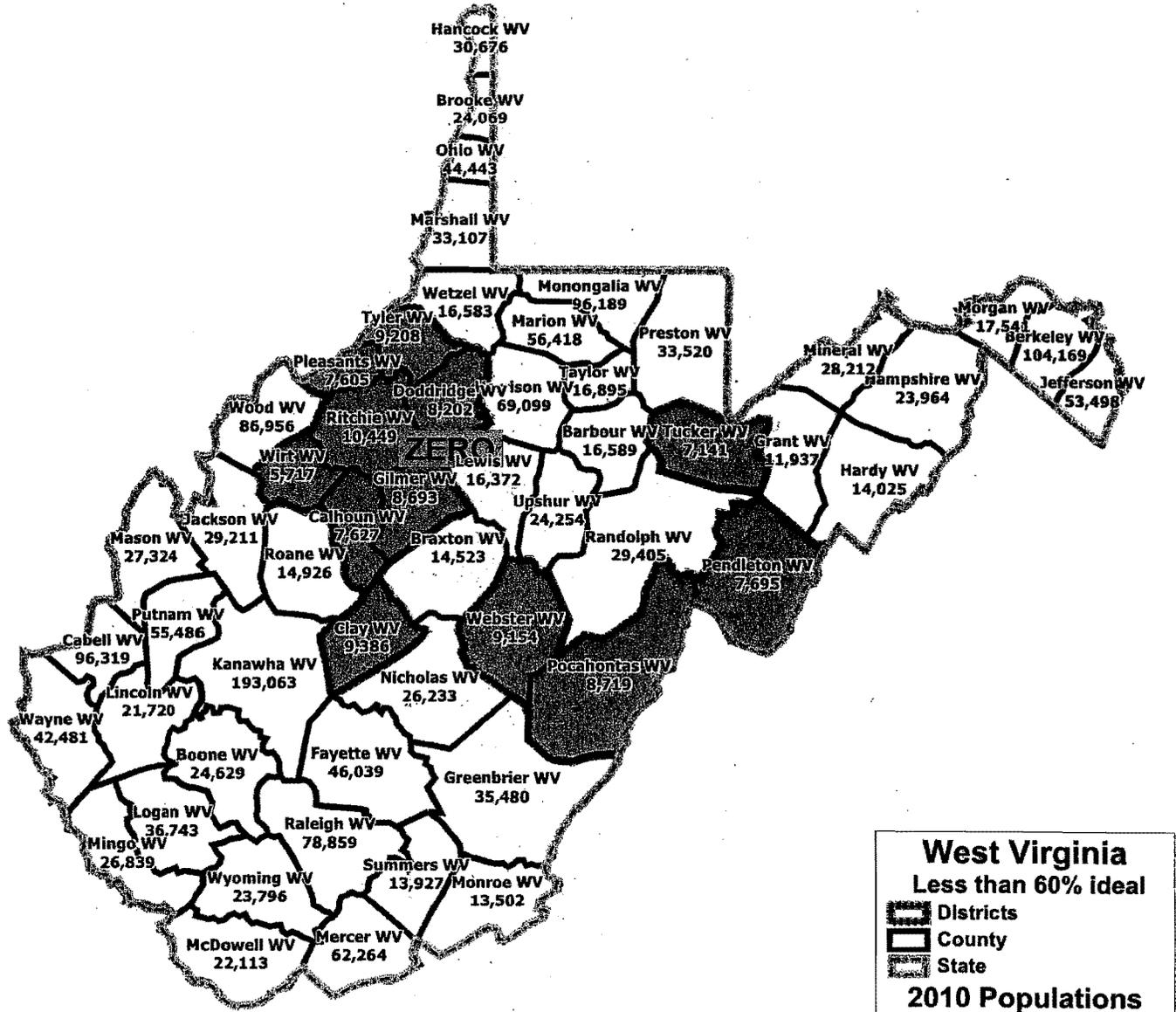
13—Legislative Amendment

14—Amendment to Better Schools Amendment

CORPORATIONS

15—Board of Directors of Corporations and Designation of Committees Thereof

Petitioner's Exhibit No. 20



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