

176 GAINES, HERBERT P.

Publisher

Charleston

Founder and publisher of the *Kenhawa Spectator* (1820-22) at Charleston.

Gaines was first and foremost a practicing attorney, despite the oft-repeated description of him as "an eccentric school teacher from eastern Virginia" in West Virginia histories. Born in Culpeper County, he was the eldest son of Rowland Gaines, a Revolutionary War veteran. But by 1811, Gaines had left the Virginia piedmont behind and was practicing in Cincinnati, Ohio, where he sued a local luminary for libel in a case that became the nineteenth-century precedent in such suits. That event seems to have brought about his departure from Ohio for southern Kentucky, where he reestablished a law practice based in Glasgow; he was a presence in the Barren County courts from late 1815, and in the courts of adjacent Warren and Allen counties from early 1817. Shortly after his arrival there, Gaines bought controlling interest in Glasgow's only weekly paper, *The Patriot*, from its founder William H. Iredale; he apparently retained that control, with Iredale serving as his editor, through 1818 when the distressed paper finally died. The paper's demise may have been tied to Gaines's decision to relocate once again, this time to Kanawha County.

In May 1818, Gaines married Sarah Crutchfield, daughter of the Rev. Francis Crutchfield of Bath County. His new father-in-law was already a recognized educator then, suggesting that Gaines may have been schooled in Bath; now Crutchfield was about to move to Charleston in Kanawha County to establish a new church there. It appears that he took his two sons-in-law with him: Gaines and Dr. Nathaniel W. Thompson. Each man would provide the county seat with a "first" – Thompson as its first resident physician and Gaines as its first journalist. Gaines would also become one of the original teachers at the town's new Mercer Academy, established by Crutchfield's Presbyterian colleague Rev. Henry Ruffner in the fall of 1818; all the while, Gaines would practice law there as well, until at least 1827.

In mid-1820, Gaines withdrew from his teaching duties at the Mercer Academy to refocus his energies on a new journalistic venture. His *Kenhawa Spectator* issued its first number in October 1820 and continued until June 1822. Local lore suggests that Gaines took on Mason Campbell as his editorial partner in early 1822, though the dearth of surviving numbers does not allow for a confirmation of that oral history. What is clear is that Gaines sold the paper to Campbell in June 1822; he recast the *Spectator* as the *Western Courier* and continued publication until May 1829, with another recasting in July 1826 as the *Western Virginian and Kanawha County Gazette*. That end date corresponds with Gaines's ensuing departure from Charleston, suggesting that he had retained a partial interest in Campbell's paper after the 1822 sale. If so, then Gaines was about to replicate his Kentucky exit in Charleston.

By late 1829, Gaines was practicing law in Cincinnati once again. He advertised himself as a land agent and attorney initially, reflecting his then-recent experience in acquiring and using a bounty-land-warrant due to his late father in 1827. Subsequently, he listed himself as a business attorney in the city's various directories, moving away from the land and probate work that had marked his practice since his Kentucky days. Yet by the time of the 1840 census, Gaines was enumerated as a boarder, not as a head of household as was previously

seen, suggesting his practice was troubled. Indeed, in 1841, he evidently tried to promote his competence by having an account of his precedent-setting 1811 libel suit published by a "Committee for the Diffusion of Useful Knowledge" in Cincinnati. Regardless, Gaines died in relative obscurity there in 1849, with none of Cincinnati's newspapers noting his passing, so leaving his death unreported in Kentucky or Virginia journals as well.

Personal Data

Born: in 1785 Culpeper County, Virginia.
Married May 4 1818 Sarah Crutchfield @ Bath County, Virginia.
Died: Sept. 16 1849 Cincinnati, Ohio.
Children: Edmund P. (b. 1819); Nathaniel T. (b. 1820); Francisca E. (b. 1821);
 William N. (b. 1822).

Sources: Imprints; Brigham; Norona & Shetler; Morgan Ohio Index; Rice, "West Virginia Printers;" Atkinson, *Kanawha County*; Ambler, *History of Education in West Virginia*; Will & Deed books for Warren, Barren, and Allen counties, Ky. (1815-25); Cincinnati city directories (1829-42); genealogical data from Gaines family charts posted on Ancestry.com (October 2012).