

INTRODUCED: July 23, 2018

A RESOLUTION No. 2018-R073

To express the sense of the City Council that the General Assembly of Virginia should grant the City Council the authority to determine the disposition of memorials and monuments such as the statues commemorating J.E.B. Stuart, Robert E. Lee, Jefferson Davis, Thomas “Stonewall” Jackson, and Matthew Fontaine Maury located on Monument Avenue between its intersections with Belmont Avenue and Lombardy Street so that the City Council may determine such disposition of these statues as it deems appropriate.

Patron – Mr. Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 10 2018 AT 6 P.M.

WHEREAS, between 1890 and 1929, five memorials to historical figures associated with the Confederate States of America were erected on Monument Avenue between its intersections with Belmont Avenue and Lombardy Street; and

WHEREAS, these memorials consist of statues commemorating J.E.B. Stuart, Robert E. Lee, Jefferson Davis, Thomas “Stonewall” Jackson, and Matthew Fontaine Maury; and

AYES: 3 NOES: 6 ABSTAIN: _____

ADOPTED: _____ REJECTED: OCT 8 2018 STRICKEN: _____

WHEREAS, the City Council of the City of Richmond is of the opinion that these five statues on Monument Avenue were constructed during an oppressive era in Virginia's history and remain tangible symbols of that oppression; and

WHEREAS, on Friday, June 23, 2017, the Mayor of the City of Richmond announced the formation of an ad hoc advisory group to recommend ways in which the City could provide additional historical context to these five statues on Monument Avenue and add new monuments to Monument Avenue; and

WHEREAS, section 15.2-1812 of the Code of Virginia (1950), as amended, limits the power of localities or any other persons to disturb or interfere with monuments or memorials in Virginia for wars or conflicts; and

WHEREAS, section 15.2-1812.1 of the Code of Virginia (1950), as amended, imposes civil liability on any party that violates or encroaches upon a monument, marker, or memorial for war veterans as designated in sections 15.2-1812 and 18.2-137 of the Code of Virginia (1950), as amended; and

WHEREAS, section 18.2-137 of the Code of Virginia (1950), as amended, imposes criminal liability on any person who unlawfully breaks down, destroys, defaces, damages, or removes any monument or memorial for war veterans described in section 15.2-1812 of the Code of Virginia (1950), as amended; and

WHEREAS, section 17.05 of the Charter of the City of Richmond (2010), as amended, requires the City to preserve historical landmarks such as these five statues on Monument Avenue in place as part of the City's Master Plan; and

WHEREAS, the Commonwealth of Virginia owns and therefore controls the disposition of the memorial statue of Robert E. Lee; and

WHEREAS, the City Council believes that it is in the best interests of the City of Richmond that the General Assembly of Virginia grant the City Council the authority to determine the disposition of memorials and monuments such as these five statues on Monument Avenue so that the City Council may determine such disposition of these statues as it sees fit;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That it is the sense of the City Council that the General Assembly of Virginia should grant the City Council the authority to determine the disposition of memorials and monuments such as the statues commemorating J.E.B. Stuart, Robert E. Lee, Jefferson Davis, Thomas “Stonewall” Jackson, and Matthew Fontaine Maury located on Monument Avenue between its intersections with Belmont Avenue and Lombardy Street so that the City Council may determine such disposition of these statues as it sees fit.



Richmond City Council


The Voice of the People


Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, City Attorney

THROUGH Lou Ali, Council Chief of Staff 

FROM Steven Taylor, Council Policy Analyst 

COPY Michael Jones, 9th District Council Member
Hope Elliott, 9th District Liaison
Haskell Brown, Deputy City Attorney
Meghan Brown, Deputy Council Chief of Staff

DATE July 12, 2018

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TITLE Seek Authority from General Assembly to Remove War Memorials

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

M. Jones

SUGGESTED STANDING COMMITTEE

Land Use, Housing & Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests that legislation be drafted for Council's consideration that expresses its sentiment that the General Assembly of Virginia should grant the Council the authority to remove war memorials on Monument Avenue.

The Mayor appointed the Monument Avenue Commission to consider current status of the confederate monuments on Monument Avenue. After the attempted Unite the Right Rally in Charlottesville on August 12, 2017, that was organized to protest the Charlottesville City Council's plan to remove a statue of Robert E. Lee. There was street violence in Charlottesville after the attempted rally that has led to further efforts to remove confederate memorials and statues. After the events in Charlottesville Mayor Stoney further tasked the Monument Avenue Commission to consider removing the monuments on Monument Avenue. The Commission has since completed a report on Monument Avenue and its statues. Among its recommendations is the alteration or removal of one of the monuments. However, City officials have been advised that current State law prohibits localities from removing or disturbing war memorials that are located within their respective boundaries. See, Virginia Code Section 15.2-1812. There is an injunction in place preventing the City of Charlottesville from removing the Lee and Jackson statues because of State law.

BACKGROUND

Monument Avenue extends from what was the western edge of the City at W. Franklin Street, into what was, in the 1800s, Henrico County and towards the former complex of buildings and facilities established to assist destitute confederate veterans, then known as the R.E. Lee Camp No. 1. This complex now houses the large block of buildings including the Virginia Museum of Fine Arts (VMFA), Confederate Memorial Chapel, the Confederate Home for Women (now offices for the VMFA) and Confederate Battle Abby (now the Virginia Historical Society), and the current headquarters of the United Daughters of the Confederacy (UDC). Shortly after the Civil War ended, there were massive efforts to establish cemeteries and proper resting places for the thousands of war dead who were not properly interned. Over the course of years ladies associations formed to accomplish this task. These associations grew into memorial organizations, most notably the United Daughters of the Confederacy. The UDC and other groups began efforts to build the memorials around the country and participated in efforts to establish the memorials that are the statues on Monument Avenue

There are five confederate memorials on Monument Avenue. The Avenue was designed to display memorials to Robert E. Lee and other confederate figures and private land was donated for these purposes. The Allen family donated the land around the monument and offered to build the intersecting Avenues upon which it is located. The memorials begin at the terminus of W. Franklin Street and the beginning of Monument Avenue where it intersects at Lombardy Street. The first memorial is at Stuart Circle where the J.E.B Stuart memorial is located. From Stuart Circle the confederate memorials run west to the intersection of Monument Avenue and North Belmont Street.

The second memorial is dedicated to the memory of General Robert E. Lee, Commander of the Army of Northern Virginia. Prior to the war, he became known as a military engineer, served in the Mexican War, and as Superintendent of West Point. This is actually the first of the memorials to be built on the Avenue. The third memorial is the Jefferson Davis memorial which is dedicated to the memory of the former US Senator from Mississippi, US Secretary of War (Army), and who served as President of the Confederacy. Davis is also buried in Richmond at Hollywood Cemetery. The fourth memorial honors General Thomas "Stonewall" Jackson, who served in the Mexican War and as a professor at the Virginia Military Institute prior to the War. General Jackson was killed during the War. The fifth memorial honors Matthew Fontaine Maury. Mr. Maury served as an advisor to the confederate Navy. Maury was world renowned as a scientist prior to the war, and is considered the father of oceanography and what is now the US Weather Service. The final memorial on the Avenue depicts Arthur Ashe and is located at the intersection of Roseneath Avenue and Monument Avenue. The Ashe memorial is the only memorial that is not associated with the original confederate memorial project.

The following information gives descriptions of the memorials and historical background as to how they were built and acquired by the City and State governments. It comes from the materials distributed by the Mayor's Monument Avenue Commission.

Memorial Monument: General Robert E. Lee

Date Conceived: 1870

Date Erected: May 29, 1890

Location: Round-a-bout Intersection of Monument Avenue and Allen Avenue

Sculptor: R. Jean Antonin Mercie (France), base by Paul Pujol (France)

Organizers: After the death of General Lee in 1870 efforts began to honor his memory. The Hollywood Memorial Association organized the Ladies' Lee Monument Association which solicited funds for 16 years from all southern states. Jubal Early organized a committee of men to raise funds for a memorial. Jefferson Davis chaired it. By 1877, neither group was successful.

The General Assembly established a Board, led by the Governor to organize efforts to establish a memorial. Otway Allen suggested his property at the end of Franklin Street west of the city limits. The land was donated to the State by the Allen family and this explains why this is the only one of the memorials on the Avenue that is owned by the Commonwealth. The area was preferred given its potential for development and was eventually annexed by the City.

Memorial Monument: General J.E.B. Stuart

Date Conceived: A resolution by city council for a statue was made immediately following Stuart's death during the War.

Date Erected: May 30, 1907

Location: Original desired location was for Capitol Square. Actually, located at the round-a-bout intersection of Monument Avenue and Lombardy Street. City Board of Alderman gave \$20,000 to place it in the City. The site was decided upon around 1904.

Sculptor: Frederick Moynihan

Organizers: In 1891, the Veteran Cavalry Association of the Army of Northern Virginia was organized. Fitzhugh Lee was a member and created the Stuart Monument Association.

Memorial Monument: Jefferson Davis, President of the Confederacy

Date Conceived: December 21, 1889 (10 days after his death)

Date Erected: June 3, 1907

Location: Proposed: Monroe Park, then Broad Street. Finally installed at the intersection of Monument Avenue and Cedar Avenue (later renamed Davis Ave.) at the site of the Civil War Star Fort.

Sculptor: Edward V. Valentine; monument design by architect William C. Noland

Organizers: In 1889, the Jefferson Davis Monument Association was created to build a monument and to make plans to have Davis's body reburied in Richmond. Mayor J. Taylor Ellyson presided over the Association. The memorial was supported by the United Confederate Veterans and the Chamber of Commerce. The group sought \$250,000 from former confederates across the south and their descendants.

Memorial Monument: Thomas "Stonewall" Jackson

Date Conceived: November 29, 1911;

Date Erected: Cornerstone laid June 3, 1915.

Statue Erected: October 11, 1919

Location: Intersection of Monument Avenue and The Boulevard

Sculptor: F. William Sievers

Organizer: The Jackson Monument Corporation with Rev. James Powers Smith, a member of Jackson's wartime staff, served as president and Jackson's widow Mary Anna supported the fundraising. The UDC contributed to fundraising efforts.

Memorial Monument: Matthew Fontaine Maury

Date Conceived: Winter 1912

Date Erected: Cornerstone: June 22, 1922, Statue Erected: Armistice Day (now Veterans' Day) November 11, 1929

Location: Intersection of Monument Avenue and Belmont Avenue

Sculptor: F. William Sievers

Organizers: A Richmonder noted Maury's name on a scientific monument in Hamburg, Germany and wrote a letter to a Richmond newspaper suggesting a memorial of Maury be erected here. Elvira Worth Moffett worked to establish the Maury Monument Association in 1915. Financial support came from The General Assembly (\$10,000), schoolchildren statewide (\$2,000), the City of Richmond (\$10,000), the UDC (\$5,000), and a group of donors chaired by Gus Schwartzchild.

