The original documents are located in Box 72, folder "Williamsburg, VA - President's Speech, 1/31/76 (1)" of the John Marsh Files at the Gerald R. Ford Presidential Library.

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JAN 22 1976

THE WHITE HOUSE

WASHINGTON

January 22, 1976

MEMORANDUM FOR JACK MARSH

FROM: GWEN ANDERSON

SUBJECT: Williamsburg Speech

Attached are materials referring to the President's upcoming visit to Williamsburg which have been received from the Research Department. Since you are pressed for time, I thought you might wish to see this material in its rough form. When it has been refined into a briefing by later today, you will receive a copy.

cc: Bob Orben

This contains the program text for the printed souvenir folder to be given Assembly particip

PROGRAM

of

The General Assembly

of

Virginia

Sixteenth

Commemorative Session in the Capitol Building

in Williamsburg

January 31, 1976

SIXTEENTH COMMEMORATIVE SESSION

of

THE GENERAL ASSEMBLY OF VIRGINIA

Williamsburg, January 31, 1976

In this Bicentennial Year, Colonial Williamsburg is uniquely privileged to welcome the President of the United States and the General Assembly of Virginia to the site where 200 years ago delegates of the Virginia Convention, meeting in the shadow of a desperate and dangerous war with England, dared to cast a unanimous vote for freedom, whatever the cost.

This series of commemorative sessions began forty-two years ago when the reconstructed Capitol was opened to the public in February, 1934. In the years since, except for two sessions during and just after World War II, the General Assembly has returned periodically to the House of Burgesses, the historic setting for deliberations dating back more than 270 years in Williamsburg, to the founding and development of the American principles of independence, self-government, and freedom of the individual.

The men who laid the foundations of state government and indeed the foundations of today's America met in the colonial Capital for eighty-one years from 1699 to 1780. Early records are not entirely clear about where America's oldest legislative body first convened here, but it is known that the Assembly did sit at the College of William and Mary on December 5, 1700. The Capitol was first used in 1703-04, but burned on January 30, 1747. The second Capitol, completed in

1753, incorporated the surviving walls of its predecessor, and, after the removal of Virginia's government to Richmond in 1780, it too was destroyed by fire in 1832.

The familiar story of Virginia's leadership in the revolutionary movement was played in Williamsburg's Capitol -- the bold instructions to Virginia's delegation in the Continental Congress to move for independence; the passage of George Mason's Virginia Declaration of Rights; the writing of the first Virginia constitution; and the election of Patrick Henry as the first governor of the Commonwealth.

The rich tradition of the Virginia past is increasingly shared with all Americans and members of the world community. Colonial Williamsburg itself continues in its role as an unparalleled historical and educational institution, and no small part of that role is the interpretation of the history of the General Assembly of Virginia, in the eras of both colony and Commonwealth.

Colonial Williamsburg cherishes this occasion as an affirmation of a friendship and kinship of long standing. The association between the colonial Capitol and today's General Assembly serves as an eloquent reminder of the contributions and sacrifices of early Virginians to the welfare of all Americans.

RESOLUTION and REVOLUTION

Williamsburg: 1776

This sixteenth commemorative session recalls both the turbulent days of 1776 when the most stirring events associated with the colonial Capitol occurred. ~~as well as the~~ The occasion also honors the achievements of such great architects of representative government and individual liberty as Thomas Jefferson, Patrick Henry, George Washington, James Madison, George Mason, Peyton Randolph, Richard Henry Lee, and many more brilliant luminaries in the Virginia galaxy of greatness.

The principles these men enunciated in the Williamsburg Capitol are as fundamental as they are imperishable. Although times change, the basic tenets set forth in the series of great documents remain unaltered.

Two hundred years ago in 1776, a period of great significance for all Americans began in Williamsburg and concluded in Philadelphia on July 4.

January was a month of sweeping rebellious ferment. At four o'clock in the morning of New Year's day, 1776, guns from British ships anchored in Norfolk harbour bombarded the town, and landing parties set fire to waterfront warehouses. By the end of the day, Virginia's largest seaport had gone up in flames. Scarcely eight months had passed since the blood of minutemen first flowed on Lexington Green, and Boston was still under British siege. Yet during this bleak winter, Independence was in the air.

By spring, North Carolina delegates to the Continental Congress had received instructions from home to support independence. Other

colonies stood more or less ready to second the motion -- if someone would take the lead.

Virginia took the lead. In the Capitol building here in Williamsburg came the first in a chain of actions that led directly to the Declaration of Independence on July 4.

The remarkable events here during 1776 resulted from a slow evolution: loyal British subjects becoming American patriots.

Crucial to this resolution of loyalties was the vital "Decade of Decision" just before the Revolution, starting in 1765 when the House of Burgesses, meeting at the Capitol in Williamsburg, adopted Patrick Henry's defiant resolves against the British imposed Stamp Act. As Thomas Jefferson was to observe, "Mr. Henry certainly gave the first impulse to the ball of revolution."

Three years later the Burgesses again declared that Parliament had no right to tax the colonies, not even through such unorthodox methods as the hated Townshend Acts. The royal governor reacted by dissolving the assembly, and the burgesses marched to the Raleigh Tavern on Duke of Gloucester Street to meet as private individuals. There George Washington presented George Mason's proposed boycott of all English goods, and 94 of the 116 delegates concurred. The boycott in Virginia and elsewhere proved effective, and the following year Parliament repealed all the new duties except on tea, keeping that as a symbol of its right to tax the colonies.

In 1773 Virginia patriots formed the first intercolonial Committee of Correspondence, which became the primary means of communication among the thirteen colonies serving to unite their efforts

in a common cause. A year later, in response to news of the closing of the port of Boston, the burgesses showed their support by declaring June 1, 1774, "a Day of Fasting, Humiliation, and Prayer." The governor again dissolved the assembly and once more the burgesses gathered at the Raleigh, signing another pledge to boycott British goods, further proclaiming that, ". . . an Attack made on one of our Sister Colonies, to compel Submission to arbitrary Taxes, is an Attack made on all British America."

The rump session also issued a call for what became later that year the first Continental Congress in Philadelphia, where Peyton Randolph of Williamsburg was elected its president.

In 1775 the torch moved even closer to the powder keg of open rebellion. The burgesses, fearing intervention by the royal governor, Lord Dunmore, if they met in Williamsburg, held a March session in Richmond made memorable by Patrick Henry's "give me liberty or give me death" oration.

Less than a month later, during the night of April 21 -- 22, Lord Dunmore, alarmed over the possibility of an armed uprising, seized gunpowder from Virginia's reserve in the Magazine on Williamsburg's Market Square. Only a promise to repay the colony for its loss prevented bloodshed as Patrick Henry led a force of armed volunteers to within fifteen miles of Williamsburg.

The governor's subsequent branding of Henry as an outlaw only served to increase the fiery patriot's popularity.

Shortly after the second Continental Congress convened its May session in Philadelphia, where Randolph was again elected president,

Lord Dunmore made a final effort to reach compromise with the burgesses. He called them into session on June 1 in Williamsburg and tendered the British proposal that England would not tax the colonists if they would agree to tax themselves in accordance with quotas sent from London.

Perhaps sensing that his offer was "too little, too late," only a week thereafter under the cloak of night, Lord Dunmore and his family fled Williamsburg. His abrupt departure marked the end of British rule in Virginia.

Virginians continued their preparations for the decision of 1776. On June 15, 1775, George Washington became commander in chief of the Continental Army, and in September, the Continental Congress reconvened in Philadelphia.

Lord Dunmore opened military operations in the Hampton Roads communities, and Virginia militiamen had their first taste of combat before the year's end. As 1775 closed the Virginia lawmakers returned to Williamsburg to establish a navy and to continue the Committee of Safety, which served as an interim government for the colony between sessions of the assembly.

If the events of 1775 seemed fast moving to Virginians, those of 1776 would accelerate at an even greater pace. Within the span of fifty days, the leaders of Virginia -- sitting as members of the Convention of Delegates in Williamsburg or, in some cases, representing the colony at the Continental Congress -- played key roles in establishing a new nation and transforming the colony into a democratic state.

When 1776 began -- with the New Year's Day gutting of Norfolk -- the average Virginian was committed to an uncertain but obviously stormy future.

Lord Dunmore, formerly His Majesty's symbol of law in Virginia, was to spend part of the year playing the marauder, his vessels raiding Chesapeake Bay plantations and penetrating far up the Tidewater's rivers.

In the fateful year 1776, Virginia had about 500,000 inhabitants, roughly two-fifths slaves. Her economy rested squarely on the soil. Disruption of trade -- especially of Virginia's "bewitching vegetable," tobacco -- was bound to have serious consequences for everyone.

Meanwhile, at Bunker Hill in Boston, and at Quebec, where the Americans tried to carry out an offensive, the British were learning that the rebellion was not going to be easy to put down. So far it was only that. The great decision to declare for independence if necessary had not been made.

Roots of conflict often ran deep, splitting father from son, friend from friend. Virginia's aristocratic John Randolph examined all the arguments and, heeding the voice of reason, as he put it, decided for the king and moved to England. But his son Edmund stayed and served as aide-de-camp to Washington.

Thus the stage was set for the May 6, 1776, gathering of delegates to the Virginia Convention, one of the most remarkable legislative sessions in this country's history.

The mood was determined and defiant, the air charged with excitement. Tempers held in check during the decade of controversy with the crown and Parliament were close to explosion.

Much had happened in the hearts and minds of the colonists since Lord Dunmore had seized the powder, for a year earlier no Virginian in his right mind had seriously considered breaking with the mother country.

The Convention was under the stern leadership of a conservative among revolutionaries, Edmund Pendleton, one who had resisted Patrick Henry's early acts of defiance.

During the days and nights of work in Williamsburg as historic resolutions were drafted, debated, and passed, and the framework of Virginia was built, Pendleton wrote to Thomas Jefferson in Philadelphia, "We build a Government slowly, I hope it will be founded on a rock."

On May 15, after a humble appeal to God, that "Searcher of Hearts," the delegates unanimously instructed the Virginians at the Continental Congress in Philadelphia not only to support but to <u>propose</u> independence.

The new Continental flag -- the Grand Union -- rose over the Capitol cupola, replacing the British Union flag. Spontaneous enthusiasm rocked the city. Capitol Square, crowded with horses, men, and vehicles, was the scene of tumultuous celebration.

Some of the gentry provided a purse "for the purpose of treating the soldiery," and musket and artillery fire followed each of the historic toasts -- <u>The American Independent States</u> . . . <u>The Grand Congress of the United States and their respective legislatures</u> . . . <u>General Washington, and victory to the American arms</u>.

"Illuminations, and other demonstrations of joy," concluded

Of all the documents associated with Williamsburg, the Declaration of Rights is by far the most important. Harvard's distinguished historian, Samuel Eliot Morison, has called it, "one of the great liberty documents of all time."

When the delegates to the Convention adopted the Declaration of Rights, they also named a Committee to prepare "such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people." The constitution, largely from the pen of George Mason, was adopted on June 29, 1776.

The constitution's provisions, unlike the Declaration of Rights, were dictated almost solely by the exigencies and apprehensions of the moment. It was the work of a people in revolt against tyranny and hence wary of executive power in any form.

The governor, for example, would be elected annually by joint ballot of House and Senate, and have no veto power. In the course of debate, Patrick Henry argued that the chief executive "would be a mere phantom, unable to defend the office from the usurpation of the legislature."

The truth of his own words would be ruefully recalled by Henry many times. For on July 6, 1776, at 40, he was inaugurated in Williamsburg as the first governor of the commonwealth of Virginia.

The Convention of 1776 adjourned. Delegates who had entered the capital as British subjects took their leave of Williamsburg as citizens of a new commonwealth.

the evening, according to Purdie's Virginia Gazette, which also marked the event by removing the British seal of the Virginia colony from its masthead to make way for a type box bearing the words "Thirteen United Colonies -- United, we stand . . . Divided, we fall."

And, in the Continental Congress at Philadelphia on June 7, a tall, lean, red-haired Virginian rose to offer the vital motion. Richard Henry Lee, at 44 the senior member of the delegation and an orator to rival Patrick Henry, read these words:

> Resolved, That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.

Congress approved Lee's motion on July 2, and two days later addressed to the world a formal Declaration of American Independence.

That eloquent statement of belief in man's liberty and equality grew directly from the decision taken on May 15 in Williamsburg. It had even been penned by a young man well known in Williamsburg -- Thomas Jefferson.

Back in Williamsburg, meanwhile, events had moved even faster than in Philadelphia. Two related decisions, also taken by the Virginia Convention, bore fruit before the end of June, both largely the work of George Mason, the forgotten man of American liberties.

His Declaration of Rights, adopted unanimously on June 12, contained ringing statements of individual liberty and the right of self-government, and is today regarded not only as one of the great state papers of history, but also as one of the noblest expressions of mankind's aspirations toward a full society.

It is not clear when the news of the extraordinary events at Philadelphia reached Williamsburg but certainly not much earlier than July 19. On that day, Purdie's Gazette appeared with news of the July 4 vote and of the proclamation of the Declaration at the State House in Philadelphia on the eighth.

On the twentieth, however, official receipt of the text was acknowledged and orders issued that the people be fully informed both by publication in the press and by having the sheriff of every county read it at the door of his courthouse on the next court day.

Williamsburg's celebration occurred on July 25. In the afternoon, a solemn proclamation of the Declaration took place at the Capitol, the Courthouse, and the Palace, "amidst the acclamation of the people, accompanied by the firing of cannon and musketry." A parade of the Continental troops stationed in town followed, and in the evening the buildings sparkled with lighted candles.

The hot summer wore on. In the fall, a frustrated Patrick Henry, "cribbed, cabined, and confined," observed from his governor's office in the Palace the convening of the first General Assembly under the new state constitution. It gathered October 7 in the Hall of the House of Burgesses -- now called the House of Delegates -- where Henry had presented his resolutions against the Stamp Act eleven years earlier, capturing the imagination of a continent.

Thus, in the summer of 1776, one Virginian had given to America and the world a Declaration of Rights and constitution for the new commonwealth. Another had written the Declaration of Independence for

the new American nation. Still another led the armies to make these rights respected and independence an actuality.

And with dramatic appropriateness, the freedom of the American states was to become assured in Virginia -- at Yorktown in 1781.

The road from Jamestown's fort, to Williamsburg's Capitol, to Yorktown's decisive redoubts, in miles is only a short distance. But measured on other scales: accomplishment, endurance, and resolution, it stretches out 174 years.

Later, in an America whose independence had been won, George Mason was to look back on the achievements of those momentous days of 1776 in Williamsburg and remark: "We seem to have been treading on enchanted ground."

This Commemorative Session of the Virginia General Assembly is part of Colonial Williamsburg's Bicentennial Commemorative Series.

PATRICK HENRY, one of the most eloquent and incendiary of revolutionary orators.

BRITISH MARINES engaged in the surreptitious removal of the colony's gunpowder supply.

THE CONTINENTAL FLAG replacing the British Union flag atop the Capitol in Williamsburg.

GEORGE MASON, author of the Virginia Declaration of Rights and of the new state's constitution.

Commemorative Session
Virginia General Assembly
Williamsburg, Va.
January 31, 1976

America's oldest representative legislative body — the General Assembly of Virginia — has held a joint session in restored Williamsburg periodically since 1934. The legislators meet in the Hall of the House of Burgesses in the colonial Capitol, location of the seat of government for the British Colony of Virginia during the 18th century.

This year marks the 197th anniversary year of the Assembly's final session in Williamsburg. At the close of the 1779 session Virginia's governmental functions were transferred to Richmond and the Assembly reconvened there in 1780.

FORMER SESSIONS

February 24, 1934 - At the General Assembly's first commemorative session Governor George C. Peery and John D. Rockefeller Jr. dedicated the newly reconstructed Capitol building and gave addresses dealing with the significance of the occasion. They spoke of the many historical associations with which the Capitol was identified. Then each body of the Assembly passed, and Governor Peery signed, an amendment to the Code of Virginia giving the Assembly authority to meet in the old Capitol. Four former governors of Virginia and seven members of the Supreme Court of Appeals were present.

January 18, 1936 - Governor Peery was the speaker.

February 12, 1938 - Dr. Francis Pendleton Gaines, historian and president of Washington and Lee University, and Governor James H. Price were the speakers.

February 17, 1940 - The Right Honourable the Marquess of Lothiam, Ambassador of Great Britain, and Governor Price were the speakers.

January 31, 1942 - U. S. Senator Harry Flood Byrd and Governor Colgate W. Darden Jr. were the speakers.

February 7, 1948 - Governor William M. Tuck and ex-Governor Darden were the speakers.

January 28, 1950 - Robert Tunstall of Norfolk, lawyer and constitutional authority, and Governor John S. Battle were the speakers.

February 1, 1952 - Governor James F. Byrnes of South Carolina and Governor Battle were the speakers.

January 30, 1954 - Henry Cabot Lodge, American Ambassador to the United Nations and counselor to the President, and Governor Thomas B. Stanley were the speaker

January 28, 1956 - Sir Roger Makins, Ambassador of Great Britain, and Governor Stanley were the speakers.

January 25, 1958 - Rep. Howard W. Smith of Virginia and Governor J. Lindsay Almond Jr. were the speakers.

January 30, 1960 - Secretary of the Treasury Robert Anderson and Governor Almond were the speakers.

February 1, 1964 - U. S. Senator Harry Flood Byrd and Governor Albertis S. Harrison Jr. were the speakers.

February 3, 1968 - Walter Cronkite, CBS Television newscaster, and Governor Mills E. Godwin Jr. were the speakers.

January 29, 1972 - William D. Ruckelshaus, Administrator, Environmental Protection Agency, and Governor Linwood Holton were the speakers.

BACKGROUND OF THE ASSEMBLY

The General Assembly, formed at the Williamsburg Capitol in 1776, is actually a continuation of the oldest representative legislative body established in the New World, its origin dating from 1619. In 1776, the Assembly voted itself into a new form of two houses, the Senate and the House of Delegates. This abolished the House of Burgesses and the Council, created by the King in 1619.

In colonial times, the Burgesses were the elected representatives of the various counties of Virginia, and the Council was composed of 12 of the wealthiest and most influential men of the colony. There is no counterpart in modern American government for the Council, since it combined three functions of government which are separated today; it served as the upper house of legislature, executive council and high court of the colony. When performing the first two functions, members convened in the Council Chamber, directly above the General Court. When they sat as the supreme court of Virginia (appeals from this court could be made only to the Privy Council in England), the Governor acted as chief justice.

HOUSE OF BURGESSES CHAMBER

The House of Burgesses chamber is arranged in a horse-shoe shape, with members seated in benches along the sides. At the curved end, the Speaker presided over the business of the House. The chair that stands there today is the same chair used in the second Capitol (built in 1751-1753).

It was in this second building that Patrick Henry's Caesar-Brutus speech was made, and here George Mason's Declaration of Rights, which foreshadowed the Bill of Rights of the Constitution of the United States, was adopted. Here on May 15, 1776, Virginia passed the famous Resolution for Independence. In the House of Burgesses once sat George Washington and Thomas Jefferson as well as Henry, Mason, Peyton Randolph and Dabney Carr, all leaders in Virginia and the colonies in the days of the Revolutionary War.

In the middle of the Chamber is a table on which rests a silver mace. Its presence in a legislative chamber is authentic, stemming from ancient parliamentary procedure. When the House was in session as a body, and the Speaker in the chair, the Mace was "on the table"; when it was broken into committees or had not yet convened, it was "under the table." When the House was not meeting at all, the Mace was kept, very probably, in the Clerk's Office.

The portraits at the north end are of King William and Queen Mary (1688-1702).

HISTORY OF CAPITOL

The Capitol was ordered built in 1699 when the colonists decided to abandon Jamestown as the governmental center in favor of the higher ground at the site named Williamsburg. From 1704 to 1780 it was the seat of government of the vast Virginia Colony extending to the Mississippi and the Great Lakes. It burned in 1747 and was rebuilt in 1751-1753. The reconstructed building, a replica of the first Capitol, is an exhibition building of Colonial Williamsburg.

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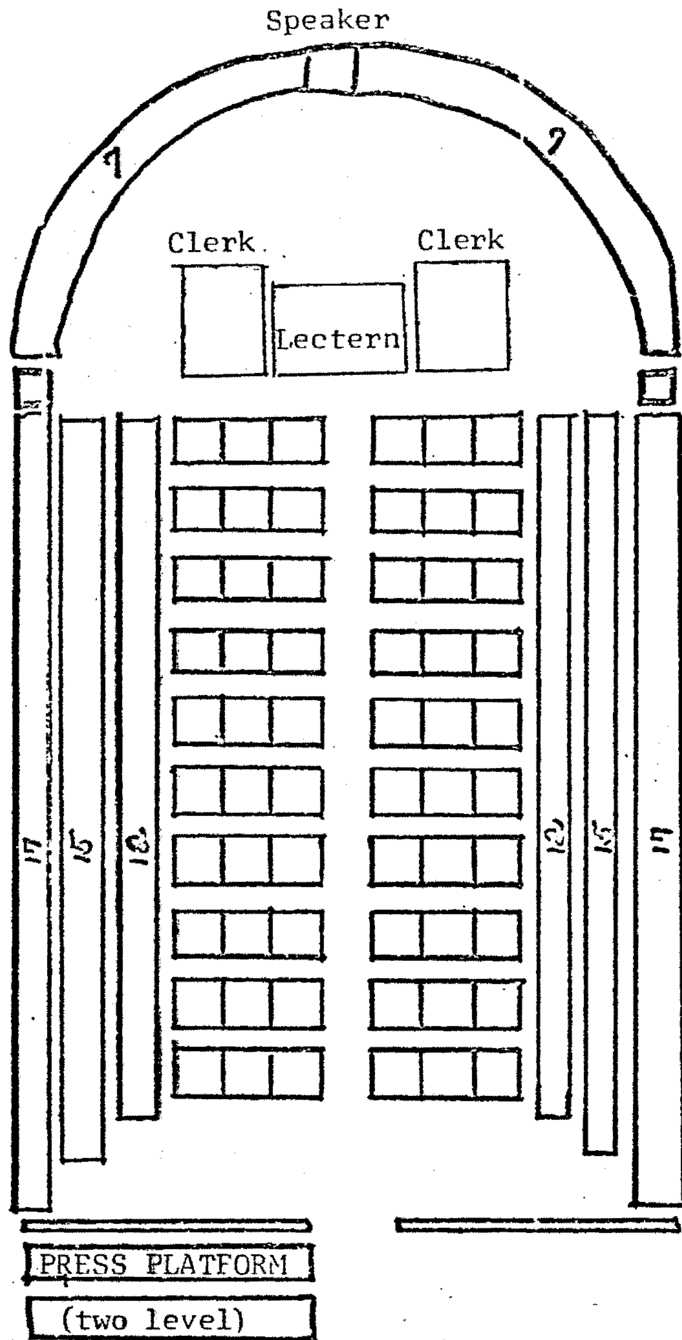
OF THE VIRGINIA GENERAL ASSEMBLY

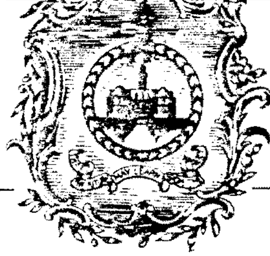


15 seats on rostrum

60 seats on floor of H
88 seats at sides

163 maximum seating

NEWS



from COLONIAL WILLIAMSBURG

PRESS BUREAU
HUGH DESAMPER, *Director*

Phone: (804) 229-1000 Ext. 2365
229-2018 (Night)

Second Virginia Convention
St. John's Church, Richmond
March 20-27, 1775

"Liberty or Death"

The Tidewater moderates and conservatives, many of them aristocrats, continued to control action of the Virginia leaders. Peyton Randolph of Williamsburg, chairman of the First Convention, was re-elected.

The resolves of the First Continental Congress were discussed for two days before approved. (See Historical Background)

The moderates, who still sought reconciliation with Britain, continued their control until March 23, when Patrick Henry proposed a resolution: "Resolved, That a well regulated Militia, composed of Gentlemen and Yeomen, is the natural Strength, and only Security, of a free Government; . . . That the Establishment of such a Militia is, at this Time, peculiarly necessary . . . Resolved therefore, that this Colony be immediately put into a posture of Defence. . . ."

The moderates were greatly opposed to going on record as preparing for war, although many of their counties had local militias backing up the associations that were enforcing the boycott of British goods.

Then Henry rose for his "liberty or death" speech:

"They tell us, sir, that we are weak -- unable to cope with so formidable an adversary. But when shall we be stronger? . . .Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any

force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations; and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged. Their clanking may be heard on the plains of Boston! The war is inevitable -- and let it come! I repeat it, sir, let it come! It is vain, sir, to extenuate the matter. Gentlemen may cry, peace, peace, -- but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? . . . Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty, or give me death."

The speech had an incredible effect on those who heard it. Edward Carrington, listening through a window, decided he wished to be buried at that spot; 35 years later, he was. An old clergyman wrote, "It seemed as if a word from him would have led to any wild explosion of violence. Men looked beside themselves." All, perhaps, but one. That delegate's complete entry in his diary that day was, "Dined at Mr. Patrick Coote's and lodged where I had done the night before." That was George Washington, whose diary always seemed to note such important matters.

But Henry was, of course, inaccurate in his denunciation of the moderates. No one was ready to become a slave. It was the moderates in Philadelphia who voted to arm the colonists. What the moderates opposed was cutting off all possibility of a peaceful solution and, anyway, Henry's resolution calling for 1,000 armed men was ridiculously small.

But the resolution passed, and the resulting Committee on Defense recommended the colonists do exactly what they already were doing: form volunteer companies responsible to the local associations.

The Convention also elected to the Second Continental Congress the same delegates who had attended the First Continental Congress: Peyton Randolph, George Washington, Patrick Henry, Richard Henry Lee, Edmund Pendleton, Benjamin Harrison and Richard Bland. (See Declaration of Independence)

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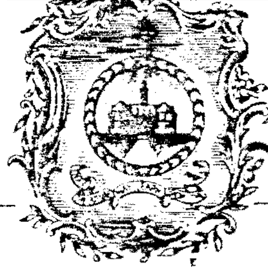
NEWS



from COLONIAL WILLIAMSBURG

PRESS BUREAU
HUGH DESAMPER, *Director*

Phone: (804) 229-1000 Ext. 2365
229-2018 (Night)

Fifth Va. Convention
Williamsburg Capitol
May 6-July 5, 1776

Va. Resolution for Independence
Va. Declaration of Rights
First Va. Constitution

Lord Dunmore finally called for a session of the House of Burgesses to meet June 1, 1775. It was the first session since May 1774. But Dunmore and his family fled Williamsburg on June 8 and went aboard the HMS Fowey in the York River. The burgesses accomplish almost nothing, and much of their time is spent passing uncompromising letters back and forth with Dunmore. Their most notable act is rejecting Lord North's "conciliatory proposal." They adjourn until October, hoping Britain will be more amenable to some agreement with the colonists by then.

But the burgesses cannot raise quorums and the House keeps adjourning to a later date.

On May 6, 1776, the House tries to meet but again lacks a quorum. The only journal entry was: "Several Members met, but did neither proceed to Business, nor adjourn, as a House of Burgesses." That was it. The House of Burgesses didn't dissolve; the oldest representative body in America just died. As Edmund Pendleton wrote Richard Henry Lee, "We met in Assembly yesterday and determined not to adjourn, but let that body die -- and went into Convention."

That convention must be considered one of the most startlingly revolutionary meetings in the history of mankind, for before it was to adjourn a month later, it set in motion the Declaration of Independence (See Va. Resolution for Independence,

Declaration of Independence), it formulated a declaration of human rights that remains a bellwether of democracy (See Va. Declaration of Rights), it wrote Virginia's first constitution (See Va. Constitution) and elected Patrick Henry its first governor.

Sitting as the convention were 128 delegates. All Virginia's important leaders were there except Washington, who was commanding the Continental Army, and those in the Virginia delegation to the Continental Congress who did not come home for the convention: Thomas Jefferson, Richard Henry Lee, George Wythe, Benjamin Harrison, Carter Braxton, Francis Lightfoot Lee. But there were such men as Edmund Pendleton, George Mason, Richard Bland, Patrick Henry, Thomas Nelson Jr., Robert Carter Nicholas, Thomas Ludwell Lee, Archibald Cary, John Blair Jr., Edmund Randolph and young James Madison, then 24 years old.

A year before, hardly anyone would have seriously proposed independence, but much had happened since Lord Dunmore spirited away the gunpowder from the Public Magazine in Williamsburg during the night of April 20-21, 1775. (See Historical Background)

Edmund Pendleton, chairman of the Committee of Safety (See July 17, 1775, in Chronology), was elected president of the convention. He struck the keynote of the session in his acceptance address: "We are now met in General Convention...

at a time truly critical, when subjects of the most important and interesting nature require our serious attention.... /In all/ subjects which may come under our consideration, permit me to recommend calmness, unanimity, and diligence, as the most likely means of bringing them to a happy and prosperous issue."

Independence was in the air. As delegate John Page wrote Jefferson in Philadelphia on April 12, "Almost every man here, except the Treasurer /Robert Carter Nicholas/ is willing to declare for Independence." Gen. Charles Lee, in Williamsburg recruiting troops for Washington's Continental Army, wrote his commander in chief on May 10, "A noble spirit possesses the Convention. They are almost unanimous for independence.... Two days will decide it." Lee was close; it required five days.

On June 29, after passing the Virginia Resolution, the Declaration of Rights and the Constitution, the Convention elected Patrick Henry first governor of Virginia. It was no landslide; he beat Edmund Pendleton's candidate, Secretary Thomas Nelson, by only 15 votes.

On July 5, without knowing of the events in Philadelphia the day before, the Convention cut all references to royalty out of the Anglican prayerbook, adopted a state seal and dissolved itself.

On July 6, Henry was inaugurated.

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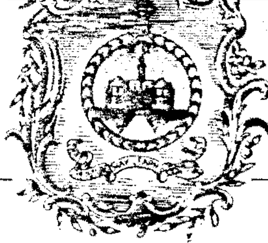
NEWS from COLONIAL WILLIAMSBURG



PRESS BUREAU
HUGH DESAMPER, *Director*

Phone: (804) 229-1000 Ext. 2365
229-2018 (Night)

Va. Resolution for Independence
Capitol in Williamsburg
Approved May 15, 1776

During 5th Va. Convention

Sentiment for independence at the Convention was strong. (See Fifth Va. Convention). It received several county petitions urging independence. Augusta County proclaimed "the necessity of making the Confederacy of the United Colonies the most perfect, independent and lasting, and of framing an equal, free and liberal government that may bear the test of all future ages." Cumberland County requested the convention to "abjure any Allegiance to his Britannick Majesty, and bid him a good Night forever." All the petitions were sent to the Committee on the State of the Colony, Archibald Cary, chairman.

Resolutions on independence also were considered by the Committee on the State of the Colony, which actually was a committee of the whole. Exactly what those resolutions actually meant to propose has been hotly debated by historians. At any rate, at least three resolutions were considered before a compromise written by Pendleton was accepted.

One, by Meriwether Smith (sometimes irreverently known as Fiddle-head or the Bass-Viol or Ugly Instrument), listed the colony's grievances and "Resolved, That the government of this colony as hitherto exercised under the crown of Great Britain be dissolved, and that a committee be appointed to prepare a Declaration of Rights, and such a Plan of Government, as shall be judged most proper to maintain Peace and Order in this colony, and secure substantial and equal liberty to the people." Note Smith's resolution makes no direct reference to independence or to the other colonies.

Another, believed written by Edmund Pendleton, president of the Convention, declared unqualifiedly for independence. It, too listed

"many tyrannical acts in the most inhuman and cruel manner" and then "Resolved, That the union that has hitherto subsisted between Great Britain and the American colonies is thereby totally dissolved, and that the inhabitants of this colony are discharged from any allegiance to the crown of Great Britain." Note it at least puts all the colonies in the same category.

The third was Patrick Henry's. Historians debate hotly here, too, about his position. They generally agree, however, that the old hothead had gotten cold feet and feared a direct break with Britain without support from European nations. The question is whether he feared the colonies would lose the war without aid or whether he believed European powers would somehow partition the divided colonies for themselves. At any rate, his negativism certainly placed him close to losing any leadership in the now-unstoppable independence movement, and he seemed to back off quickly and propose a resolution that concluded, "Resolved, That our delegates in Congress be enjoined in the strongest and most positive manner to exert their ability in procuring an immediate, clear and full Declaration of Independency." Note this is the only resolution that proposed a unified, American declaration.

After a day of debate, Pendleton drew up a compromise resolution all the delegates--including Robert Carter Nicholas, the only delegate known to be opposed to breaking with England when the Convention began--could accept. The poor, wordy language is attributed to the attempts to gain unanimous support. It was accepted unanimously that day, May 15, 1776, with 112 delegates voting for it.

The resolution began with a long list of grievances and noted the colonists' attempts to reach some agreement with Britain had been

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unanswered. Then it "Resolved unanimously, That the delegates appointed to represent this colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent states, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain; and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress for forming foreign alliances, and a confederation of the colonies..." (See Va. Resolution for Independence text.)

(The same resolution also called for preparation of a Declaration of Rights and a state constitution. See Va. Declaration of Rights, Va. Constitution.)

Thus Virginia became the first colony to instruct its delegates to the Continental Congress to declare for independence. And it was this resolution which led Richard Henry Lee to propose the Congress ~~prepare~~ ~~a~~ declar~~ation~~ ~~of~~ independence. (See Declaration of Independence.)

Whether the resolutions that did not specifically mention the other colonies, or some joining with them, purposefully rejected some American effort is subject to debate, and contemporary records are of no help. But it is clear that the approved resolution carefully avoided having Virginia take any action apart from the other colonies and actually called for a confederation of the colonies. No other colony had taken either step, although the North Carolina delegates to Congress on April 12, 1776, were authorized to vote for independence if the chance arose.

Massachusetts, of course, had been bearing the brunt of British

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ire. The Intolerable Acts of 1774 severely punished her, and most of the fighting had been on her soil. So Massachusetts was ready for independence. But many other colonies, especially the middle colonies, were not ready to fight and were chary of independence. The fact that Virginia, the largest and most conservatively aristocratic of the colonies, proposed independence helped win over the wavering middle colonies. (See Declaration of Independence.)

The Virginia resolution reached Philadelphia early in June 1776, and on June 7 Richard Henry Lee, on behalf of the Virginia delegation, introduced in the Continental Congress a resolution declaring that "these United Colonies are, and of right ought to be, free and independent States." (See Declaration of Independence.)

With the passage of the resolution, Williamsburg erupted. The celebration began, perhaps, with the symbolic act of pulling down the British flag from the cupola of the Capitol and running up the new Grand Union flag of the United Colonies. The Grand Union was first flown Jan. 1, 1776, by George Washington over the Continental forces besieging Boston. Called the first American flag, the Grand Union had 13 stripes of red and white and the British Union Jack in the canton or upper left quarter.

The bell at the Capitol and Virginia's "Liberty Bell" in Bruton Parish Church pealed forth the news, and the citizens who gathered outside the Capitol greeted passage of the resolution with shouts, songs, and general jubilation.

Two separate Virginia Gazettes were published in Williamsburg at the time. One recorded, "The day following the troops in this city, with the train of artillery, were drawn up, and went through their firings, and various other military manoeuvres, with the greatest exactness; a continental union flag was displayed upon the Capitol, and in the evening

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many of the inhabitants illuminated their houses."

The other related: "In consequence of the above resolution universally regarded as the only door which will lead to safety and prosperity, some gentlemen made a handsome collection for the purpose of treating the soldiery, who next day were paraded in Waller's grove . . . . The resolution being read aloud to the army, the following toasts were given, each of them accompanied by a discharge of the artillery and small-arms, and the acclamations of all present:

"1. The American independent states.

"2. The Grand Congress of the United States, and their respective legislatures.

"3. General Washington, and victory to the American arms.

"The UNION FLAG of the American states waved upon the Capitol during the whole of this ceremony, which being ended, the soldiers partook of the refreshments prepared for them by the affection of their countrymen, and the evening concluded with illuminations, and other demonstrations of joy."

Ever since the British colonists had come to America, all celebrations--even those at the Continental Congress in Philadelphia--had begun with toasts to the King. Now, though, no more.

The following day, Friday the 17th, had been set aside as a Continental fast day. It included a procession from the Capitol to Bruton Parish Church. There the Rev. Thomas Price delivered a sermon on the text, "Hearken ye, all Judah! . . . Be not afraid nor dismayed, by reason of this great multitude, for the battle is not yours, but God's."

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The sermon had special reference to the recent news that Britain was sending German mercenaries to America.

Reaction to the Virginia Resolution, which also had been sent to the other colonies, was mixed. The New Jersey Provincial Congress simply filed it. The Maryland Convention debated the resolves and then postponed action for three weeks so the delegates could consult their constituents. (Also, see Morison address.)

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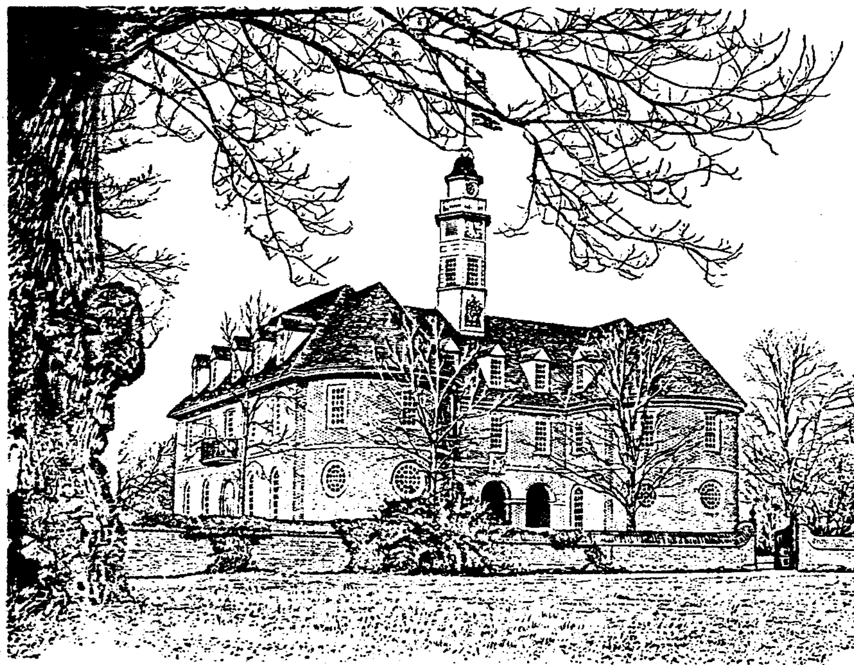

THE CAPITOL

AT THE eastern end of Duke of Gloucester Street stands the reconstructed Capitol, one of the chief exhibition buildings of Colonial Williamsburg. For the better part of a century—from 1704 to 1780—Virginia's General Assembly convened on this historic site. Here an embarrassed and stammering Washington was applauded by fellow burgesses for his part in the French and Indian War; here Patrick Henry defiantly protested the Stamp Act until accused of treason; here George Mason's Virginia Declaration of Rights was passed. In this building the House of Burgesses, America's oldest representative assembly, held its meetings, as did the smaller, more aristocratic Council. The General Court sat in the paneled courtroom to try all the important Virginia cases, civil and criminal.

When the governor rode in his coach from the Palace to open the Assembly, he symbolized the power of the English king from the sea to the unexplored frontier of the huge

wilderness empire then claimed by Virginia. Laws enacted in the Capitol affected the whole colony, and legislators who met here included virtually every Virginian of note in the eighteenth century. The Capitol was the scene of stubborn opposition to what the colonists re-

garded as arbitrary policies of the king and Parliament; here, claiming the rights and privileges of British subjects, Virginians sought to defend their concept of self-government—a concept that had taken root when the burgesses first met in Jamestown in 1619 and that had matured through the years. In the end the lawmakers reluctantly took up arms against the mother country; yet their prolonged effort to achieve their goal by peaceful means is a conspicuous testament to their respect for the processes of deliberation carried on within the walls of the Capitol.

In the troubled spring of 1776 occurred the most stirring historical events associated with the Capitol. It was on May 15 of that year that Virginia's legislators here pledged their lives and fortunes on the daring hazard of full freedom from England. Although the colonies were weak and divided, and were defying one of the greatest military powers of the day, these men of Williamsburg had the spirit and vision to adopt a Resolution for American Independence without a dissenting voice. On June 7, Virginia's delegate Richard Henry Lee acted on these instructions and introduced a motion to its effect on the floor of the Continental Congress at Philadelphia. This led directly to the Declaration of Independence, drafted largely by Thomas Jefferson, who had once stood at the half-open door of the House of Burgesses to hear Patrick Henry thunder his defiance of Parliament and king.

Each year the period from May 15 through July 4 is celebrated as the "Prelude to Independence." On the anniversary of the independence resolution in 1953, President Eisenhower, standing just in front of the original speaker's chair in the House of Burgesses, said, "I think no American could stand in these halls and on this spot without feeling a very great and deep sense of the debt we owe to the courage, the stamina, and faith of our forefathers."

When the legislature was in session or the court convened, the public grounds bordering the Capitol teemed with Virginians of every rank and profession. The broad, grassy "street" to the east of the Capitol was called the "Exchange," where men met in the open air to transact their commercial and financial business. Within a stone's throw were at least a dozen inns, taverns, ordinaries, and coffee houses, serving everything from Virginia ham and local beer to Barba-

dos sweetmeats and French brandy. Nearby stood the city's second theatre, where Shakespeare's *Merchant of Venice* was the opening play. Stables were to be found convenient to the square. And, for those who caroused too freely, the pillory and stocks of the Gaol were close by.

Capitol Square was a natural center for celebrations. In 1746, word reached Williamsburg that the Duke of Cumberland had finally routed Bonnie Prince Charlie and his dispirited Highlanders. That night there was a gala ball at the Capitol, where three tables were piled high with "near 100 dishes after the most delicate taste." Outside, after each of the twenty toasts, volleys were discharged from cannon pulled upon the green.

A line of paper mulberry trees edges the square, their gnarled and herniated trunks exciting constant comment.

The Capitol was ordered built by an act of 1699, less than one year after the last of several statehouses in Jamestown had succumbed to fire. As a drastic precaution against this danger, Williamsburg's first Capitol was designed without chimneys and the use of fire, candles, or tobacco was strictly prohibited. In time such safeguards were sacrificed to necessity and convenience; a secretary complained, for example, that his records were "exposed by the Damps." In 1723 two chimneys were added. Candles were brought in, and doubtless permission was soon granted to smoke tobacco—Virginia's "bewitching vegetable." Whether from these sources, or from arson (as was supposed at the time), the building was gutted by fire on January 30, 1747, "and the naked Brick Walls only left standing."

With the encouragement of Governor William Gooch, the "Royal Fabric" was ordered rebuilt. This second Capitol, completed in 1753, incorporated the surviving walls of its predecessor but differed in appearance. After the removal of Virginia's government to Richmond in 1780, the second building fell into disrepair and in 1832 it too was destroyed by fire.

Before reconstruction could be undertaken, Colonial Williamsburg faced a dilemma: should the first or second building rise again on the old foundations? The second Capitol was of greater historic interest since it witnessed the events of the years before the Revolution, but the first Capitol could lay claim to greater architectural distinction, its rounded ends, for instance, being unique. Long searching of the architectural evidence disclosed voluminous information about the earlier building, whereas few records were available for the later. It is the first Capitol that is here reconstructed.

The foundations for the original building were laid in 1701. During its construction under the supervision of "master builder" Henry Cary, Virginia's lawmakers met in the Wren Building of the college but moved impatiently into the new Capitol in

1704, a year before its final completion was symbolized by the surrender of the builder's keys to the speaker of the House of Burgesses.

The period of the Capitol is signified by the coat of arms of Queen Anne emblazoned on its tower, and by the flag of the Great Union (the eighteenth-century form of the British Union Jack) which usually flies overhead. The style of architecture, with round and arched windows, and a cupola, is of the Renaissance but simplification was imposed by conditions in a young colony, as evidenced by the absence of colonades or an elaborate façade.

The H-shaped plan is an early example of an architectural design successfully devised for a specific purpose. It also reflects the make-up of Virginia's colonial government. One

wing contains the Hall of the House of Burgesses (on the first floor) and committee rooms for the burgesses (on the second). The other wing, finished and furnished much more elaborately, houses the General Courtroom (on the first floor), and the Council Chamber (on the second). Each wing has its own staircase. On the second floor—appropriately linking the two wings—is the Conference Room, where burgesses and councilors met together for morning prayer or held joint conferences to resolve disagreements. The composition of the building is set off by the tall hexagonal cupola and is skillfully defined on Capitol Square by a sturdy brick wall.

The site and the original foundations of the Capitol were faithfully preserved over the years by the Association for the Preservation of Virginia Antiquities, and were generously deeded by that organization to Colonial Williamsburg. The rebuilt Capitol was opened in 1934 by the House of Delegates and the Senate of the commonwealth of Virginia, meeting in joint session. At this time a bill was passed enabling the General Assembly to convene in the colonial Capitol at times which might seem proper, a practice that in peacetime has been followed on some occasion during alternate sessions. At the dedication in 1934 the Assembly was addressed by Governor George C. Peery, and by Mr. John D. Rockefeller, Jr., whose discourse included the words: "What a temptation to sit in silence and let the past speak to us of those great patriots whose voices once resounded in these halls, and whose farseeing wisdom, high courage, and unselfish devotion to the common good will ever be an inspiration to noble living."

Public Records Office—N.

After the Capitol was gutted by fire in 1747, the Council decided to provide for "the Preservation of the

Public Records and Papers" in a separate building—an example followed in other colonies. Accordingly, this one-story building, without basement, was constructed with a view to safety. The sloping chimney caps, designed to prevent downdrafts in the flues, the plastered window jambs, the interior partitions of brick, and the masonry floor all reflect the builders' fear of fire. Answering their precautions admirably, the building survives today, having needed relatively minor restoration work.

The hip roof is characteristic of public buildings in the eighteenth century. A fine, pedimented doorway in rubbed brick adds dignity to the façade. The rounded front steps, similar in design to others in Williamsburg, are of blue Shrewsbury stone. The building served as the office of the secretary of the colony until the capital was moved to Richmond in 1780. The court of admiralty and the city of Williamsburg used it for a time, and the building later became an adjunct of the Williamsburg Grammar School, which was opened in 1784 in the old Capitol.

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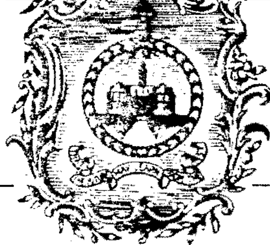
NEWS  *from COLONIAL WILLIAMSBURG*

PRESS BUREAU
HUGH DESAMPER, *Director*

Phone: (804) 229-1000 Ext. 2365
229-2018 (Night)

Va. Declaration of Rights
Capitol in Williamsburg
Ordered Written May 15, 1776
Approved June 12, 1776

During Fifth Va. Convention

It is probably impossible to overstate the importance of the Virginia Declaration of Rights. For example, Lord Acton, the great 19th-century English historian, summed up its influence this way: "It was from America that the plain ideas that men ought to mind their own business, and that the nation is responsible to Heaven for the acts of the State--ideas long locked in the breast of solitary thinkers and hidden among Latin folios--burst forth like a conqueror upon the world they were destined to transform, under the title of the Rights of Man. . . . In this way the opportune reticence, the politic hesitancy of European statesmanship, was at last broken down, and the principle gained ground, that a nation can never abandon its fate to an authority it cannot control."

The same Virginia Resolves of May 15 that called for a declaration of independence by the Continental Congress (See Va. Resolution for Independence text and commentary, Fifth Va. Convention) concluded with this statement: 'Resolved unanimously, That a committee be appointed to prepare a DECLARATION OF RIGHTS. . . .'

As soon as the resolves were passed, Edmund Pendleton, chairman of the convention, appointed a 28-man committee with Archibald Cary chairman and including Patrick Henry, Richard Bland, Edmund Randolph, John Blair, Jr., and Thomas Ludwell Lee. Its duties were to draft both a declaration of rights and a state constitution.

George Mason, who would write nearly all of the Declaration of Rights, had not yet arrived in Williamsburg. He came two days later and on the next day, May 18, Pendleton added him to the committee. Mason

nearly didn't come at all; the Faifax voters barely elected him. And he was late because he was battling one of his numerous attacks of gout.

On May 24, Pendleton wrote Jefferson, who was at the Continental Congress in Philadelphia, 'The Political Cooks are busy in preparing the dish, and as Col. Mason seems to have the Ascendancy in the great work, I have Sanguine hopes it will be framed so as to Answer it's end, Prosperity to the Community and Security to Individuals.'

Interest in the work of Cary's committee was great. Both Richard Henry Lee and Jefferson, for example, wrote Pendleton about it.

The committee completed its work on the Declaration of Rights by May 27, and Cary reported it to the Committee of the Whole for consideration. Throughout early June, the Declaration was debated at length and a number of amendments were adopted. On June 12, the Convention unanimously adopted* the Declaration of Rights in its final form. It remained largely Mason's work, but several minor alterations had been made in the language, a fundamental modification was made by James Madison in the article on religious freedom and two or three complete articles not written by Mason were added. (See Va. Declaration of Rights text.)

One of the major debates over the Declaration involved the first article, which in the committee draft had stated, 'That all Men are by Nature equally free and independent, and have certain inherent Rights, of which they cannot, by any Compact, deprive or divest their Posterity; namely, the Enjoyment of Life and Liberty, with the Means of acquiring and possessing Property, and pursuing and obtaining Happiness and Safety.'

It was that unqualified 'all Men' that caused the trouble. As Thomas Ludwell Lee wrote his brother Richard Henry on June 1: 'I will tell

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* The Journal reports only that all 112 delegates at the session that day voted

you plainly that a certain set of Aristocrats, -- for we have such monsters here, -- finding that their execrable system cannot be reared on such foundations, have to this time kept us at Bay on the first line, which declares all men to be born equally free and independent. A number of absurd or unmeaning alterations have been proposed. The words as they stand are approved by a very great majority, yet by a thousand masterly fetches and stratagems the business has been so delayed that the first clause stands yet unassented to by the Convention.'

The unqualified 'all Men' caused two difficulties. First, it would seem to include the slaves. Although several Virginians -- Mason among them -- were opposed to slavery, and Virginia in 1778 became the first state to make importation of slaves a criminal offense, this was not the time to embroil the Convention in a debate over abolishing the institution. To make that clear, the Convention added an amendment suggested by Pendleton, so the first article began, 'That all Men are by Nature equally free and independent, _when they enter into a state of society_. . . .' Slaves were not part of "society" in the terminology of the day.

But the aristocrats and conservatives were not so successful in the second argument. They saw the 'all Men' terminology as a threat to the old British feudal traditions of entail and primogeniture, which in effect kept the great landed estates intact by passing them on complete to the eldest son. They were right. Later, Jefferson, especially, battled mightily against these practices and the first Virginia code was to eliminate them.

The framers of the Declaration of Rights said they hoped 'that in all the revolutions of time, human opinion, and government, a perpetual

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standard should be erected around which the people might rally, and by a notorious record be forever admonished to be watchful firm and virtuous.' Their hope was realized perhaps beyond their wildest dreams.

The Declaration of Rights is one of the key documents in the history of man's struggle to overthrow external coercion. As Samuel Eliot Morison of Harvard said in his Prelude to Independence address at the Williamsburg Capitol on May 15, 1951, the Declaration is "one of the great liberty documents of all time."

Passage of the Declaration can be seen as both an act of discovery and an act of creativity.

As an act of discovery, it looked to the past. Morison called it "both a quintessence of the experience of freeborn Englishmen in the past, and of what great writers on political theory like Locke and Montesquieu had taught about limitations on government." Two factors made the Declaration necessary. First, because the colony was breaking from Britain, it was necessary to assert in the basic law those human rights the colonists had enjoyed as heirs to the British tradition defined in the Magna Charta of 1215 and the English Bill of Rights of 1689. Second, the colonists were fighting Britain herself over loss of those very rights and to claim wider freedoms that so far had been enunciated only "in the breast of solitary thinkers."

As an act of creativity, it looked to the future by furnishing the basic principle for the protection of the individual from arbitrary power: 'That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.' And its legacy, of course, was not only Virginia's.

As Morison said, "It was the parent of all later Bills of Rights -- of the rest of the 13 states, of the Federal Bill of Rights of 1791, of the French Declaration de Droits de l'Homme of 1789, and of innumerable later charters, including that of the United Nations, which have attempted to define the basic rights of man which no government or official has a right to infringe."

(Also, see Morison address.)

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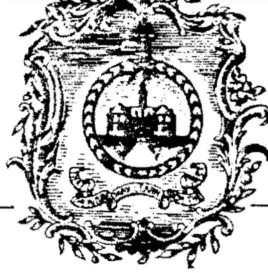
NEWS  *from COLONIAL WILLIAMSBURG*

PRESS BUREAU
HUGH DESAMPER, *Director*

Phone: (804) 229-1000 Ext. 2365
229-2018 (Night)

Va. Constitution
Called for May 15, 1776
Adopted June 29, 1776

During Fifth Va. Convention

The May 15 Resolves, which led to the Declaration of Independence and the Va. Declaration of Rights, also called for a constitution: 'Resolved unanimously, That a committee be appointed to prepare a DECLARATION OF RIGHTS, and such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people.' (See Fifth Va. Convention, Va. Declaration of Rights, Va. Resolution for Independence.)

Interest in the committee appointed to draft the Declaration of Rights and the constitution was very great. Both Richard Henry Lee and Jefferson had written Edmund Pendleton, the convention chairman, concerning the constitution, and Jefferson had sent some suggestions for its preamble and body 'on the mere possibility that it might suggest something worth incorporation into that before the convention.' Pendleton replied, Jefferson recalled later, 'that that [subject] had been so long in hand, so disputed inch by inch, and the subject of so much altercations and debate; that they were worried with the contentions it had proposed, and could not, from mere lassitude, have been induced to open the instrument again; but that, being pleased with the Preamble to mine, they adopted it in the House, by way of amendment to the Report of the Committee.' Thus, a seemingly wistful Jefferson said, 'My Preamble became tacked to the work of George Mason.'

It should be noted that Virginia's was not the first former colony to approve a constitution. Connecticut's and Rhode Island's 17th-century charters conferred such extensive autonomy on the colonists that they were retained as the basis for those states' governments until 1818 in Connecticut and 1842 in Rhode Island. New Hampshire had approved a new constitution on Jan. 5, 1776, and South Carolina adopted hers on March 26, 1776, but they were drawn hastily and proved unworkable. So Virginia's was the fifth constitution to be adopted, but "the first successful constitution, and a model to most of the other states," as Samuel Eliot Morison of Harvard put it.

However, the Virginia constitution suffered from the same weakness that would lead the new states in 1787 to reject the Articles of Confederation and create a federation: an almost powerless executive.

Both the Articles and the Virginia Constitution were clearly affected by the colonists' hatred of despotic British rule and they both so restricted the power of their executives that action was nearly impossible. Although the Virginia Constitution's first section enunciated the principle of separation of powers into three branches of government, all actual power was placed in the new House of Delegates. The House was, essentially, the successor to the Virginia Conventions, and nothing remained that resembled the Committee of Safety, which had been given almost dictatorial powers when the Second Virginia Convention created it in March 1775.

The Constitution provided for two delegates from each county, who were to be elected annually. The Senate, the upper body in the bicameral legislature, would have 24 members elected by single-member districts for four-year terms. Six senators would be elected every year.

Legislation could originate only in the House, the body most closely attuned to the people back home.

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The governor was to be elected annually by the two houses voting together. He could be reelected only twice before being ineligible for four years. Virginia's unhappy experiences with the royal governors, especially Lord Dunmore, naturally led them to restrict greatly the chief executive's powers. The royal governors could veto legislation, adjourn the Burgesses while they were in session, dissolve the House entirely and nominate judges. Under the Virginia Constitution, the governor could do none of these. Further, an eight-member Privy Council elected by the House and Senate would have to approve any exercise of executive power. The governor, then, would be no more than a titular head of state, and the most powerful man in the government would be the speaker of the House.

Patrick Henry, who had been violently opposed to the perquisites of power exercised by the British monarchs and their colonial governors, pleaded on the Convention floor that the new governor would be too weak. In fact, he argued eloquently that the governor should have veto power. Otherwise, Henry declared, he 'would be a mere phantom, unable to defend his office from the usurpation of the legislature, unless he could interpose on a vehement impulse or ferment in that body; and that he would otherwise be ultimately a dependent, instead of a coordinate branch of power.' But Henry's oratory, for once, was ineffectual. The delegates' experiences with kings and royal governors were too bitter even for Henry to overcome.

Strangely, Henry became the first 'mere phantom.' The real head of the government, the speaker of the House, was to be Pendleton. Moreover, Henry was no universal choice. He had beaten Pendleton's candidate, Thomas Nelson, by only 15 votes.

(Also, see Morison address.)

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THE WHITE HOUSE

WASHINGTON

January 22, 1976

MEMORANDUM TO: JACK MARSH

FROM: RUSS ROURKE

Jack, Williamsburg problem appears to be solved. I spoke with Larry Eastland in the Advance Office. The President is presently scheduled to arrive at Langley at 2:20 p.m. Advance Office expects to drum up a much larger crowd at Langley than the Patrick Henry Field. Driving time from Langley to Williamsburg (they did a dry run last week) is 35 minutes. President will address joint session at 4:00 p.m. (6:00 and 7:00 news program schedules can be accommodated.) At my request, Advance Office calling Andy Stern, Governor Godwin's A.A., with all of the above information.

THE WHITE HOUSE

WASHINGTON

Russ —

We have a problem on TT's visit to Virginia on 31st. Could you assist? See me. Tom

THE WHITE HOUSE

WASHINGTON

January 22, 1976

MEMORANDUM FOR: RUSS ROURKE

FROM: JACK MARSH

Governor Godwin called me yesterday and he is quite concerned about the information he has from the Advance team as to the President's arrival in Williamsburg. Apparently he will be coming from Dearborn, Michigan to Williamsburg, and the Governor says that the arrival time at Langley Field is so late in the afternoon that it will impact very substantially on the schedule of the State Legislature's Joint Session. The Joint Session, I believe, is scheduled for 4:30 p.m.. I think there was some consultation between State officials and our Advance or our Scheduling Offices when the time was set. Current plans call for an arrival at Langley not before 4:00 p.m. The driving time from Langley to Williamsburg, the Governor says, is fairly long, I guess maybe as much as one hour.

The Governor suggests the possibility of a landing at Patrick Henry Field at Newport News which would be much closer. I am uncertain as to whether they plan to use choppers to move the President to Williamsburg or whether there will be a motorcade.

I would appreciate your getting into this today and see if something could be worked out that would accommodate their schedule. I am concerned about forcing the Williamsburg program so late in the afternoon that it causes difficulties for the General Assembly and Governor Godwin and also could impact on news coverage on the 6:00 and 7:00 p.m. news.

For your information, the President is not aware of this slippage and I am sure he would want to try and reasonably accommodate the schedule that is proposed in Williamsburg. A thought -- see if we can get an early departure from Michigan to makeup for this slippage.

DRAFT/MARSH/January 23, 1976

America is in its Bicentennial Year. Countdown to Independence Day has begun.

It is appropriate for the first address that I as President should make on the Bicentennial should occur here where it all began. It is one of the ironies of history that within a few miles of this place the first permanent English settlement in the new world would be made in 1607 and that 174 years later only 20 miles away at Yorktown the American Revolution would end British colonial rule.

I am aware of the history of the Commonwealth and the heritage of Virginia. I would also point out, what I am sure this Assembly knows, is that 100 years prior to the American Revolution the colony of Virginia in a preclude to Independence overthrew its royal government and for a

Jack — Good start. I especially like the ending. I wouldn't make any reference to home in Alexandria; detracts from purpose. Dick

brief but significant period in American history asserted its independence from the Crown, under the leadership of Nathaniel Bacon. Bacon's rebellion planted, many believe, the seeds of the American Revolution.

Knowing Virginia's appreciation of history, I am sure that these Tercentennial events will be properly noted.

As I am sure many of you are aware, the Commonwealth is my second home. Betty and I still own our home of many years in Alexandria and our younsters have been educated in your schools. So I hope that you will not feel I come as a stranger.

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This Assembly, which can continuously trace its origins to 1619, is the oldest Assembly in the new world. It is the oldest legislative body under a written Constitution in the western world.

The names of those who have served in this colonial

Legislature read like a litany of American greatness: Washington, Jefferson, Henry, Lee, Mason, Randolph, Madison, Monroe.

The events that occurred in Williamsburg shaped not only America but world history. George Mason, author of the immortal Declaration of Rights, in looking back on the events that transpired here observed: "We seem to have been treading on enchanted ground." We tread today on enchanted ground.

An examination of the lives of the men of this era inescapably leads to the conclusion that the college of William and Mary played a significant role in the development and training of an enlightened leadership. William and Mary in age is second only to Harvard. The influence of all the colonial colleges on developing the ideas of the Revolution is one that should be studied and explored as we examine the Bicentennial period.

The men and women in the colonies extending along the rim of our eastern coast were pioneers in a colonial era. They faced a frontier that was an unexplored wilderness. A vast continent whose resources and riches they could not measure nor imagine. They lived in a world of harsh reality and constant danger. They were the victims of the elements and of disease. Isolation and loneness were their accepted lot. The West was

scarely 200 miles away, the ridges of the Allegheny Mountain, the Continent was a pawn for the power blocs of Western Europe not only the British Empire but France and Spain asserted dominion over substantial parts of what are today the Continental United States. These pioneers in a colonial world who faced a wilderness of nature would become pioneers in another way they did not plan.

They became pioneers in representative government. Pioneers in the rule of law. Pioneers in individual liberty and institutional democracy. Pioneers in the role of the States as servants of the people. The discoveries of the new world would not be limited to land or resources but the freedom of speech, religion and the press. These pioneers in representative government, in Chambers such as this, assured for us trial

by jury, freedom from self incrimination, the right to bear arms, and freedom from unlawful search and seizure.

Their exploration carried them not only across the American continent but opened new horizons for the American spirit and opportunities for individual achievement.

These discoveries in self government which were spelled out in our Declaration were won at Yorktown and assured in our Constitution. They are as precious today as they were two centuries ago.

I submitt to you we are pioneers in a modern world. Ours is a wilderness that by-in-large is the creation of man.

It is a wilderness of teaming urbanization and highrises with masses of population. It is a society impacted by the

discovery and adaptation of science and technology. Assembly lines and mass production, automation and computerized programming become pace makers of our people. Individualism is often a casualty of the machine age.

Americans today live in the truly first nation of the modern world. We are the first to face this wilderness of the masses. The first to deal with the impact of communication and technology not only on humanity but on the institution of a free people.

We are pioneers in a new age.

Democracy on this planet is becoming increasingly rare. Beyond our shores representative government is not expanding; rather it is retreating. It can be correctly said that on the face of this globe, Americans are still the true revolutionaries.

The ideas discussed and debated at Raleigh Tavern or here in this House of Burgess or at the townhall meeting of colonial New England or at Independence Hall -- these ideas went West with the American people.

Before the golden spike was driven in Utah to link the continent by rail, we were bound to each other by the invisible links in a chain of ideas that produced governments of states, cities, counties, and towns which share a common heritage and ~~sought~~ seek to govern for the common good.

We know that we have not as yet formed the perfect union. We are aware that we have made mistakes, but I also know that succeeding generations of Americans have formed a better union.

The challenges we face are the challenges of a modern world. As pioneers in this new wilderness canwe address our national needs, assure the public safety, defend the nation,

provide the economic opportunities, fullfill the aspirations of our people, cope with science and technology, manage our resources, protect our environment within the concepts of limited government and institutional democracy?

Can a free people with representative government live and compete - achieve national greatness and sustain world leadership - in a modern world? I believe we can. It is going to require common sense and self-restraint.

The American experiment is a constantly evolving one. It is not limited to a region, or to a period of history. The gradual but unremitting expansion of freedom for all of our people has unfolded throughout our history as a Nation. It, therefore, follows that the Bicentennial should be observed in different ways across our land as people of different cultures and regions mark their contributions to the achievement of this Republic.

The pursuit of happiness by the participation in the American experiment and contributing to the Revolutionary concepts of limited self-government and individual liberty is an American legacy you and I share.

Washington, Franklin, Adams, Jefferson -- these giants and their contemporaries do not belong to Virginia or Pennsylvania or Massachusetts. They belong to the ages.

And what shall posterity say of us a decade, a century, a thousand years hence. Shall some historians in another day, another age, at another place write that the American Republic, man's greatest hope for man, perished from the earth because its people were not true to the legacy of their forebearers and lacked the will to meet the challenge of their time.

I believe that of us historians shall record that this Republic and its people in a unique moment of human history

shaped a new desitny. Built a new world based on law, individual achievement and human freedom, and thereby repaid in part the debt we all owe to a tiny, handfull of men, who with a firm reliance on the protection of a Divine Province, 200 years ago at Philadelphia, mutually pledged their lives, their fortunes, and their sacred honor that liberty might grow old.

Let us this day resolve we shall write this story for our country.

The last line of the Declaration of Independence

"AND FOR THE SUPPORT OF THIS DECLARATION, WITH A FIRM RELIANCE ON THE PROTECTION OF DIVINE PROVIDENCE, WE MUTUALLY PLEDGE TO EACH OTHER OUR LIVES, OUR FORTUNES AND OUR SACRED HONOR."

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The concept of self-determination flowed from stirrings of religious and political liberty in the mother country, from Magna Carta and Cromwell's Commonwealth. Along with those who signed the social contract of the Mayflower, the Puritan communities of New England, the Virginians created a new way of life strikingly different from the lives of the common people of Europe of that day.

When three small ships landed at nearby Jamestown, they brought the seeds of an idea that would make men strive for local control over the fate of local people.

America's most moving chronicle is how courageous Virginians defied the centralized authority represented by the royal governors and tax collectors appointed by a king on another continent. This distinguished assembly may agree that telling Virginians about their own glorious history would be like lecturing God on how the earth was created. I will not so presume and will confine myself to those aspects of paramount relevance to the chain of inspiration, initiative, and action

→ 10 Von. Winkle

→ 20 (Evening ~~[illegible]~~ Brubeck)

→ 22 matinee

America is in its Bicentennial Year. The Countdown to Independence Day has begun.

It is appropriate for the first address that I as President should make on the Bicentennial should occur here where it all began. It is one of the ironies of history that within a few miles of this place the first permanent English settlement in the new world would be made in 1607 and that 174 years later only 20 miles away at Yorktown the American Revolution would end British colonial rule.

I am aware of the history of the Commonwealth and the heritage of Virginia. I would also point out, what I am sure this Assembly knows, is that 100 years prior to the American Revolution the colony of Virginia in a preclude to Independence overthrew its royal government and for a

brief but significant period in American history asserted its independence from the Crown, under the leadership of Nathaniel Bacon. Bacon's rebellion planted, many believe, the seeds of the American Revolution.

Knowing Virginia's appreciation of history, I am sure that these Tercentennial events will be properly noted.

As I am sure many of you are aware, the Commonwealth is my second home. Betty and I still own our home of many years in Alexandria and our younsters have been educated in your schools. So I hope that you will not feel I come as a stranger.

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