

Lafayette, Citizen of America

Maryland Legislature Conferred Franchise Upon Him and His Male Heirs Forever—He Rests in American Soil

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IN honoring the memory of Lafayette upon the anniversary of his birth, Sept. 6, it will be general reason for gratification to bear in mind two extraordinary and interesting facts about our relations to him which have but recently come to light.

The first is the fact that to this day the heirs of Lafayette remain citizens of the United States, purely through an act of the Maryland Legislature, passed several years before the Constitution of the United States was ratified.

The second lies in the exquisite tribute of affection which Lafayette paid our country (but now revealed through the publication of the memoirs of one of his intimate friends) in that at his death he provided that his body be interred in the little Picpus Cemetery at Vincennes, but that it be interred in American soil.

The first of these episodes draws our attention to the State of Maryland, and in particular to its capital at Annapolis, which during Colonial days was the seat of beauty and fashion, the home of the first theatre in America, and centre of that charm and hospitality which Winston Churchill has pictured in "Richard Carvel." During the Revolution and immediately thereafter it remained no less significant, since, lying as it did on the direct line of travel to the north by way of Rock Hall on the eastern shore, it received all the prominent Generals of the war as they passed from north to south, and vice versa.

Here Lafayette, De Kalb, Rochambeau, and Washington were well-known figures, but the Frenchmen especially, a fact noted in 1910 when President Taft and the French Ambassador took part in the unveiling of a memorial in the field where French soldiers and sailors now

lie buried. Here, long before the Annapolis Convention of 1786 met to discuss proposed changes in the Articles of Confederation, the city had seen the Provisional Congress of the scattered States meet within her halls. The townsmen, conscious of the national importance which came to them through the meetings of the Provisional Congress in their Senate Hall, were eager to pay to the benefactors of the country a higher tribute than was paid in other States. This brings us to the important incident which occurred during Lafayette's second visit to America.

On Nov. 29, 1784, Lafayette, accompanied by General Washington, arrived in Annapolis, and on the following day, at the direction of the Legislature, a ball was given in honor of the visitors. A report of the ball was made by The Maryland Gazette on the day after. That the presence of Lafayette in the Colonial city was the all-important event to its inhabitants is seen in the fact that the official addresses made were devoted to him, while Washington appeared content with the tribute to his Aide de Camp. The first address was from the executive branch of the Government, and was signed by William Paca, Maryland's famous war Governor. These included speeches by Governor Paca, the President of the Maryland Senate, and the Speaker of the House of Delegates.

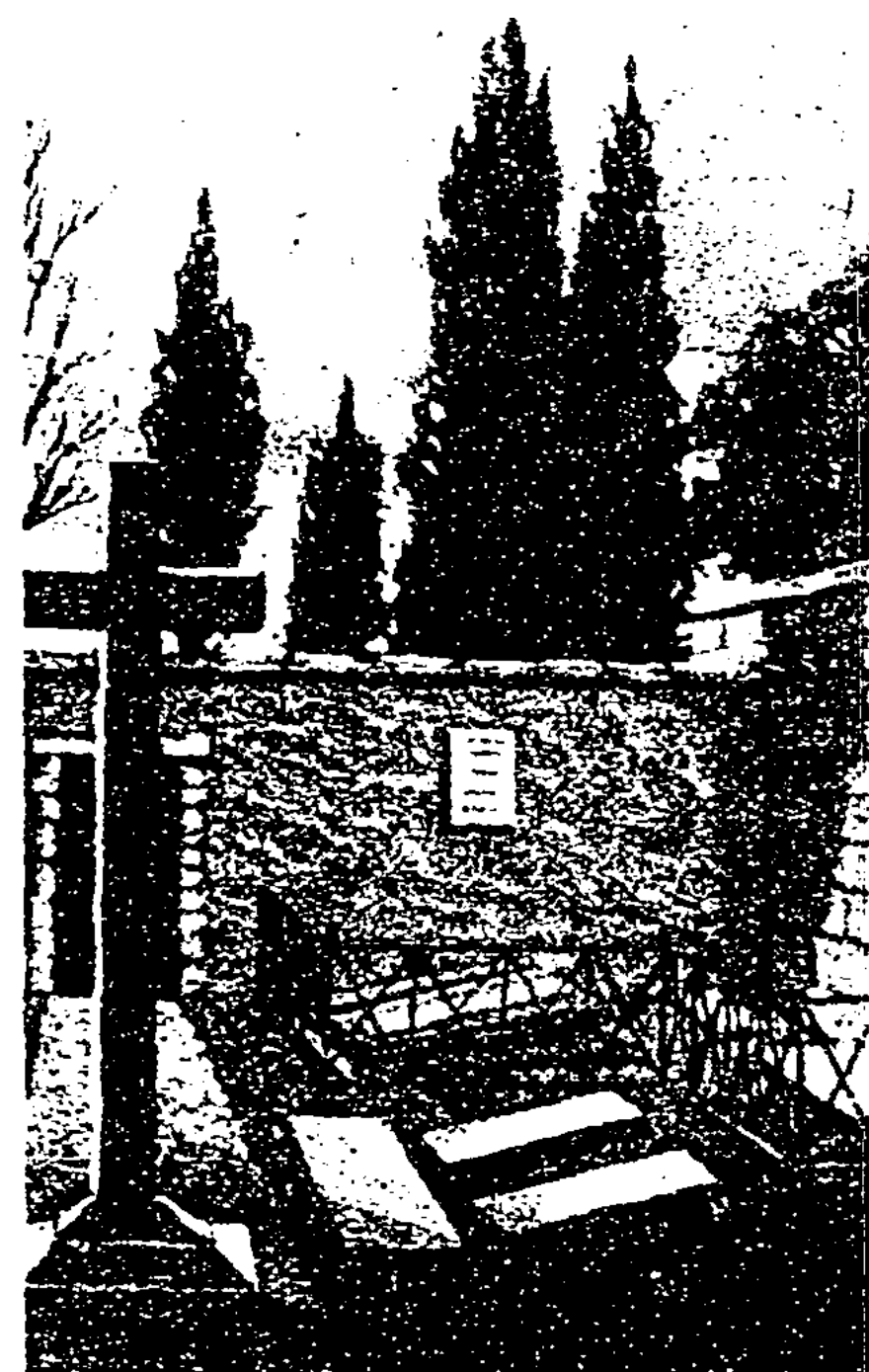
Annapolis had been the seat of what was then the United States Congress until within a month of the time this incident took place there. Here, in the Senate Chamber, on Dec. 23, 1783, George Washington resigned his commission as Commander in Chief of the forces of the United States. Here, too, on Jan. 14, 1784, delegates from nine States being present, Congress officially ratified and proclaimed the treaty of

peace with Great Britain made on Sept. 3 of the previous year in Paris.

Throughout this year and until Nov. 1, 1784, when Congress met in Trenton, the Government of the United States had its seat in Annapolis. It is not surprising, therefore, that the inspiration of this fact, coupled with the visits of Lafayette to Annapolis, gave birth to an act on the part of the Legislature of Maryland which has remained unique in the history of the relations of our country with France. There is no record anywhere that the Congress of the United States ever voted to extend citizenship to Lafayette, though the record of its interest and veneration for him extends in a series of acts, over something like half a century. Neither is there any evidence that Congress ever gave approval to an act, passed by Maryland, which would today be considered unconstitutional without the sanction of Congress. Maryland took it upon herself, in a burst of enthusiasm, to make Lafayette a citizen of the United States. And, not content with that, she included as well, in this act of naturalization, the male heirs of Lafayette for all time.

The first article of the United States Constitution, enumerating the powers of Congress, gives to it exclusively the right to establish rules of naturalization, which are to remain uniform for all the States. When the various States ratified the Constitution (and it is a fact which has been frequently so interpreted by the United States Supreme Court) it was understood that all persons who were citizens of the respective States at the time of that ratification became citizens of the United States.

The Supreme Court has never made any inquiry as to the means which these respective States employed to make their own citizens in that early period,



Tomb of Lafayette in the Cemetery at Picpus.

nor as to the limit of power which a State then had to extend that citizenship to a man's heirs. It follows therefore that this act of the State of Maryland, passed in 1784, is altogether constitutional and binding. It means that the male heirs of Lafayette will be forever citizens of the United States.

The third and last visit of Lafayette (his triumphal tour of 1824-1825) brought about a second episode of peculiar significance. Lafayette's visit to this country was inspired by the letter which President Monroe sent to him on Feb. 7, 1824, under a resolution of Congress "to communicate to him assurances of grateful and affectionate attachment still cherished for him by the Government and people of the United States of America"; and offering to send him a "national ship with suitable accommodations" to bring him to these shores

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An Act to naturalize Major General the Marquiss de la Fayette and his heirs male forever.

Whereas the General Assembly of Maryland anxious to perpetuate a name dear to the State and to recognize the Marquiss de la Fayette for one of its Citizens who at the Age of nineteen left his native Country and risked his life in the late revolution who on his joining the American Army after being appointed by Congress to the rank of Major General disinterestedly refused the usual rewards of Command and fought only to deserve, what he attained, the Character of Patriot and Soldier who when appointed to conduct an incursion into Canada called forth by his prudence and extraordinary discretion the approbation of Congress who at the head of an Army in Virginia baffled the Maneuvers of a distinguished General, and excited the admiration of the oldest Commanders who early attracted the notice and obtained the friendship of the illustrious (General) Washington, and who laboured and succeeded in raising the honor and the name of the United States of America, therefore

Be it enacted by the General Assembly of Maryland that the Marquiss de la Fayette and his heirs male forever shall be and they and each of them are hereby deemed adjudged and taken to be natural born Citizens of this State and shall henceforth be entitled to all the Immunities, Rights and Privileges of natural born Citizens thereof.

Facsimile of Act of the Maryland House of Delegates, Passed Dec. 28, 1784, Naturalizing Marquis de Lafayette and His Male Heirs Forever. The Original is in the Archives of the Court of Appeals, Annapolis, Md.

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they and every of them conforming to the Constitution and Laws of this State in the Enjoyment and Exercise of such Immunities, Rights and Privileges.

By the Senate Dec. 28 1784.

Read and assented to.

By Order

J. Dwight

By the House of Delegates December 28th 1784

Read and assented to.

By Order W. Harwood

W. Paca

Courtesy of The Mentor.

An Act to naturalize Major General the Marquiss de la Fayette and his Heirs Male Forever.

Whereas the General Assembly of Maryland anxious to perpetuate a name dear to the State and to recognize the Marquiss de la Fayette for one of its Citizens who at the Age of nineteen left his native Country and risked his life in the late revolution—who on his joining the American Army, after being appointed by Congress to the rank of Major General, disinterestedly refused the usual rewards of Command, and fought only to deserve, what he attained, the Character of Patriot and Soldier—who when appointed to conduct an incursion into Canada called forth by his prudence and extraordinary discretion the approbation of Congress—who at the head of an Army in Virginia baffled the Maneuvers of a distinguished General, and excited the admiration of the oldest Commanders—who early attracted the notice and obtained the friendship of the illustrious (General) Washington, and who laboured and succeeded in raising the honour and the name of the United States of America, therefore

Be it enacted by the General Assembly of Maryland—that the Marquiss de la Fayette and his Heirs male forever shall be and they and each of them are hereby deemed adjudged and taken to be natural born Citizens of this State and shall henceforth be intitled to all the Immunities, Rights and Privileges of natural born Citizens thereof, they and every one of them conforming to the Constitution and Laws of this State in the Enjoyment and Exercise of such Immunities, Rights and Privileges.

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WM. PACA

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whenever he was ready to embark. At this period of our history it is gratifying to read, in a work now altogether forgotten but one which should be translated and placed in the hands of American youth, of his journey of triumph throughout the United States and its proof that democracies do not always forget their benefactors.

Levasseur, the Secretary of Lafayette, who, with Lafayette's only son, named after George Washington, accompanied him throughout that triumphal voyage, recounts in his two-volume work published in 1829 in Paris, with what peculiar pleasure the invitation of the United States came to his master in those days.

Lafayette arrived in New York on Aug. 16. From there he proceeded to Boston, and then went as far north as Portsmouth, N. H., then back to New York, and south to Yorktown, Washington, Charleston, and New Orleans. At the last named place he must have seen for the first time the extent of the "township of land" which the Seventh and Eighth Congresses, of 1803 and 1804, respectively, had granted to him. He passed up the Mississippi River, then through Kentucky, Ohio, and New York States, to Boston again, where he desired to be present at the laying of the cornerstone of Bunker Hill Monument on June 17, 1825. He now turned south to take leave of his friends in Virginia, and, having passed through the Potomac River, he sailed for home on Sept. 8, 1825.

On Lafayette's first arrival at New York the Governor, the Mayor, and other important citizens went out into the harbor to meet him and to escort him into the city. From Boston, where he received great homage, he was escorted to Harvard College to hear the oration before the Phi Beta Kappa Society. In a church crowded as never in its history an audience listened breathlessly to the orator, Edward Everett, who, concluding his address, paid tribute to Lafayette.

On his return to New York a grand public ball was given to him at Castle Garden, in a large hall built on the water's edge, at the foot of the Battery. The hall was magnificently ornamented, and as the General took his seat, what appeared to be a painting in front of the gallery was raised and there was suddenly exhibited a huge transparency with a view of Lagrange, and underneath the words: "His Home."

Lafayette passed on from there to Philadelphia, to Baltimore, and then to the tomb of Washington, where incidents of a solemn nature transpired. He arrived at Yorktown on Oct. 19, the anniversary of Lord Cornwallis's surrender, and saw the fields again white with tents, but this time the occupants were friends of peace collected to do him homage. After a restful visit at Monticello with Jefferson, whose health had now become too precarious to permit his taking part in the public festivities, he went to Washington, and was received with profound and fitting ceremonies by the Senate and the House.

Toward the close of the Summer there came the painful farewells to be made to his American friends. In Virginia he took leave of ex-Presidents Jefferson, Madison, and Monroe. Then, on Sept. 6, in commemoration of his birthday, the new President, John Quincy Adams, gave a great dinner in his honor at the White House, to which many of the distinguished men of the country were invited. The next day Lafayette received and answered a farewell address from the President, and then, followed by a procession of cheering thousands, he embarked, and for the last time, for his native land.

The touching significance of all this journey lies in what Lafayette now had collected and brought aboard his ship, to assure himself that in death as in life

he would have the comfort of being happy most in American soil. Touched by the genuine affection and esteem with which he was held throughout this land, his thoughts must have turned often and sadly to his own now declining years. So he had gathered from some one of the battlefields upon which he had fought for American independence a dozen barrels full of earth, which he had brought aboard his ship and which he carried back with him to France. Today, in the Picpus Cemetery where lie the remains of Duke Lewis, of the Genoud family, and of the Lafayettes, in a silent and noble place consecrated to a few members of the French aristocracy, General Lafayette, the citizen of two countries, lies buried in American soil!

There are few indeed to whom this fact is generally known. It is nowhere mentioned in his biography, nor in the countless lives written upon him by both Frenchmen and our own countrymen. The fact, however, is made authentic by one of Lafayette's intimate contemporaries, Baron Thiébault, in his five-volume *Memoirs* published in Paris for the first time in 1895 by Fernand Calmettes. This is a work apparently unknown to Americans. Baron Thiébault, or, more accurately, General Thiébault, was the son of Dieudonne Thiébault, a distinguished Frenchman of letters of the eighteenth century. The son became a volunteer in Napoleon's forces in 1792, became a General in the Napoleonic army, a Baron in the Empire, a Governor of Hamburg and of Lubeck under Napoleon, and with him made the campaigns of Italy, of Prussia, and of Austria, observing from the most intimate angle the astonishing rise and the decline of Napoleon's fortunes. Despite his great valor and genius, it is believed that his pride and his malicious and indiscreet discussions of such men as Soult, Suchet, Macdonald, and others withheld from him the baton of a Marshal of France which his companions received and to which he believed himself entitled.

Baron Thiébault died some years after Lafayette, and his *Memoirs*, carefully collected by his daughter, and finally published at the close of the century, are now of exceedingly great value for the intimate details they contain of many of the personages in the Empire, as well as of the days following, details not usually known to the student, but of persons with whom Thiébault was intimately connected.

In referring to Lafayette's death it is interesting to note that this lifelong adherent of Napoleon appeared to have little sympathy with Lafayette's careful preparations to be buried in American earth, since he concludes his account of the matter with the words: "What a bizarre idea this was for a man to remain in France and yet choose to be interred in the soil of America!"

Bizarre indeed this may have appeared to this soldier of the Empire. To us in this year 1919 what an exquisite tribute was this paid to our land by the knight of two continents who fought only for human liberty.