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 the general reason for gratification to bear in mind two extraordinary and interesting facts about 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 twenty-five years before the actual revolution 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, in particular to its capital at Annapolis, which during Colonial days was the seat of King and Father; the home of the first theatre in America, and centre of that charm and hospitality which Win- ston Churchill has described as "the American Carvel." During the Revolution and immediately thereafter it remained no less significant, also being the scene of the direct line of travel to the north by way of the Potomac River. There also 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 another famous name is that of Gen. James Monroe, a fact noted in 1910 when President Taft and the French Ambassador took part in the unveiling ceremony 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 Con- federation, the city was host to the Pro- visional Congress of the scattered States which met within her walls. The lawmakers, conscious of the national importance which came to them through the meetings in their Senate Hall, were eager to pay 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 visitor. A ball was the custom of 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 affidavits and addresses 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 Gov- ernment, 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 this incident. Here, in the Senate Chamber, on Dec. 22, 1783, George Washington resigned his com- mand 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, 1785, Congress met in Annapolis, and 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 General Assembly of Maryland which has remained unique in the history of that State and of the 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 approbation to the act of 1784 by Maryland, which would today be considered uncon- stitutional without the sanction of Con- gress. Maryland took it upon herself in a burst of enthusiasm, to make Lacyfotte 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 ex- clusively the right to establish rules of naturalisation, which are to remain unif- form for all the States. When the vari- ous States ratified the Constitution (and it is a fact which has been frequently so interpreted by the United States Su- preme Court) it was understood that all naturalisations within the jurisdic- tion of the States at the time that ratifi- cation became citizens of the United States.

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

An Act to naturalize Major General the Marquis de Lafayette and his Heirs Male Forever.

Whereas the General Assembly of Maryland anxious to perpetuate a name dear to the State and to recognize the Marquis de Lafayette for one of its Citizens who at the Age of nineteen left his native Country and risked his life in the late revolution—whereas he on the joining the American Army was commissioned as Commander in Chief of the forces of the United States—whereas he at the head of French and American armies driven a Village near Westmoreland, Virginia, and beat the British 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 suc- ceeded in bringing about the final separation and the name of the United States of America, therefore

Be it enacted by the General Assembly of Maryland—that the Marquis de Lafayette and his Heirs male forever shall be and they and each of them are hereby declared to be natural born Citizens of this State and shall hence- forth be entitled 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 Commonwealth and the United States.

By the House of Delegates, December 28, 1784.

Reid and assented to.

J. Dwight.

WM. PACA.

By Order of the House of Delegates, December 28, 1784.

Reid and assented to.

J. Dwight.

By Order of W. Harwood.
he would have the comfort of being happy most in American soil. Touching by the genuine affection and esteem with which he has been regarded, his thoughts have turned many and often to his own now declining years. So he had gathered from some of his dear battelfields upon which he had fought for American independence a dozen bars full of earth, which he had brought aboard his ship, which he carried back with him to France. Today, in the Pieux Cemetery where he lies the remains of Duke Lewis, of the Genoa family, and of the Lafayettes, in a silent and none 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 lines written upon him by both Frenchmen and our own countrymen.

The fact, however, is made authentic by one of Lafayette's intimate contemporaries, Baron Thibault, in his first volume Memoirs published in Paris in 1845 for the first time in 1895 by Fernand Callette. This is a work apparently little known to Americans. Baron Thibault, or, more accurately, General Thibault, and his distinguished Frenchman of letters of the eighteenth century. The son became a volunteer in Napoleon's forces in 1792, became a General in the Napoleon army, a Baron in the Empire, a Governor of Hamburg and of Lubeck under Napoleon, and with him made the campaign 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 malignity and indirect discussions of such men as Soult, Suchet, Macdonald, and others withheld from him the baten of a Marshal of France which his companions received and to which he believed himself entitled.

Baron Thibault died some years after the death of Lafayette, and his Memoirs, carefully collected by his daughter, and finally published at the close of the century, show the correctness of the intimate details they contain of many of the personages in the Empire, as well as the by no means entirely unknown to the student, but of persons with whom Thibault was intimately acquainted.

In referring to Lafayette's death it is interesting to note that this lifelong adherent of Napoleon appeared to have made every preparation to be buried in American earth, since he concludes his account of the story with the words of a bizarre idea this was for a man to remain in France and yet choose to be interred in America.

Bizanne indeed this may have appeared to this soldier of the Empire. To us in this year 1919 what an exquisite tribute to Lafayette was, but it was the last of two continents who fought only for human liberty.