



City of
Rockville
Get Into It

Historic District Commission Staff Report: Certificate of Approval HDC2016-00756, 29 Courthouse Square

MEETING DATE: 9/17/15

REPORT DATE: 9/10/15

FROM: Sheila Bashiri, Preservation Planner,
240.314.8236
sbashiri@rockvillemd.gov

APPLICATION DESCRIPTION: Certificate of Approval for the removal of the Confederate soldier monument from the Red Brick Courthouse property

APPLICANT: Montgomery County
Greg Ossont, Deputy Director
Department of General Services
101 Monroe St., 9th Floor
Rockville, MD 20850

FILING DATE: 7/31/15

RECOMMENDATION: Finding that the proposal to remove the Confederate soldier monument from the property meets the Secretary of the Interior's Standards for Rehabilitation #2, #3 and #10; and that the proposed work will not affect the historic integrity of the building and/or the site, staff recommends approval.

EXECUTIVE SUMMARY: The application proposes the removal of the existing Confederate soldier monument from the east lawn of the Red Brick Courthouse.



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Courthouse Square (North) Elevation of Red Brick Courthouse

RECOMMENDATION

Finding that the proposal to remove the Confederate soldier monument from the property meets the Secretary of the Interior's Standards for Rehabilitation #2, #3 and #10; and that the proposed work will not affect the historic integrity of the building and/or the site, staff recommends approval.

SITE DESCRIPTION

- Location:** 29 Courthouse Square – Red Brick Courthouse
- Applicant:** Montgomery County, Department of General Services, Greg Ossont, Deputy Director
- Land Use Designation:** Public and Institutional
- Zoning District:** MXTD-HD
- Existing Use:** Office
- Parcel Area:** ca. 20,000 sf
- Subdivision:** Original Town of Rockville



Rear (south) Elevation of Red Brick Courthouse



Aerial View of South and East Elevations of Red Brick Courthouse

Site Analysis:

The Red Brick Courthouse is a prominent feature in downtown Rockville. The 1891 Red Brick Courthouse was designed in the Romanesque Revival style, which was popular for important public buildings at the end of the 19th century. The rectangular Courthouse faces north onto what was once Rockville's main street. The building is bounded by Courthouse Square on the north, Maryland Avenue on the east, and East Jefferson Street on the south. In 1931, the stone Grey Courthouse was constructed on the west side of the Red Brick Courthouse, and the two buildings were connected by a narrow hallway. After the Circuit Court and other departments were moved to the 1931 Grey Courthouse, the 1891 Courthouse housed smaller offices and lesser courts. An addition was built onto the west side of the 1931 Grey Courthouse in 1960.

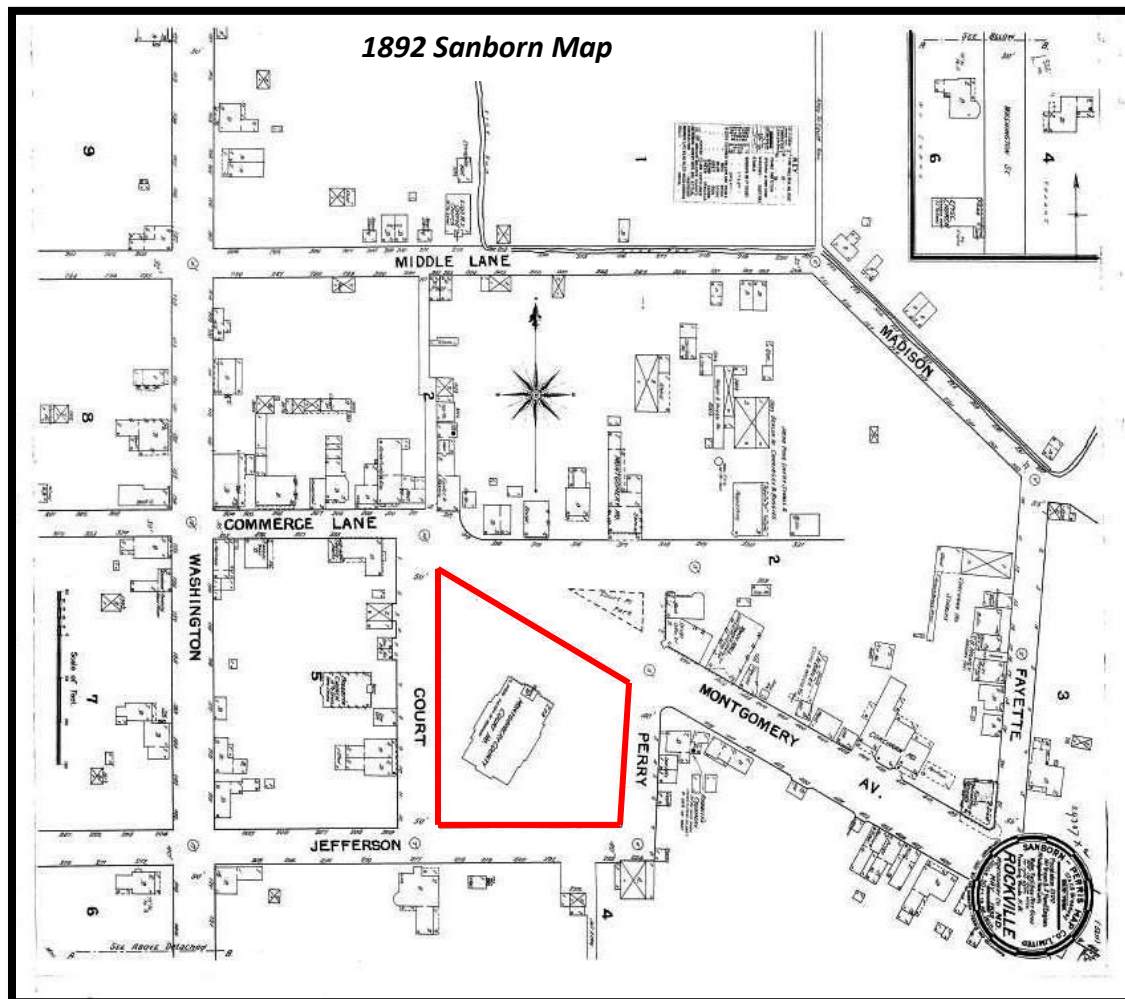
The Courthouse sits on a landscaped site with mature trees, plant beds and a lawn that slopes down to a low stone wall edging the sidewalk on the east and north sides. At the front of the building, a tall fountain with a sculpture stands in a circle of manicured hedges and concrete benches. Brick paths radiate from the fountain to the building, Courthouse Square, through the east lawn to the 9/11 Memorial Park, and the parking lot. The Confederate soldier monument is located on the east lawn of the Red Brick Courthouse. A parking lot is located on the south side of the property.

DISCUSSION OF THE PROPOSED PROJECT

Montgomery County proposes to remove the Confederate soldier monument from the east lawn of the Red Brick Courthouse property. The Confederate soldier monument was placed on the grounds of the Red Brick Courthouse in 1971 after being moved from its original location within a park in front of the courthouse on East Montgomery Avenue.

Red Brick Courthouse

In December 1974, the Mayor and Council designated the 1891 Red Brick Courthouse as a “Single – Landmark” Courthouse District. The Courthouse was designated because it is significant both historically and architecturally. Historically, the boundaries of the Courthouse were East Montgomery Avenue on the north, Perry Street (Maryland Avenue) on the east, Jefferson Street on the South and Court Street on the west. The Red Brick Courthouse was constructed on the site of two previous Montgomery County courthouses. It replaced an 1840 courthouse structure, which had replaced the first courthouse authorized by the 1776 Continental Congress. As the third courthouse to occupy that location, the site is as significant as the building. The Red Brick Courthouse was the center of government activity and it played an integral part in the development and growth of Montgomery County and the City of Rockville. It was a place to meet-up and interact with friends, and as many as 150 couples were married at the courthouse each month. The events that took place on this site and in this building exemplified the cultural, social, economic, political, and historical heritage of both the City, and the County.





Courthouse Square (north) Elevation of the Red Brick Courthouse c. 1914

The Red Brick Courthouse is architecturally significant. Designed before the turn of the century by prominent Baltimore architect, Frank E. Davis, the exterior remains virtually unaltered. The imposing Victorian Romanesque structure has steeply pitched rooflines, Roman (rounded) arches, a variety of colors and textures, and a soaring tower, which was Rockville's most prominent landmark. In fact, for many of the towers found in the historic homes and buildings throughout the city, the trend started here. The Courthouse sat on granite ashlar block foundations, was constructed of red pressed handmade brick, and windows were trimmed in Seneca sandstone that was quarried in Montgomery County. In addition to being the last building of this architectural style constructed in Montgomery County, with exterior walls that are 24" thick at the base, it was also one of the last load-bearing masonry structures erected in Montgomery County. The grand Red Brick Courthouse, sitting on the elevated site, represented an established visual feature of the City.



Courthouse Square (north) Elevation of the Red Brick Courthouse c. 1975

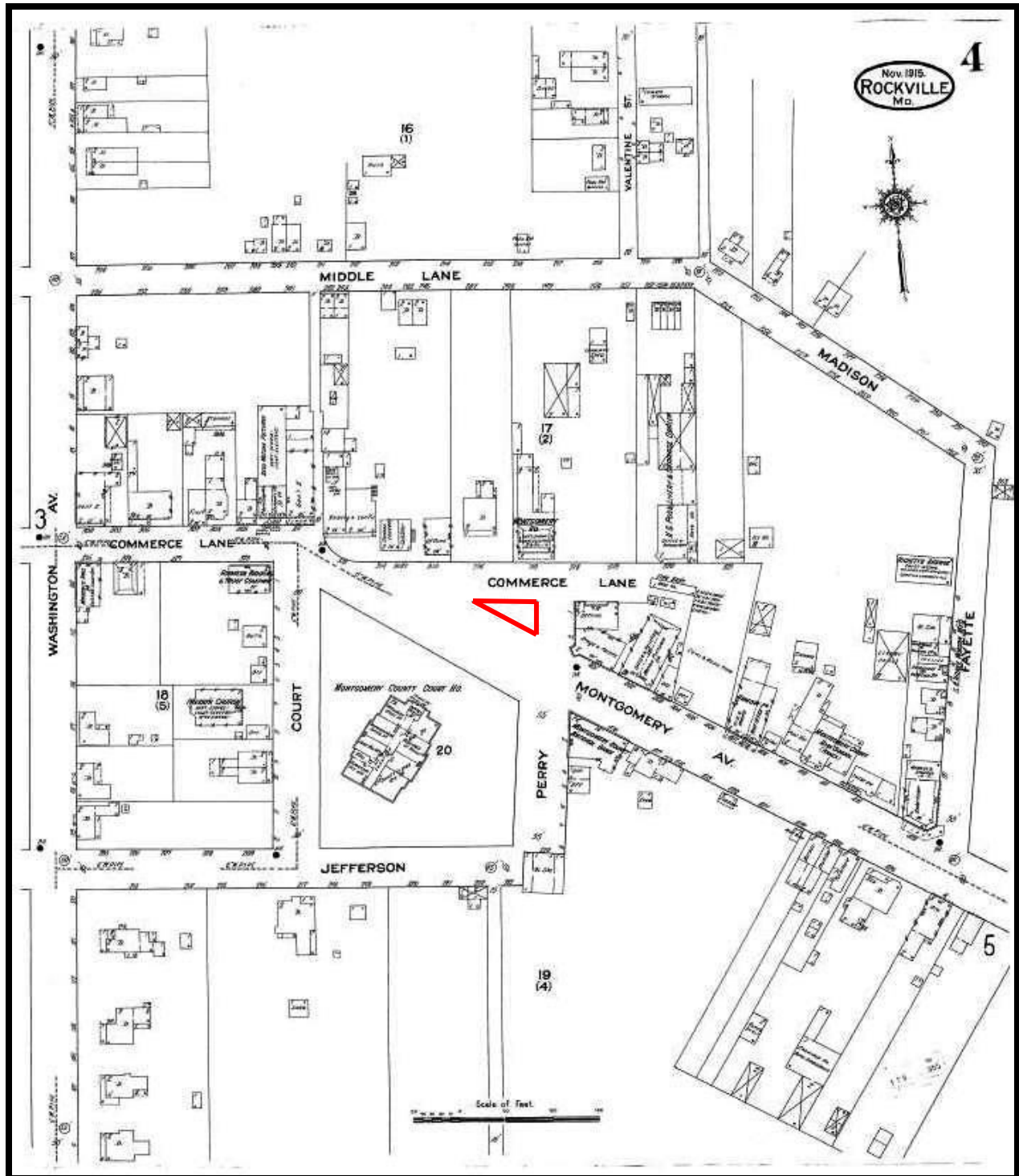


Confederate Soldier Monument at Courthouse Square Facing South Toward Courthouse. c. 1915

Confederate Soldier Monument

According to Susan C. Soderberg's article, "*The Confederate Monument and Its Symbolism*," (*The Montgomery County Story*, August, 1993) the original plan, which began in 1906, was to erect a Confederate soldier monument in Monocacy Cemetery in Beallsville, to honor the men of Montgomery County who fought for the Confederacy. Historic Monument Committee meeting minutes confirm the idea wasn't acted upon until 1911, when the Ridgely Brown Camp of Confederate Veterans and United Daughters of the Confederacy from Montgomery County, began raising funds to erect a monument in Rockville, the county seat of Montgomery County.

In June 1913, the monument was erected in a triangular park called Courthouse Square, bounded by East Montgomery Avenue on the south, Perry Street (Maryland Avenue) on the east, and Commerce Lane on the north. Prior to Urban Renewal, Courthouse Square was situated across the street from the Red Brick Courthouse on East Montgomery Avenue, and while the monument was not on Courthouse property, it maintained a relationship to the Courthouse through its close proximity. This placement in the center of the City's main street, in such a prominent location, helped to define Rockville's original town center. The monument remained in that location for nearly sixty years, from 1913 to 1971.



1915 Sanborn Map showing the Location of the Confederate Soldier Monument at Courthouse Square



Confederate Soldier Monument at Courthouse Square Facing South Toward Courthouse. Date Unknown

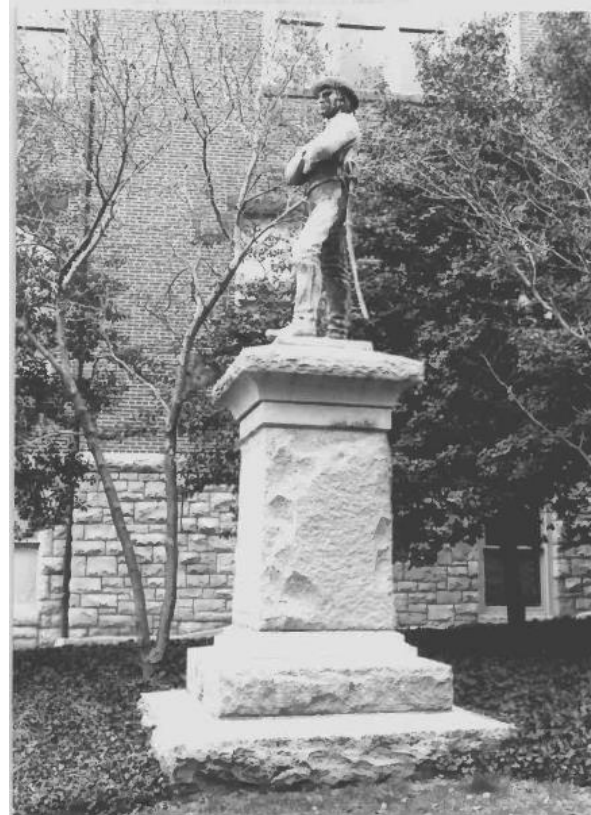


Confederate Soldier Monument on East Lawn of Red Brick Courthouse Facing South

The life-size bronze Confederate soldier monument is mounted on a granite pedestal, facing south toward the 9/11 Memorial and East Jefferson Street. The elevated site is well landscaped and surrounded by mature hollies, Dogwoods, and Tulip Magnolia trees that somewhat visually obscure the monument to passersby on the Maryland Avenue sidewalk. The monument is more visible to pedestrians using the brick paths of the Red Brick Courthouse grounds. Maryland Historical Trust (MHT) conducted a survey on the monument as part of the larger Maryland Military Monuments Inventory program in April of 1994. According the survey, the boundaries of the monument are "8' square centered on the monument." The following is a description of the Confederate soldier monument from the survey:

The statue stands with arms crossed, left leg forward with toe beyond the edge of a low bronze plinth, sabre on his left hip, and a pistol on his belt. The granite pedestal, square in plan, is topped with a hipped, rockfaced cap set off by cavetto molding and a smooth fascia below. The die of the pedestal (the central section which carries the inscription) tapers slightly and is rockfaced on all sides; on the south face the rusticated finish frames a smooth raised panel with the inscription:

TO
OUR HEROES
OF MONTGOMERY CO. MARYLAND
THAT WE THROUGH LIFE
MAY NOT FORGET TO LOVE
THE THIN GRAY LINE
ERECTED A.D. 1913



Front and Side View of Confederate Soldier Monument on East Lawn of Red Brick Courthouse Facing South, 1993

Below the die is a stepped base, with two smooth and shallow hipped steps supported by two rockfaced, hipped bases. The second base (above the lowest first base) is smooth on the south side and carries the insignia of the Confederate Sons of America (the intertwined letters C, S and A within a laurel wreath), flanked by the dates 1861 and 1865, all carved in relief.

In 1971, the City of Rockville was in the midst of a major urban renewal project. The downtown area was redesigned, East Montgomery Avenue was closed, and traffic was rerouted. It was necessary to remove Courthouse Square and the Confederate soldier monument. According to Planning Department records, the urban design consultant to the City suggested that the monument be moved to the east lawn of the Courthouse to make room for the construction of the redesigned Courthouse Square. After much public discussion, and controversy, the Mayor and Council, acting as the Local Public Agency for Urban Renewal, held a public hearing on the disposition of the statue. The County Executive consented to have the monument relocated to its current location on the east lawn of the Red Brick Courthouse.

By this time, the Red Brick Courthouse was eighty-one years old. The construction of the 1960 addition on the 1931 Grey Courthouse, the demolition threats from Urban Renewal, and the obsolescence of the old building in the modern world took its toll on the building. According to an article in the *Montgomery County Sentinel*, by the time the Confederate soldier monument was placed on the east lawn in November 1971, the Red Brick Courthouse sat empty.



Looking East on E. Montgomery Avenue at Busy Traffic Traveling Towards and Away From the Confederate Soldier Monument at Courthouse Square.



View of Confederate Soldier Monument's solitary location on East Lawn of Red Brick Courthouse, 1985

The Red Brick Courthouse and The Confederate Soldier Monument

The grounds of the Red Brick Courthouse are landscaped with mature trees, plantings and lawn that have always been part of the expansive setting of the building. The landscape components of the site made it an attractive location in which to place the Confederate soldier monument. In the years since the monument was relocated to the east lawn, additional landscaping and trees has been added to give it a park-like setting.

The monument's location at the Red Brick Courthouse is very different in comparison to its original site at Courthouse Square. When the monument sat in Courthouse Square, it was a focal point and the center of activity. Now it resides in a comparatively quiet location that is almost contemplative. The trees and landscaping have continued to grow around the monument, giving it so much privacy, that numerous people have commented that they've walked past the the Red Brick Courthouse many times, and were unaware that the monument was there.

The Period of Significance is defined as:

The length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it as a significant example of a type, period, or method of construction. Period of significance usually begins and ends with the dates when significant activities or events occurred, giving the property its historic significance; for a significant example of a type, period, or method of construction this is often a date of construction.

The period of significance for the Red Brick Courthouse is 1891-1931. These are the years that the building was at its highest and best use. In 1931 the County had outgrown the building and constructed the new Grey Courthouse next door. The Red Brick Courthouse was relegated to less important functions. Architecturally, the period of significance is 1891, the year of construction.

In contrast, the period of significance for the Confederate soldier monument is 1913-1971. During this period, the monument was at its original site in Courthouse Square. The site was prominent, and the monument was appreciated and celebrated with events and activities. The the unveiling of the monument was held on June 3, Jefferson Davis' birthday and Confederate Memorial Day in many areas of the south, before a crowd of over 3000, with politicians and representatives from all over the state and country. Numerous newspaper articles and photographs depict the significance that the monument continued to hold in the community long after it had been erected. Photos of dignitaries from other countries placing wreaths at the soldier's feet, and stories like the one that tells how in March of 1939, the United Daughters of the Confederacy fought off an attempt to put a 2-ton, 16' clock in the square, can be found. When the monument had to be relocated, it created an enormous uproar from the public, who had various opinions about where to move it, or not move it, or whether to just get rid of it. That generated a lot of photos and articles as well. After it was relocated to the east lawn of the Red Brick Courthouse with a dedication ceremony, its period of significance ended.



Aerial View of North and East Elevations of Red Brick Courthouse with Confederate Soldier Monument in Lower Left, 1985



Aerial View of East Elevation of Red Brick Courthouse with Confederate Soldier Monument in Lower Right, 1985

Whether it was intended or not, the 1974 "Single-Landmark" Courthouse District designation of the Red Brick Courthouse saved it from the constant threat of demolition that it had been facing. In 1986, the Red Brick Courthouse, along with the 1931 Grey Courthouse, the Police Station (Old Post Office), M&T Bank (formerly Farmers' Banking and Trust Company), Christ Episcopal Church, and the houses at 100-110 South Washington Street, were designated as the Montgomery County Courthouse District by the National Register of Historic Places (NRHP). The NRHP report includes a paragraph about the monument with a short history. The Confederate soldier monument has Federal and State recognition, in that it is noted in the NRHP form, but it is not separately designated. Similarly, while it is located in the Courthouse Square Historic District, it is not locally designated as a "Single-Landmark" in the City of Rockville as a separate element within the district.

The property also has a historic preservation easement that is held by the MHT which requires that changes to the property must receive permission from the Director of MHT. In response to an inquiry regarding removal of the monument, Elizabeth Hughes, Acting Director of the MHT, submitted the following statement:

The Maryland Historical Trust holds an historic preservation easement on the Red Brick Courthouse. The easement speaks to the requirement that the Director of the Trust must provide express written consent for certain types of changes or alterations to the property. However, after a careful review of the easement language with our attorneys, we have determined that removal of the statue is not one of those changes that would require approval by the Director of the Trust.

The easement does require that any new "building, structure or improvement" on the property needs prior approval by the Director of the Trust. The erection of an additional statue or installation of interpretive signage, for example, would be covered by this language. Only "lighting and other utilities, sidewalks, signs and benches" are permitted to be installed without prior approval of the Director.

Analysis and Recommendation

In accordance with Section 25.07.13.c.2.(b) of the *Zoning Ordinance of The City of Rockville (2008)* requires that Certificates of Approval are reviewed based on the following:

In reviewing the plans for any such construction or change, the Historic District Commission will give consideration to:

- i. The effect of the proposed changes on the general character of the designated Historic District, weighing their impacts on the integrity of the structures on the property and the related environmental setting;
- ii. The historic and aesthetic compatibility of the proposed alterations with historically significant structures;
- iii. The following are sources of design review:
 - A. Senkevitch, Anatole, Jr., *"Adopted Architectural Design Guidelines for the Exterior Rehabilitation of Buildings in Rockville's Historic Districts,"* Adopted 1997;
 - B. *U.S. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*, as amended; and
 - C. City of Rockville: *"Technical Guides for Exterior Alterations"*, Adopted 2004 as amended;
- iv. Any other factors provided in the Land Use Article, Chapter 8 of the Maryland Code

In reviewing this proposal using the Secretary of Interior Standards, the Historic District Commission must determine if the Confederate soldier monument is a contributing resource to the Red Brick Courthouse and if removing it from the east lawn of the property will affect the historic integrity of the building and site. The following Secretary of Interior Standards apply:

The Secretary of Interior Standards #2 states:

"The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided."

The monument is not a contributing resource to the courthouse and no evidence has been found of specific events at the monument that clearly relate to the courthouse's significance. The monument was moved to the courthouse in 1971, which is well outside of the 1891-1931 period of significance of the property. The 1971 move ended the period of significance for the monument itself, and the monument has not gained significance of its own since relocating to this property. Therefore, removing the

monument from the site will not have an adverse effect on the property.

The Secretary of Interior Standards #4 states:

“Changes to a property that have acquired historic significance in their own right will be retained and preserved.”

The monument is not a contributing resource to the courthouse property and no evidence has been found that specific events have occurred at the monument since 1971 that clearly relate to the courthouse’s significance. Additionally, there is no evidence that the monument has gained significance of its own since relocating to this property in 1971.

The Secretary of Interior Standards #10 states;

“New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

The Red Brick Courthouse property was well landscaped during its 1891-1931 period of significance, and prior to the placement of the Confederate soldier monument in 1971. The removal of the monument will not have an adverse effect on the Courthouse property, and applicant will be required to provide a landscaping plan for that area.

Maryland Land Use Article

The requirements of the *Maryland Land Use Article* (Sec. 8-303) have been taken into consideration, including the following as discussed in this report:

- I. The historic significance of the site and building and its relationship to the monument;
and
- II. The relationship of the exterior architectural features of the courthouse to the monument and to the surrounding area.

Significance of Confederate Soldier Monument

While the Confederate soldier monument is not historically significant to the Red Brick Courthouse, it does not mean that it is not significant in its own right. National Register Criteria Considerations (*National Register Bulletin, How to Apply the National Register Criteria for Evaluation*, U.S. Department of the Interior, National Park Service) are not usually incorporated in local preservation ordinances, but in considering the historic significance of the monument on its own, the National Register has legally-tested, nationally-accepted standards that can be applied to an exceptional case such as this. The purpose of looking at these criteria is to emphasize the significance of the monument with indisputable proof.

Under the National Register Standards, the Confederate soldier monument is a commemorative property. Commemorative properties are usually not considered for listing on the National Register unless they can meet special Criteria Considerations, in addition to meeting one or more of the four regular requirements. A commemorative property generally must be over fifty years old and must be

significant on its own, not on the value of the event memorialized. A commemorative property may be significant for the architectural, artistic, or other design qualities of its own period in history.

Based on the Criteria Considerations for a commemorative property, the monument is eligible based on its design qualities. The Confederate soldier monument is an early 20th century statue erected on Courthouse Square to commemorate Civil War veterans of Montgomery County. It reflects that era's shared perception of the solitary private soldier statue. One of the reasons for this popularity was that it demonstrated the ideal of classical beauty through the soldier's relaxed stance and intent expression. The monument is also said to symbolize the individual rights of man, equality, and democracy over tyranny. This was commonly conveyed by portraying idealized soldiers or allegorical figures of battle, victory, or sacrifice, but not since the time of the Greeks, had monuments been built to the common soldier. Although the stance of the soldier is similar to the stance of catalogue-ordered private-soldier monuments which could be found throughout the country at the time, the cavalry boots and sword and the individualized facial features make the Confederate soldier monument unique. It is commonly believed though not proven, that the model was Spencer C. Jones, a Confederate soldier that eventually became the mayor of Rockville. Another unique factor about the monument is that it is thought to be located the farthest north of any such Confederate monument not related to a battlefield.

The National Register criteria limit the consideration of moved properties because the significance is not only found in the properties themselves, but in the location and the settings as well. "Moving a property destroys the relationships between the property and its surroundings and destroys associations with historic events and persons." However, the Criteria Consideration also states that "A property removed from its original or historically significant location can be eligible if it is significant primarily for architectural value."

The monument is a moved property based on the National Register Standards. The period of significance is when it was at Courthouse Square in its original setting. It lost some of its integrity (The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic period.) during the first move in 1971, and it can't lose much more. Relocating the monument does not minimize its value. The monument is a good design and as a result, it is significant on its own primarily for its design, not for being tied to a particular location. Based on the National Register Criteria Considerations, the monument is not site specific, and moving the monument again will not destroy the integrity of the monument or the Courthouse.

COMMUNITY OUTREACH

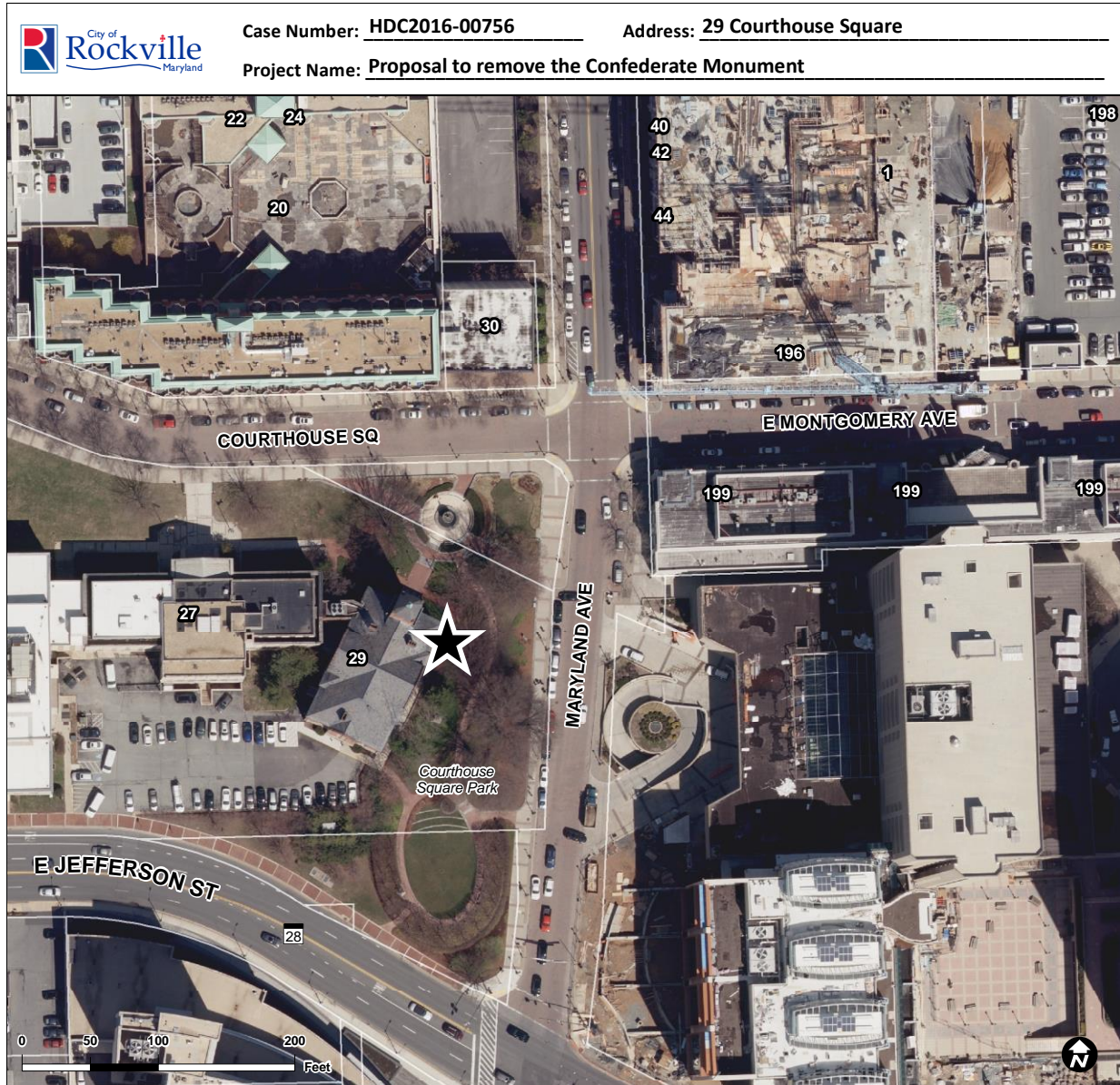
The posting of the notification sign on the property occurred two weeks prior to the meeting, and the postcard notices were sent out more than two weeks prior to the meeting. The staff report was posted on the City's web site one week prior to meeting.

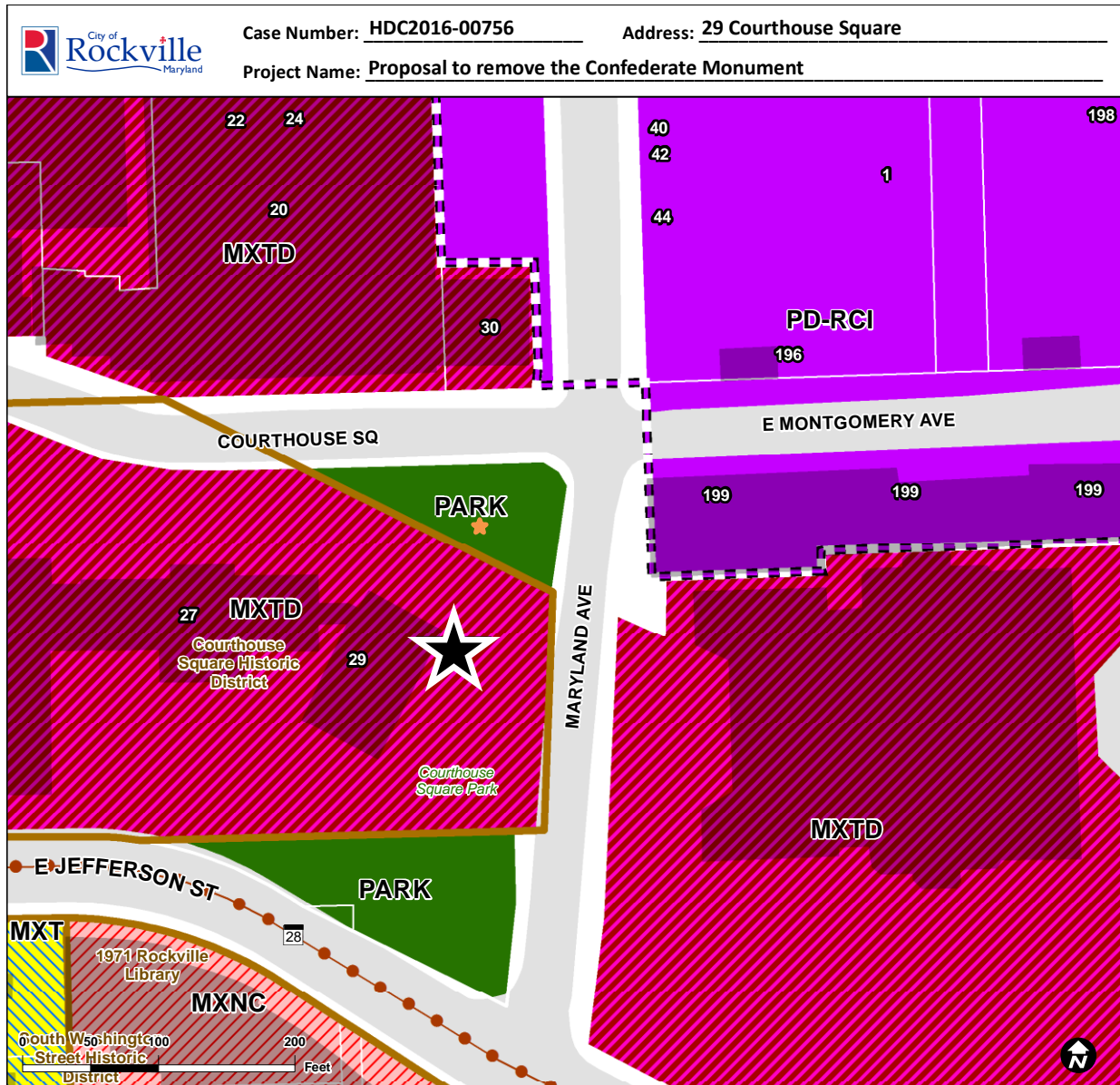
FINDINGS

Finding that the proposal to remove the Confederate soldier monument from the property meets the Secretary of the Interior's Standards for Rehabilitation #2, #3 and #10; and that the proposed work will not affect the historic integrity of the building and/or the site, staff recommends approval.

Secretary of the Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. **The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. **Changes to a property that have acquired historic significance in their own right will be retained and preserved.**
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. **New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**







Application for

Historic District Commission Review



Exhibit 4

7/14

City of Rockville

Department of Community Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8230 • Fax: 240-314-8210 • E-mail: history@rockvillemd.gov • Website: www.rockvillemd.gov/historic

Type of Application: (check all that apply)

☒ Certificate of Approval ☐ Courtesy Review ☐ Evaluation of Significance ☐ Demolition Proposed ☐ Tax Credit

Property Address Information: (please print clearly or type)

Address: 29 Courthouse Square

Subdivision ²⁰¹ Lot(s) ³⁵ Block ⁸

Zoning MXTD - Local Historic District Tax Account(s) 00152455 , ,

Applicant Information: (please supply name, address, phone number and e-mail address for each.)

Applicant Montgomery County Maryland

EOB, 101 Monroe Street, Rockville, MD 20850

Property Owner Montgomery County Maryland

EOB, 101 Monroe Street, Rockville, MD 20850

Agent Greg Ossont, Deputy Director, Department of General Services

SCOPE OF WORK

<input type="checkbox"/> FENCE	<input type="checkbox"/> MATURE TREE REMOVAL	<input type="checkbox"/> CHIMNEY
<input type="checkbox"/> SIDING/TRIM	<input type="checkbox"/> WINDOWS/DOORS	<input checked="" type="checkbox"/> MISCELLANEOUS
<input type="checkbox"/> SIGNAGE	<input type="checkbox"/> ADDITION	<input type="checkbox"/> ORDINARY MAINTENANCE
<input type="checkbox"/> PARKING LOT	<input type="checkbox"/> ROOFING	<input type="checkbox"/> NEW CONSTRUCTION
<input type="checkbox"/> LANDSCAPING	<input type="checkbox"/> ACCESSORY BUILDING	<input type="checkbox"/> OTHER

Project Description County is proposing to relocate the Confederate Monument, located adjacent to the Red Brick Courthouse, to an alternate location.

The monument is described in Attachment A Confederate Monument.. The location of the monument is indicated in Attachment B Site Plan.

STAFF USE ONLY

Application Acceptance:

Application # HDC 2016-00756

Pre-Application

Date Accepted

Staff Contact

Application Intake:

Date Received 7/31/15

Reviewed by

Date of Checklist Review

Deemed Complete: Yes ☐ No ☐



City of Rockville
Department of Community Planning and Development Services
Historic Preservation Office
111 Maryland Ave. • Rockville, MD 20850-2364 • 240-314-8230
www.rockvillemd.gov/historic

Exhibit 4

HDC

SUBMITTAL PROCEDURES FOR HISTORIC DISTRICT COMMISSION (HDC) CERTIFICATE OF APPROVAL

Each applicant needs to be aware of the following facts about the processing of this application. After reading the following information, please sign below to acknowledge your understanding.

1. PRE-APPLICATION MEETING

A pre-application meeting with the historic preservation staff is recommended prior to filing all applications. Please call the preservation office at 240-314-8230 to schedule a meeting with staff.

2. COMPLIANCE WITH ADOPTED DOCUMENTS

Projects must be reviewed for compliance with the following documents:

- The Secretary of the Interior's Standards for Rehabilitation: www.cr.nps.gov/hps/tps/standards/rehabilitation.htm
- City's Technical Guides for Exterior Alterations, available at www.rockvillemd.gov/historic/tech-guides.html or in printed form at the Department of Community Planning and Development Services
- The HDC's Adopted Architectural Design Guidelines: www.rockvillemd.gov/historic/guidelines1977.htm

3. FILING LOCATION

Applications must be filed with the City of Rockville Community Planning and Development Services Department at 111 Maryland Avenue, Rockville, MD 20850. Applications will not be accepted until they are determined to be complete by City staff.

4. INSPECTION OF THE PROPERTY

Members of the Historic District Commission and City staff must be given the opportunity to physically inspect the subject property to help them reach a decision on the application. This opportunity must be granted provided that reasonable notice is given for said inspection.

5. HEARING/MEETING APPEARANCE

Once the application is complete, staff will set a tentative date for a public hearing by the Historic District Commission. Meetings of the Commission are held on the third Thursday of the month, in the Mayor and Council Chambers at City Hall at 7:30 p.m. The applicant, or a representative designated by the applicant, should be prepared to present his/her case before the Historic District Commission. The applicant will have the opportunity to ask questions and respond to comments at the public hearing. HDC decisions may be appealed to the Circuit Court of Montgomery County.

6. FILING DEADLINES

Applications are due five weeks preceding the regularly scheduled HDC meeting. A schedule of filing deadlines is maintained by the Planning Division, and posted on the city's website at www.rockvillemd.gov/government/commissions/hdc.

7. SIGN

A sign will be provided to you by City staff, which must be posted on the property announcing the public hearing by the Historic District Commission when the application is filed. After the HDC meeting, the sign must be removed and disposed of.

Applicant's Signature

Date



The following information is required as part of this application for a Certificate of Approval by the Historic District Commission: One (1) copy of each item, with a maximum size of 11"x17" must be provided unless otherwise noted. Digital copies must also be provided. Please consult with staff as the required information and additional copies may vary with the particular project.

1. SITE PLAN

- A. Lot dimensions.
- B. Building location within dimensions of lot (existing and proposed).
- C. Dimensions and locations of drives, walks, fences, porches, patios, accessory buildings, planting areas, freestanding signs (existing and proposed).
- D. North arrow, date, and scale of plan.

2. LANDSCAPING PLAN (Required for tree removal, new construction and substantial landscape plans or alterations) showing:

- A. Plant placement
- B. Plant spacing
- C. Types/species
- D. Number of each plant.
- E. Height/spread at installation and at maturity.

Tree Removal Procedures

Applicants must apply for both hazardous tree and non-hazardous mature tree removals. Staff may approve removal of hazardous, dead or dying trees with either a report from the City Forester or a certified arborist. Please refer to the adopted Technical Guides for Exterior Alterations, #7, Landscaping. For all other tree removal, the HDC must review and approve.

3. ARCHITECTURAL DRAWINGS (Required for structural alterations, additions and new construction and must include floor plans, elevations and sections with north arrow, date, scale and dimensions showing):

- | | |
|---|---|
| A. Number of stories and building height | G. Exterior stairs |
| B. Siding dimensions | H. Chimney detail |
| C. Window/door dimensions, details and specifications | I. Sign location and maximum area of all signs per Article 18 of the Zoning Ordinance |
| D. Railing dimensions and details | J. Renderings of completed proposal |
| E. Roof plan | |
| F. Trim and architectural details | |

4. PHOTOGRAPHS – Digital and print photographs of subject property (all views) and area affected. For new construction, submit photographs of surrounding buildings and environment.

5. PRODUCT INFORMATION (Required for change of material, structural alterations, additions, and new construction)

Product literature (brochures, website info, etc.) with specifications or a sample of the composition, color, and texture of materials to be used including:

- | | | |
|-------------------|-------------|-------------|
| A. Roof materials | E. Gutters | I. Patios |
| B. Siding | F. Drives | J. Railings |
| C. Windows | G. Walks | K. Fences |
| D. Doors | H. Flooring | L. Signs |



City of Rockville
 Department of Community Planning and Development Services
 Historic Preservation Office
 111 Maryland Ave. • Rockville, MD 20850-2364 • 240-314-8230
www.rockvillemd.gov/historic

Exhibit 4

HDC

APPLICATION CHECKLIST

**HISTORIC DISTRICT COMMISSION (HDC)
 CERTIFICATE OF APPROVAL**

Please complete this checklist and include it as part of the application submittal. Each item on the checklist must be contained in the application packet. If items are missing, the application cannot be accepted. This checklist must be included with the submittal when filing with staff.

IMPORTANT NOTE: AN ACCEPTABLE AND COMPLETE HDC SUBMITTAL MAY INCLUDE OF THE FOLLOWING ITEMS
 – Any submittal package filed with the Historic Preservation Office that is deemed incomplete **cannot** be accepted and will be returned to the applicant.

<i>For Staff Use Only</i>		
Submitted	Received	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Detailed site plan no larger than 11"x17"
<input type="checkbox"/>	<input type="checkbox"/>	Landscaping plan (required for tree removal, new construction and substantial landscape plans or alterations)
<input type="checkbox"/>	<input type="checkbox"/>	Architectural drawings including floor plans, elevations, sections and rendering of completed proposal no larger than 11"x17"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs of areas affected (print & digital)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sample materials or brochures with materials specifications if any change from original materials is proposed
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Additional information as requested by Historic Preservation staff

Comments on Submittal: (For Staff Use Only): _____

The following additional information is required as part of this application for certificate of approval by the Historic District Commission:

M: 26-11-13, Confederate Monument
Montgomery County
Capsule Summary

The Confederate Monument in Rockville stands on the east side of the Red Brick Courthouse. The life-sized bronze cavalry private gazes south from atop a light gray granite pedestal, across a lawn toward a parking lot and Jefferson Street.

The monument, dedicated on June 3, 1913, is significant for its commemoration of the people of Montgomery County who served the Confederacy. It is a customized example of the common soldier memorial, a type first used after the Civil War and popular through the First World War. The monument also represents Rockville's response to the City Beautiful movement.



MARYLAND INVENTORY OF
HISTORIC PROPERTIES

Survey No. M:26-11-13

Exhibit 4

Magi No.

Attachment A

Maryland Historical Trust
State Historic Sites Inventory Form

DOE ☐ yes ☐ no

1. Name (indicate preferred name)

historic Confederate Monument

and/or common

2. Location

street & number Red Brick Courthouse, Courthouse Square ☐ not for publication

city, town Rockville ☐ vicinity of congressional district 8th

state MD county Montgomery

3. Classification

Category	Ownership	Status	Present Use
<input type="checkbox"/> district	<input checked="" type="checkbox"/> public	<input type="checkbox"/> occupied	<input type="checkbox"/> agriculture
<input type="checkbox"/> building(s)	<input type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input type="checkbox"/> commercial
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational
<input checked="" type="checkbox"/> site	Public Acquisition	Accessible	<input type="checkbox"/> entertainment
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input type="checkbox"/> yes: restricted	<input type="checkbox"/> government
	<input type="checkbox"/> being considered	<input checked="" type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial
	<input checked="" type="checkbox"/> not applicable	<input type="checkbox"/> no	<input checked="" type="checkbox"/> military
			<input checked="" type="checkbox"/> other: commemorative

4. Owner of Property (give names and mailing addresses of all owners)

name Montgomery County (Department of Facilities and Services)

street & number 110 N. Washington St. telephone no.: (301) 217-6055

city, town Rockville state and zip code MD 20850

5. Location of Legal Description

courthouse, registry of deeds, etc. Montgomery County Courthouse liber

street & number Courthouse Square folio

city, town Rockville state MD 20850

6. Representation in Existing Historical Surveys

title

date ☐ federal ☐ state ☐ county ☐ local

pository for survey records

city, town state

7. Description

Survey No. M:26-11-Exhibit 4

Attachment A

Condition		Check one	Check one	
<input checked="" type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input checked="" type="checkbox"/> unaltered	<input type="checkbox"/> original site	
<input type="checkbox"/> good	<input type="checkbox"/> ruins	<input type="checkbox"/> altered	<input checked="" type="checkbox"/> moved	date of move <u>1971; 1979</u>
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed			

Prepare both a summary paragraph and a general description of the resource and its various elements as it exists today.

The Confederate Monument in Rockville stands on the east side of the Red Brick Courthouse. The life-sized bronze cavalry private gazes south from atop a light gray granite pedestal, across a lawn toward a parking lot and Jefferson Street.

The statue stands with arms crossed, left leg forward with toe beyond the edge of a low bronze plinth, sabre on his left hip, and a pistol on his belt. The granite pedestal, square in plan, is topped with a hipped, rockfaced cap set off by cavetto molding and a smooth fascia below. The die of the pedestal (the central section which carries the inscription) tapers slightly and is rockfaced on all sides; on the south face the rusticated finish frames a smooth raised panel with the inscription:

TO
OUR HEROES
OF
MONTGOMERY CO.
MARYLAND
THAT WE THROUGH LIFE
MAY NOT FORGET TO LOVE
THE THIN GRAY LINE
ERECTED A.D. 1913

Below the die is a stepped base, with two smooth and shallow hipped steps supported by two rock faced, hipped bases. The second base (above the lowest first base) is smooth on the south side and carries the insignia of the Confederate Sons of America (the intertwined letters C, S and A within a laurel wreath), flanked by the dates 1861 and 1865, all carved in relief.

The monument stands in a small park on the east lawn of the Red Brick Courthouse. Dogwood and tulip magnolia have been planted close to the statue and the park is bounded by hollies. The monument is visible to pedestrians moving around the courthouse complex from a covered walkway at the edge of the park.

In spring 1993 the statue was in good repair but exhibited a great degree of light green copper sulfate corrosion. The granite pedestal carried a small amount of copper staining and some general soiling. The mortar joints appeared to be sound. Tree limbs had grown too close to the monument.

M: 26-11-13, Confederate Monument
Montgomery County
7.1 Description

The monument was cleaned and waxed in May 1994 by the
Maryland Military Monuments Commission.

8. Significance

Survey No. M:26-11-13

Exhibit 4

Attachment A

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input checked="" type="checkbox"/> sculpture
<input type="checkbox"/> 1600-1699	<input type="checkbox"/> architecture	<input type="checkbox"/> education	<input checked="" type="checkbox"/> military	<input type="checkbox"/> social/
<input type="checkbox"/> 1700-1799	<input checked="" type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> humanitarian
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> theater
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input type="checkbox"/> politics/government	<input type="checkbox"/> transportation
		<input type="checkbox"/> invention		<input type="checkbox"/> other (specify)

Specific dates 1913

Builder/Architect Falvey Granite Co.

check: Applicable Criteria: ☐ A ☐ B ☒ C ☐ D
and/orApplicable Exception: ☐ A ☐ B ☐ C ☐ D ☐ E ☒ F ☐ GLevel of Significance: ☐ national ☒ state ☐ local

Prepare both a summary paragraph of significance and a general statement of history and support.

The Rockville Confederate Monument is significant for its commemoration of the people of Montgomery County who served the Confederacy. It is a customized example of the common soldier memorial, a type first used after the Civil War and popular through the First World War. The monument also represents Rockville's response to the City Beautiful movement.

The monument was first suggested in 1909 at a memorial service for a veteran at Monocacy Chapel, Beallsville, by Richard Poole Hayes, a veteran of fellow Montgomery countian Lt. Col. Elijah Veirs White's 35th Battalion, Virginia Cavalry, C.S.A.¹

The monument was sponsored by the E. V. White and Ridgely Brown chapters of the United Daughters of the Confederacy and the Ridgely Brown Camp of the United Confederate Veterans. The Washington firm of Michael J. Falvey, Falvey Granite Company, built the statue at a cost of \$3,600. Col. Spencer C. Jones, said to have been the model for the head of the statue (no evidence has been found), played a major role in the planning and fund raising, but due to illness was unable to serve as master of ceremonies at the dedication on June 3, 1913. The present owner of the Falvey Company, Merle L. Cox, has suggested that the statue may have been sculpted by Fred E. York, an artist who worked for the company during the 1920s and 1930s, but company records do not exist for the period prior to 1927.²

Susan Soderberg has pointed out that the Rockville monument was erected during the second, reconciliation stage of

¹Susan C. Soderberg, "The Confederate Monument and its Symbolism." The Montgomery County Story 36, no. 3 (August 1993): 261-262.

²Ibid., 262, 264.

M: 26-11-13, Confederate Monument
Montgomery County
8.1 Significance

memorialization after the Civil War. It was intended more as a tribute to the soldiers, some of whom had fought in the Spanish-American War alongside Union veterans, than to a lost cause; it also coincided with a political trend toward nationalism and patriotism. Although many of the powerful people in the county were Confederate veterans, it was recognized that economic growth and progress required compromise and unity.³

By the first decade of this century public preference was turning away from stock, catalogue memorials toward the Beaux-Arts ideal that had been made popular by the "White City" of the Chicago World's Columbian Exposition of 1892-93. The subsequent City Beautiful movement sought to improve urban areas by integrating parks, monuments and sculpture with public buildings. Equally important to planners was the opportunity to uplift the morals and aesthetic taste of the public.⁴ The Rockville monument reflected the town's response to the City Beautiful movement.

Instead of purchasing a mass-produced common soldier memorial, the citizens of Rockville ordered a custom designed bronze statue, possibly modeled after a local veteran. The pedestal was designed of rusticated granite in the Romanesque Revival style. The monument was originally sited in a triangular park across East Montgomery Avenue from the front of the 1891 Romanesque Revival courthouse. The relationship of placement and style between statue and courthouse helped to define the town center. The statue was moved to its present location on the east side of the courthouse in 1971, when the street was closed to through traffic and the downtown area was redesigned.

³Ibid., 268-270.

⁴Michael W. Panhorst, "Brief History of Outdoor Sculpture and Monuments in the United States of America," in SOS! Handbook, ed. Paula R. Peters (Washington, DC: National Institute for the Conservation of Cultural Property, 1992), 45.

9. Major Bibliographical References

Survey No. M:26-**Exhibit 4**

Attachment A

Panhorst, Michael W. "Brief History of Outdoor Sculpture and Monuments in the United States of America." In SOS! Handbook, ed. Paula R. Peters. Washington, DC: National Institute for the Conservation of Cultural Property, 1992.

Soderberg, Susan C. "The Confederate Monument and its Symbolism." The Montgomery County Story 36, no. 3 (August 1993).

10. Geographical Data

Acreage of nominated property less than 1 acreQuadrangle name USGS Rockville, MDQuadrangle scale 1:24,000UTM References do NOT complete UTM references

A

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Zone Easting Northing

B

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Zone Easting Northing

C

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D

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E

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F

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G

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H

--	--	--	--	--	--	--	--	--	--

Verbal boundary description and justification

The boundary of the monument consists of an 8' square centered on the monument.

List all states and counties for properties overlapping state or county boundaries

state	code	county	code

state	code	county	code

11. Form Prepared By

name/title Nancy Kurtz, Monuments Survey Administratororganization Maryland Historical Trustdate 4 April 1994street & number 100 Community Placetelephone (410) 514-7648city or town Crownsvillestate MD 21032

The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 supplement.

The survey and inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

return to: Maryland Historical Trust
Shaw House
21 State Circle
Annapolis, Maryland 21401
(301) 269-2438

MARYLAND HISTORICAL TRUST
DHCP/DHCD
100 COMMUNITY PLACE
CROWNSVILLE, MD 21032-2023
514-7600

PS-2746

M:26-11-13
Montgomery County

MARYLAND COMPREHENSIVE HISTORIC PRESERVATION PLAN DATA
STATEWIDE HISTORIC CONTEXTS

Geographic Organization: Piedmont

Chronological/Developmental Period(s): Industrial/Urban
Dominance (1870-1930)

Historic Period Theme(s): Social/Educational/Cultural

Resource Type:

Category: Object

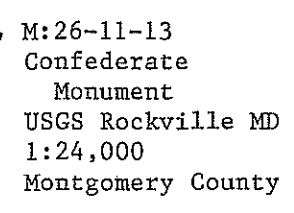
Historic Environment: Town

Historic Function(s) and Use(s): RECREATION AND
CULTURE/monument

Known Design Source(s): Falvey Granite Company, Washington,
DC

5562 11 NE
(SANDY SPRING)
A

Q7'30"
39°07'30"
470 000 FEET
(MD.)



Attachment A



M: 26-11-13

CONFEDERATE

Attachment A
MONUMENT

MONTGOMERY CO. , MD

N. KURTZ

4/93

NEG- MD SHPO

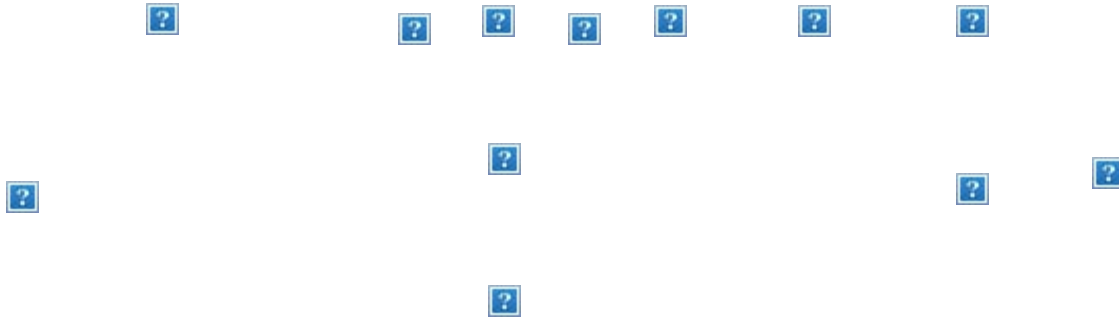
S. ELEV.

1/2

Attachment A



A - 12



U.S. Department of the Interior, National Park Service

VII. HOW TO APPLY THE CRITERIA CONSIDERATIONS

INTRODUCTION

Certain kinds of properties are not usually considered for listing in the National Register: religious properties, moved properties, birthplaces or graves, cemeteries, reconstructed properties, commemorative properties, and properties achieving significance within the past fifty years. These properties can be eligible for listing, however, if they meet special requirements, called Criteria Considerations, in addition to meeting the regular requirements (that is, being eligible under one or more of the four Criteria and possessing integrity). Part VII provides guidelines for determining which properties must meet these special requirements and for applying each Criteria Consideration.

The Criteria Considerations need to be applied only to *individual* properties. Components of eligible districts do not have to meet the special requirements unless they make up the majority of the district or are the focal point of the district. These are the general steps to follow when applying the Criteria Considerations to your property:

- Before looking at the Criteria Considerations, make sure your property meets one or more of the four Criteria for Evaluation and possesses integrity.
- If it does, check the Criteria Considerations (below) to see if the property is of a type that is usually excluded from the National Register. The sections that follow also list specific examples of properties of each type. If your property clearly does not fit one of these types, then it does not need to meet any special requirements.
- If your property *does* fit one of these types, then it must meet the special requirements stipulated for that type in the Criteria Considerations.

1. [Criteria Considerations](#)
2. [Criteria Consideration A: Religious Properties](#)
3. [Criteria Consideration B: Moved Properties](#)
4. [Criteria Consideration C: Birthplaces or Graves](#)
5. [Criteria Consideration D: Cemeteries](#)
6. [Criteria Consideration E: Reconstructed Properties](#)
7. [Criteria Consideration F: Commemorative Properties](#)
8. [Criteria Consideration G: Properties that Have Achieved Significance Within the Past Fifty Years](#)

CRITERIA CONSIDERATIONS*

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. a birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- d. a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, from association with historic events; or
- e. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- f. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or,
- g. a property achieving significance within the past 50 years if it is of exceptional importance.

*The Criteria Considerations are taken from the Criteria for Evaluation, found in the Code of Federal Regulations, Title 36, Part 60.

CRITERIA CONSIDERATION A: RELIGIOUS PROPERTIES

A religious property is eligible if it derives its primary significance from architectural or artistic distinction or historical importance.

Understanding Criteria Consideration A: Religious Properties

A religious property requires justification on architectural, artistic, or historic grounds to avoid any appearance of judgment by government about the validity of any religion or belief. Historic significance for a religious property cannot be established on the merits of a religious doctrine, but rather, for architectural or artistic values or for important historic or cultural forces that the property represents. A religious property's significance under Criterion A, B, C, or D must be judged in purely secular terms. A religious group may, in

some cases, be considered a cultural group whose activities are significant in areas broader than religious history. EXHIBIT 5

Examples of Properties that MUST Meet Criteria Consideration A: Religious Properties

- *A historic church where an important non-religious event occurred, such as a speech by Patrick Henry.*
- *A historic synagogue that is significant for architecture.*
- *A private residence is the site of a meeting important to religious history.*
- *A commercial block that is currently owned as an investment property by a religious institution.*
- *A historic district in which religion was either a predominant or significant function during the period of significance.*

Example of Properties that DO NOT Need to Meet Criteria Consideration A: Religious Properties

- *A residential or commercial district that currently contains a small number of churches that are not a predominant feature of the district.*
- *A town meeting hall that serves as the center of community activity and houses a wide variety of public and private meetings, including religious service. The resource is significant for architecture and politics, and the religious function is incidental.*
- *A town hall, significant for politics from 1875 to 1925, that housed religious services during the 1950s. Since the religious function occurred after the Period of Significance, the Criteria Consideration does not apply.*

Criteria Consideration for Religious Properties applies:

- If the resource was constructed by a religious institution.
- If the resource is presently owned by a religious institution or is used for religious purposes.
- If the resource was owned by a religious institution or used for religious purposes during its Period of Significance.
- If Religion is selected as an Area of Significance.

Applying Criteria Consideration A: Religious Properties

Eligibility for Historic Events

A religious property can be eligible under Criterion A for any of three reasons:

- It is significant under a theme in the history of religion having secular scholarly recognition; or
- It is significant under another historical theme, such as exploration, settlement, social philanthropy, or education; or

- It is significantly associated with traditional cultural values.

Religious History

A religious property can be eligible if it is directly associated with either a specific event or a broad pattern in the history of religion.

Eligible

- The site of a convention at which a significant denominational split occurred meets the requirements of Criteria Consideration A. Also eligible is a property that illustrates the broad impact of a religious institution on the history of a local area.

Not Eligible

- A religious property cannot be eligible simply because was the place of religious services for a community, or was the oldest structure used by a religious group in a local area.

Other Historical Themes

A religious property can be eligible if it is directly associated with either a specific event or a broad pattern that is significant in another historic context. A religious property would also qualify if it were significant for its associations that illustrate the importance of a particular religious group in the social, cultural, economic, or political history of the area. Eligibility depends on the importance of the event or broad pattern and the role of the specific property.

Eligible

- A religious property can qualify for its important role as a temporary hospital during the Revolutionary War, or if its school was significant in the history of education in the community.

Not Eligible

- A religious property is not significant in the history of education in a community simply because it had occasionally served as a school.

Traditional Cultural Values

When evaluating properties associated with traditional cultures, it is important to recognize that often these cultures do not make clear distinctions between what is secular and what is sacred. Criteria Consideration A is not intended to exclude traditional cultural resources merely because they have religious uses or are considered sacred. A property or natural feature important to a traditional culture's religion and mythology is eligible if its importance has been ethnohistorically documented and if the site can be clearly defined. It is critical, however, that the activities be documented and that the associations not be so diffuse that the physical resource cannot be adequately defined. (*For more information on applying Criteria Consideration A to traditional cultural properties, refer to [National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Cultural Properties](#).*)

Eligible

A specific location or natural feature that an Indian tribe believes to be its place of origin and that is adequately documented qualifies under Criteria Consideration A. EXHIBIT 5

Eligibility for Historic Persons

A religious property can be eligible for association with a person important in religious history, if that significance has scholarly, secular recognition or is important in other historic contexts. Individuals who would likely be considered significant are those who formed or significantly influenced an important religious institution or movement, or who were important in the social, economic, or political history of the area. Properties associated with individuals important only within the context of a single congregation and lacking importance in any other historic context would not be eligible under Criterion B.

Eligible

- A religious property strongly associated with a religious leader, such as George Whitefield or Joseph Smith, is eligible.

Eligibility for Architectural or Artistic Distinction

A religious property significant for its architectural design or construction should be evaluated as are other properties under Criterion C; that is, it should be evaluated within an established architectural context and, if necessary, compared to other properties of its type, period, or method of construction. (See "Comparing Related Properties" in [Part V: How to Evaluate a Property Within Its Historic Context](#).)

Eligible

- A historic camp meeting district that meets the requirements of Criterion C for its significance as a type of construction is eligible.

Eligibility for Information Potential

A religious property, whether a district, site, building, structure, or object, is eligible if it can yield important information about the religious practices of a cultural group or other historic themes. This kind of property should be evaluated as are other properties under Criterion D, in relation to similar properties, other information sources, and existing data gaps.

Eligible

- A 19th century camp meeting site that could provide information about the length and intensity of site use during revivals of the Second Great Awakening is eligible.
- Rock cairns or medicine wheels that had a historic religious mythological function and can provide information about specific cultural beliefs are eligible.

Ability to Reflect Historic Associations

As with all eligible properties, religious properties must physically represent the period of time for which they are significance. For instance, a recent building that houses an older congregation cannot qualify based on the historic activities of the group because the current building does not convey the earlier history. Likewise, an older building that housed the historic activities of the congregation is eligible if it still physically represents the period of the congregation's significance. However, if an older building has been remodeled to the

extent that its appearance dates from the time of the remodeling, it can only be eligible if the period of significance corresponds with the period of the alterations. EXHIBIT 5

Eligible

- A church built in the 18th century and altered beyond recognition in the 19th century is eligible only if the additions are important in themselves as an example of late 19th century architecture or as a reflection of an important period of the congregation's growth.

Not Eligible

- A synagogue built in the 1920s cannot be eligible for the important activities of its congregation in the 18th and 19th centuries. It can only be eligible for significance obtained after its construction date.
- A rural 19th century frame church recently sheathed in brick is not eligible because it has lost its characteristic appearance and therefore can no longer convey its 19th century significance, either for architectural value or historic association.

CRITERIA CONSIDERATION B: MOVED PROPERTIES

A property removed from its original or historically significant location can be eligible if it is significant primarily for architectural value or it is the surviving property most importantly associated with a historic person or event.

Understanding Criteria Consideration B: Moved Properties

The National Register criteria limit the consideration of moved properties because significance is embodied in locations and settings as well as in the properties themselves. Moving a property destroys the relationships between the property and its surroundings and destroys associations with historic events and persons. A move may also cause the loss of historic features such as landscaping, foundations, and chimneys, as well as loss of the potential for associated archeological deposits. Properties that were moved *before* their period of significance do not need to meet the special requirements of Criteria Consideration B.

One of the basic purposes of the National Register is to encourage the preservation of historic properties as living parts of their communities. In keeping with this purpose, it is not usual to list artificial groupings of buildings that have been created for purposes of interpretation, protection, or maintenance. Moving buildings to such a grouping destroys the integrity of location and setting, and can create a false sense of historic development.

Applying Criteria Consideration B: Moved Properties

Eligibility for Architectural Value

A moved property significant under Criterion C must retain enough historic features to convey its architectural values and retain integrity of design, materials, workmanship, feeling, and association.

Examples of Properties that MUST Meet Criteria Consideration B: Moved Properties

- *A resource moved from one location on its original site to another location on the property, during or after its Period of Significance.*
- *A district in which a significant number of resources have been moved from their original location.*
- *A district which has one moved building that makes an especially significant contribution to the district.*
- *A portable resource, such as a ship or railroad car, that is relocated to a place incompatible with its original function.*
- *A portable resource, such as a ship or railroad car, whose importance is critically linked to its historic location or route and that is moved.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration B: Moved Properties

- *A property that is moved prior to its Period of Significance.*
- *A district in which only a small percentage of typical buildings in a district are moved.*
- *A moved building that is part of a complex but is of less significance than the remaining (unmoved) buildings.*
- *A portable resource, such as a ship or railroad car, that is eligible under Criterion C and is moved within its natural setting (water, rails, etc.).*
- *A property that is raised or lowered on its foundations.*

Eligibility for Historic Associations

A moved property significant under Criteria A or B must be demonstrated to be the surviving property *most importantly associated* with a particular historic event or an important aspect of a historic person's life. The phrase "most importantly associated" means that it must be the single surviving property that is most closely associated with the event or with the part of the person's life for which he or she is significant.

Eligible

- A moved building occupied by an business woman during the majority of her productive career would be eligible if the other extant properties are a house she briefly inhabited prior to her period of significance and a commercial building she owned after her retirement.

Not Eligible

- A moved building associated with the beginning of rail transportation in a community is not eligible if the original railroad station and warehouse remained intact on their original sites.

Setting and Environment

In addition to the requirements above, moved properties must still have an orientation,

setting, and general environment that are comparable to those of the historic location and that are compatible with the property's significance. EXHIBIT 5

Eligible

- A property significant as an example of mid-19th century rural house type can be eligible after a move, provided that it is placed on a lot that is sufficient in size and character to recall the basic qualities of the historic environment and setting, and provided that the building is sited appropriately in relation to natural and manmade surroundings.

Not Eligible

- A rural house that is moved into an urban area and a bridge that is no longer situated over a waterway are not eligible.

Association Dependent on the Site

For a property whose design values or historical associations are directly dependent on its location, any move will cause the property to lose its integrity and prevent it from conveying its significance.

Eligible

- A farm structure significant only as an example of a method of construction peculiar to the local area is still eligible if it is moved within that local area and the new setting is similar to that of the original location.

Not Eligible

- A 19th century rural residence that was designed around particular topographic features, reflecting that time period's ideals of environment, is not eligible if moved.

Properties Designed to Be Moved

A property designed to move or a property frequently moved during its historic use must be located in a historically appropriate setting in order to qualify, retaining its integrity of setting, design, feeling, and association. Such properties include automobiles, railroad cars and engines, and ships.

Eligible

- A ship docked in a harbor, a locomotive on tracks or in a railyard, and a bridge relocated from one body of water to another are eligible.

Not Eligible

- A ship on land in a park, a bridge placed in a pasture, or a locomotive displayed in an indoor museum are not eligible.

Artificially Created Groupings

An artificially created grouping of buildings, structures, or objects is not eligible unless it has achieved significance since the time of its assemblage. It cannot be considered as a reflection of the time period when the individual buildings were constructed.

- A grouping of moved historic buildings whose creation marked the beginning of a major concern with past lifestyles can qualify as an early attempt at historic preservation and as an illustration of that generation's values.

Not Eligible

- A rural district composed of a farmhouse on its original site and a grouping of historic barns recently moved onto the property is not eligible.

Portions of Properties

A moved *portion* of a building, structure, or object is not eligible because, as a fragment of a larger resource, it has lost integrity of design, setting, materials, workmanship, and location.

CRITERIA CONSIDERATION C: BIRTHPLACES OR GRAVES

A birthplace or grave of a historical figure is eligible if the person is of outstanding importance and if there is no other appropriate site or building directly associated with his or her productive life.

Understanding Criteria Consideration C: Birthplaces or Graves

Birthplaces or graves often attain importance as reflections of the origins of important persons or as lasting memorials to them. The lives of persons significant in our past normally are recognized by the National Register through listing of properties illustrative of or associated with that person's productive life's work. Birthplaces or graves, as properties that represent the beginning and the end of the life of distinguished individuals, may be temporally and geographically far removed from the person's significant activities, and therefore are not usually considered eligible.

Examples of Properties that MUST Meet Criteria Consideration C: Birthplaces or Graves

- *The birthplace of a significant person who lived elsewhere during his or her Period of Significance.*
- *A grave that is nominated for its association with the significant person buried in it.*
- *A grave that is nominated for information potential.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration C: Birthplaces or Graves

- *A house that was inhabited by a significant person for his or her entire lifetime.*
- *A grave located on the grounds of the house where a significant person spent his or her productive years.*

Applying Criteria Consideration C: Birthplaces and Graves

The phrase "a historical figure of outstanding importance" means that in order for a birthplace or grave to qualify, it cannot be simply the birthplace or grave of a person significant in our past (Criterion B). It must be the birthplace or grave of an individual who was of outstanding importance in the history of the local area, State, or nation. The birthplace or grave of an individual who was one of several people active in some aspect of the history of a community, a state, or the Nation would not be eligible.

Last Surviving Property Associated with a Person

When an geographical area strongly associated with a person of outstanding importance has lost all other properties directly associated with his or her formative years or productive life, a birthplace or grave may be eligible.

Eligibility for Other Associations

A birthplace or grave can also be eligible if it is significant for reasons other than association with the productive life of the person in question. It can be eligible for significance under Criterion A for association with important events, under Criterion B for association with the productive lives of *other* important persons, or under Criterion C for architectural significance. A birthplace or grave can also be eligible in rare cases if, after the passage of time, it is significant for its commemorative value. (See [Criteria Consideration F](#) for a discussion of commemorative properties.) A birthplace or grave can also be eligible under Criterion D if it contains important information on research, *e.g.*, demography, pathology, mortuary practices, or socioeconomic status differentiation.

CRITERIA CONSIDERATION D: CEMETERIES

A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

Understanding Criteria Consideration D: Cemeteries

A cemetery is a collection of graves that is marked by stones or other artifacts or that is unmarked but recognizable by features such as fencing or depressions, or through maps, or by means of testing. Cemeteries serve as a primary means of an individual's recognition of family history and as expressions of collective religious and/or ethnic identity. Because cemeteries may embody values beyond personal or family-specific emotions, the National Register criteria allow for listing of cemeteries under certain conditions.

Examples of Properties that MUST Meet Criteria Consideration D: Cemeteries

- *A cemetery that is nominated individually for Criterion A, B, or C.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration D: Cemeteries

- *A cemetery that is nominated along with its associated church, but the church is the main resource nominated.*
- *A cemetery that is nominated under Criterion D for information potential.*

- *A cemetery that is nominated as part of a district but is not the focal point of the district.*

Applying Criteria Consideration D: Cemeteries

Persons of Transcendent Importance

A cemetery containing the graves of persons of transcendent importance may be eligible. To be of transcendent importance the persons must have been of great eminence in their fields of endeavor or had a great impact upon the history of their community, State, or nation. (A single grave that is the burial place of an important person and is located in a larger cemetery that does not qualify under this Criteria Consideration should be treated under Criteria Consideration C: Birthplaces and Graves.)

Eligible

- A historic cemetery containing the graves of a number of persons who were exceptionally significant in determining the course of a State's political or economic history during a particular period is eligible.

Not Eligible

- A cemetery containing graves of State legislators is not eligible if they simply performed the daily business of State government and did not have an outstanding impact upon the nature and direction of the State's history.

Eligibility on the Basis of Age

Cemeteries can be eligible if they have achieved historic significance for their relative great age in a particular geographic or cultural context.

Eligible

- A cemetery dating from a community's original 1830s settlement can attain significance from its association with that very early period.

Eligibility for Design

Cemeteries can qualify on the basis of distinctive design values. These values refer to the same design values addressed in Criterion C and can include aesthetic or technological achievement in the fields of city planning, architecture, landscape architecture, engineering, mortuary art, and sculpture. As for all other nominated properties, a cemetery must clearly express its design values and be able to convey its historic appearance.

Eligible

- A Victorian cemetery is eligible if it clearly expresses the aesthetic principles related to funerary design for that period, through such features as the overall plan, landscaping, statuary, sculpture, fencing, buildings, and grave markers.

Not Eligible

- A cemetery cannot be eligible for design values if it no longer conveys its historic appearance because of the introduction of new grave markers.

Cemeteries may be associated with historic events including specific important events or general events that illustrate broad patterns.

Eligible

- A cemetery associated with an important Civil War battle is eligible.
- A cemetery associated with the settlement of an area by an ethnic or cultural group is eligible if the movement of the group into the area had an important impact, if other properties associated with that group are rare, and if few documentary sources have survived to provide information about the group's history.

Not Eligible

- A cemetery associated with a battle in the Civil War does not qualify if the battle was not important in the history of the war.
- A cemetery associated with an area's settlement by an ethnic or cultural group is not eligible if the impact of the group on the area cannot be established, if other extant historic properties better convey association with the group, or if the information that the cemetery can impart is available in documentary sources.

Eligibility for Information Potential

Cemeteries, both historic and prehistoric, can be eligible if they have the potential to yield important information. The information must be important within a specific context and the potential to yield information must be demonstrated.

A cemetery can qualify if it has potential to yield important information provided that the information it contains is not available in extant documentary evidence.

Eligible

- A cemetery associated with the settlement of a particular cultural group will qualify if it has the potential to yield important information about subjects such as demography, variations in mortuary practices, or the study of the cause of death correlated with nutrition or other variables.

Integrity

Assessing the integrity of a historic cemetery entails evaluating principal design features such as plan, grave markers, and any related elements (such as fencing). Only that portion of a historic cemetery that retains its historic integrity can be eligible. If the overall integrity has been lost because of the number and size of recent grave markers, some features such as buildings, structures, or objects that retain integrity may be considered as individual properties if they are of such historic or artistic importance that they individually meet one or more of the requirements listed above.

National Cemeteries

National Cemeteries administered by the Veterans Administration are eligible because they have been designated by Congress as primary memorials to the military history of the United States. Those areas within a designated national cemetery that have been used or

prepared for the reception of the remains of veterans and their dependents, as well as any landscaped areas that immediately surround the graves may qualify. Because these cemeteries draw their significance from the presence of the remains of military personnel who have served the country throughout its history, the age of the cemetery is not a factor in judging eligibility, although integrity must be present. EXHIBIT 5

A national cemetery or a portion of a national cemetery that has only been set aside for use in the future is not eligible.

CRITERIA CONSIDERATION E: RECONSTRUCTED PROPERTIES

A reconstructed property is eligible when it is accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan and when no other building or structure with the same associations has survived. All three of these requirements must be met.

Understanding Criteria Consideration E: Reconstructed Properties

"Reconstruction" is defined as the reproduction of the exact form and detail of a vanished building, structure, object, or a part thereof, as it appeared at a specific period of time. Reconstructed buildings fall into two categories: buildings wholly constructed of new materials and buildings reassembled from some historic and some new materials. Both categories of properties present problems in meeting the integrity requirements of the National Register criteria.

Examples of Properties that MUST Meet Criteria Consideration E: Reconstructed Properties

- *A property in which most or all of the fabric is not original.*
- *A district in which an important resource or a significant number of resources are reconstructions.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration E: Reconstructed Properties

- *A property that is remodeled or renovated and still has the majority of its original fabric.*

Applying Criteria Consideration E: Reconstructed Properties

Accuracy of the Reconstruction

The phrase "accurately executed" means that the reconstruction must be based upon sound archeological, architectural, and historic data concerning the historic construction and appearance of the resource. That documentation should include both analysis of any above or below ground material and research in written and other records.

Suitable Environment

The phrase "suitable environment" refers to: 1) the physical context provided by the historic district and 2) any interpretive scheme, if the historic district is used for interpretive purposes. This means that the reconstructed property must be located at the same site as the original. It must also be situated in its original grouping of buildings, structures, and objects

(as many as are extant), and that grouping must retain integrity. In addition, the reconstruction must not be misrepresented as an authentic historic property.

Eligible

- A reconstructed plantation manager's office building is considered eligible because it is located at its historic site, grouped with the remaining historic plantation buildings and structures, and the plantation as a whole retains integrity. Interpretation of the plantation district includes an explanation that the manager's office is not the original building, but a reconstruction.

Not Eligible

- The same reconstructed plantation manager's office building would not qualify if it were rebuilt at a location different from that of the original building, or if the district as a whole no longer reflected the period for which it is significant, or if a misleading interpretive scheme were used for the district or for the reconstruction itself.

Restoration Master Plans

Being presented "as part of a restoration master plan" means that: 1) a reconstructed property is an essential component in a historic district and 2) the reconstruction is part of an overall restoration plan for an entire district. "Restoration" is defined as accurately recovering the form and details of a property and its setting as it appeared at a particular period by removing later work or by replacing missing earlier work (as opposed to completely rebuilding the property). The master plan for the entire property must emphasize restoration, not reconstruction. In other words, the master plan for the entire resource would not be acceptable under this consideration if it called for reconstruction of a majority of the resource.

Eligible

- A reconstructed plantation manager's office is eligible if the office were an important component of the plantation *and* if the reconstruction is one element in an overall plan for restoring the plantation *and* if no other building or structure with the same associations has survived.
- The reconstruction of the plantation manager's office building can be eligible only if the majority of buildings, structures, and objects that comprised the plantation are extant and are being restored. For guidance regarding restoration see the [Secretary of the Interior's Standards for Historic Preservation Projects](#).

Last Surviving Property of a Type

This consideration also stipulates that a reconstruction can qualify if, in addition to the other requirements, no other building, object, or structure with the same association has survived. A reconstruction that is part of a restoration master plan is appropriate only if: 1) the property is the only one in the district with which a particular important activity or event has been historically associated or 2) no other property with the same associative values has survived.

Reconstructions Older than Fifty Years

After the passage of fifty years, a reconstruction may its own attain significance for what it reveals about the period in which it was built, rather than the historic period it was intended

CRITERIA CONSIDERATION F: COMMEMORATIVE PROPERTIES

A property primarily commemorative in intent can be eligible if design, age, tradition, or symbolic value has invested it with its own historical significance.

Understanding Criteria Consideration F: Commemorative Properties

Commemorative properties are designed or constructed after the occurrence of an important historic event or after the life of an important person. They are not directly associated with the event or with the person's productive life, but serve as evidence of a later generation's assessment of the past. Their significance comes from their value as cultural expressions at the date of their creation. Therefore, a commemorative property generally must be over fifty years old and must possess significance based on its own value, not on the value of the event or person being memorialized.

Examples of Properties that MUST Meet Criteria Consideration F: Commemorative Properties

- *A property whose sole or primary function is commemorative or in which the commemorative function is of primary significance.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration F: Commemorative Properties

- *A resource that has a non-commemorative primary function or significance.*
- *A single marker that is a component of a district (whether contributing or non-contributing).*

Applying Criteria Consideration F: Commemorative Properties

Eligibility for Design

A commemorative property derives its design from the aesthetic values of the period of its creation. A commemorative property, therefore, may be significant for the architectural, artistic, or other design qualities of its own period in prehistory or history.

Eligible

- A commemorative statue situated in a park or square is eligible if it expresses the aesthetics or craftsmanship of the period when it was made, meeting Criterion C.
- A late 19th century statue erected on a courthouse square to commemorate Civil War veterans would qualify if it reflects that era's shared perception of the noble character and valor of the veterans and their cause. This was commonly conveyed by portraying idealized soldiers or allegorical figures of battle, victory, or sacrifice.

Eligibility for Age, Tradition, or Symbolic Value

EXHIBIT 5

A commemorative property cannot qualify for association with the event or person it memorializes. A commemorative property may, however, acquire significance after the time of its creation through *age, tradition, or symbolic* value. This significance must be documented by accepted methods of historical research, including written or oral history, and must meet one or more of the Criteria.

Eligible

- A commemorative marker erected by a cultural group that believed the place was the site of its origins is eligible if, for subsequent generations of the group, the marker itself became the focus of traditional association with the group's historic identity.
- A building erected as a monument to an important historical figure will qualify if through the passage of time the property itself has come to symbolize the value placed upon the individual and is widely recognized as a reminder of enduring principles or contributions valued by the generation that erected the monument.
- A commemorative marker erected early in the settlement or development of an area will qualify if it is demonstrated that, because of its relative great age, the property has long been a part of the historic identity of the area.

Not Eligible

- A commemorative marker erected in the past by a cultural group at the site of an event in its history would not be eligible if the marker were significant only for association with the event, and it had not become significant itself through tradition.
- A building erected as a monument to an important historical figure would not be eligible if its only value lay in its association with the individual, and it has not come to symbolize values, ideas, or contributions valued by the generation that erected the monument.
- A commemorative marker erected to memorialize an event in the community's history would not qualify simply for its association with the event it memorialized.

Ineligibility as the Last Representative of an Event or Person

The loss of properties directly associated with a significant event or person does not strengthen the case for consideration of a commemorative property. Unlike birthplaces or graves, a commemorative property usually has no direct historic association. The commemorative property can qualify for historic association only if it is clearly significant in its own right, as stipulated above.

CRITERIA CONSIDERATION G: PROPERTIES THAT HAVE ACHIEVED SIGNIFICANCE WITHIN THE PAST FIFTY YEARS

A property achieving significance within the past fifty years is eligible if it is of *exceptional importance*.

(For more information on Criteria Consideration G, refer to [*National Register Bulletin: Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years*](#).)

Understanding Criteria Consideration G: Properties that Have Achieved Significance Within the Past Fifty Years

The National Register Criteria for Evaluation exclude properties that achieved significance within the past fifty years unless they are of exceptional importance. Fifty years is a general estimate of the time needed to develop historical perspective and to evaluate significance. This consideration guards against the listing of properties of passing contemporary interest and ensures that the National Register is a list of truly historic places.

Examples of Properties that MUST Meet Criteria Consideration G: Properties that Have Achieved Significance Within the Past Fifty Years

- *A property that is less than fifty years old.*
- *A property that continues to achieve significance into a period less than fifty years before the nomination.*
- *A property that has non-contiguous Periods of Significance, one of which is less than fifty years before the nomination.*
- *A property that is more than fifty years old and had no significance until a period less than fifty years before the nomination.*

Examples of Properties that DO NOT Need to Meet Criteria Consideration G: Properties that Have Achieved Significance Within the Past Fifty Years

- *A resource whose construction began over fifty years ago, but the completion overlaps the fifty year period by a few years or less.*
- *A resource that is significant for its plan or design, which is more than fifty years old, but the actual completion of the project overlaps the fifty year period by a few years.*
- *A historic district in which a few properties are newer than fifty years old, but the majority of properties and the most important Period of Significance are greater than fifty years old.*

Applying Criteria Consideration G: Properties That Have Achieved Significance Within The Last Fifty Years

Eligibility for Exceptional Importance

The phrase "exceptional importance" may be applied to the extraordinary importance of an event or to an entire category of resources so fragile that survivors of any age are unusual. Properties listed that had attained significance in less than fifty years include: the launch pad at Cape Canaveral from which men first traveled to the moon, the home of nationally prominent playwright Eugene O'Neill, and the Chrysler Building (New York) significant as the epitome of the "Style Moderne" architecture.

Properties less than fifty years old that qualify as exceptional because the entire category of resources is fragile include a recent example of a traditional sailing canoe in the Trust Territory of the Pacific Islands, where because of rapid deterioration of materials, no working Micronesian canoes exist that are more than twenty years old. Properties that by their nature can last more than fifty years cannot be considered exceptionally important because of the fragility of the class of resources.

The phrase "exceptional importance" does not require that the property be of national significance. It is a measure of a property's importance within the appropriate historic context, whether the scale of that context is local, State, or national. EXHIBIT 5

Eligible

- The General Laundry Building in New Orleans, one of the few remaining Art Deco Style buildings in that city, was listed in the National Register when it was forty years old because of its exceptional importance as an example of that architectural style.

Historical Perspective

A property that has achieved significance within the past fifty years can be evaluated only when sufficient historical perspective exists to determine that the property is exceptionally important. The necessary perspective can be provided by scholarly research and evaluation, and must consider both the historic context and the specific property's role in that context.

In many communities, properties such as apartment buildings built in the 1950s cannot be evaluated because there is no scholarly research available to provide an overview of the nature, role, and impact of that building type within the context of historical and architectural developments of the 1950s.

National Park Service Rustic Architecture

Properties such as structures built in a rustic style by the National Park Service during the 1930s and 1940s can now be evaluated because a broad study, *National Park Service Rustic Architecture* (1977), provides the context for evaluating properties of this type and style. Specific examples were listed in the National Register prior to reaching fifty years of age when documentation concerning the individual properties established their significance within the historical and architectural context of the type and style.

Veterans Administration Hospitals

Hospitals less than fifty years old that were constructed by the Veterans Bureau and Veterans Administration can be evaluated because the collection of forty-eight facilities built between 1920 and 1946 has been analyzed in a study prepared by the agency. The study provided a historic and architectural context for development of veteran's care within which hospitals could be evaluated. The exceptional importance of specific individual facilities constructed within the past fifty years could therefore be determined based on their role and their present integrity.

Comparison with Related Properties

In justifying exceptional importance, it is necessary to identify other properties within the geographical area that reflect the same significance or historic associations and to determine which properties best represent the historic context in question. Several properties in the area could become eligible with the passage of time, but few will qualify now as exceptionally important.

Post-World War II Properties

Properties associated with the post-World War II era must be identified and evaluated to determine which ones in an area could be judged exceptionally important. For example, a public housing complex may be eligible as an outstanding expression of the nation's post-war urban policy. A military installation could be judged exceptionally important because

of its contribution to the Cold War arms race. A church building in a Southern city may have served as a pivotal rallying point for the city's most famous civil rights protest. A post-war suburban subdivision may be the best reflection of contemporary siting and design tents in a metropolitan area. In each case, the nomination preparer must justify the *exceptional* importance of the property relative to similar properties in the community, State, or nation. EXHIBIT 5

Eligibility for Information Potential

A property that has achieved significance within the past fifty years can qualify under Criterion D only if it can be demonstrated that the information is of exceptional importance within the appropriate context and that the property contains data superior to or different from those obtainable from other sources, including other culturally related sites. An archeological site less than fifty years old may be eligible if the former inhabitants are so poorly documented that information about their lifeways is best obtained from examination of the material remains.

Eligible

- Data such as the rate of adoption of modern technological innovations by rural tenant farmers in the 1950s may not be obtainable through interviews with living persons but could be gained by examination of homesites.

Not Eligible

- A recent archeological site such as the remains of a Navajo sheep corral used in the 1950s would not be considered exceptionally significant for its information potential on animal husbandry if better information on the same topic is available through ethnographic studies or living informants.

Historic Districts

Properties which have achieved significance within the past fifty years can be eligible for the National Register if they are an integral part of a district which qualifies for National Register listing. This is demonstrated by documenting that the property dates from within the district's defined Period of Significance and that it is associated with one or more of the district's defined Areas of Significance.

Properties less than fifty years old may be an integral part of a district when there is sufficient perspective to consider the properties as historic. This is accomplished by demonstrating that: 1) the district's Period of Significance is justified as a discrete period with a defined beginning and end, 2) the character of the district's historic resources is clearly defined and assessed, 3) specific resources in the district are demonstrated to date from that discrete era, and 4) the majority of district properties are over fifty years old. In these instances, it is not necessary to prove exceptional importance of either the district itself or the less-than-fifty-year-old properties. Exceptional importance still must be demonstrated for district where the majority of properties or the major Period of Significance is less than fifty years old, and for less-than-fifty-year-old properties which are nominated individually.

Properties More Than Fifty Years in Age, Less Than Fifty Years in Significance

Properties that are more than fifty years old, but whose significant associations or qualities are less than fifty years old, must be treated under the fifty year consideration.

- A building constructed early in the twentieth century (and having no architectural importance), but that was associated with an important person during the 1950s, must be evaluated under Criteria Consideration G because the Period of Significance is within the past fifty years. Such a property would qualify if the person was of exceptional importance.

Requirement to Meet the Criteria, Regardless of Age

Properties that are less than fifty years old and are not exceptionally important will not automatically qualify for the National Register once they are fifty years old. In order to be listed in the National Register, all properties, regardless of age, must be demonstrated to meet the Criteria for Evaluation.

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JPJ





Re: Confederate Statute

Jim Coyle

to:

marrirock@aol.com

09/09/2015 12:25 PM

Cc:

"county.council@montgomerycountymd.gov", "HistoricDistrict@Rockvillemd.gov"

Hide Details

From: Jim Coyle <jimcoyl@gmail.com>

To: "marrirock@aol.com" <marrirock@aol.com>

Cc: "county.council@montgomerycountymd.gov"

<county.council@montgomerycountymd.gov>, "HistoricDistrict@Rockvillemd.gov"

<HistoricDistrict@Rockvillemd.gov>

jim,

Excellent suggestion. could not have said it any better. this is an educational opportunity that should have been done years ago.

jim Coyle

Sent from my iPad

On Sep 8, 2015, at 3:15 PM, marrirock@aol.com wrote:

Dear President Leventhall and Council Members,

The Confederate statute should be moved from its current site to a more open space and given a comprehensive context. In my opinion the clear choice is the near-by Beall-Dawson Historical Park.

I believe the Beall family were Union supporters and this will make the site even more compelling as a educational opportunity. Maybe include an Union soldier---the federal government probably has such a statute in storage that could be donated for more historical context.

Hope this helpful.

Jim Marrinan
5 Old Creek Ct.
Rockville, MD 20854
301/340-1325

Exhibit 6

my opinion on removing the Confederate Soldier Statue

Kai Hu

to:

county.council, HistoricDistrict

09/08/2015 06:32 PM

Hide Details

From: Kai Hu <hukai28@gmail.com>

To: county.council@montgomerycountymd.gov, HistoricDistrict@rockvillemd.gov

Hello, the council members of Montgonmery County:

My name is Kai Hu, an architect/artist has been living in Rockville for many years since 2005. I have read one post from Peerless Rockville's website, it's about that Montgonmery County (MC)is thinking to remove the Confederate Soldier Statue from current location (on east side of red brick court house) to a new site, I think MC should reconsider this proposal and action, the reason is simple, as the residents of the city of Rockville, we will have to face the history of our city, no matter good or bad, the statue standing at its original location has real meanng of it, we just need to preserve and interpret it in a better way at its present location. This would also be more economical choice too, MC & City of Rockville should save this part of money from tax payer and use it as fund for the new public art work in the city.(I can write a proposal to share my idea with you)

I would like to hear your response.

Thank you very much.

Kai

--

Kai Hu

www.thehmk.net

we practice what we preach



Confederate Statute

marrirock

to:

county.council

09/08/2015 03:16 PM

Cc:

HistoricDistrict

Hide Details

From: marrirock@aol.com

To: county.council@montgomerycountymd.gov

Cc: HistoricDistrict@Rockvillemd.gov

Dear President Leventhall and Council Members,

The Confederate statute should be moved from its current site to a more open space and given a comprehensive context. In my opinion the clear choice is the near-by Beall-Dawson Historical Park.

I believe the Beall family were Union supporters and this will make the site even more compelling as a educational opportunity. Maybe include an Union soldier---the federal government probably has such a statute in storage that could be donated for more historical context.

Hope this helpful.

Jim Marrinan
5 Old Creek Ct.
Rockville, MD 20854
301/340-1325



Confederate soldier

Jerry Van Winter

to:

historicdistrict@rockvillemd.gov

09/08/2015 11:17 AM

Hide Details

From: Jerry Van Winter <JVanWinter@computerpackages.com>

To: "historicdistrict@rockvillemd.gov" <historicdistrict@rockvillemd.gov>

The statue honors the southern state soldiers (which included Maryland) in the war between the states. They deserve to be honored today as much as ever. To remove the statue because of a current event makes no sense. Better would be to put up a statue

Upcoming Product Demonstrations:

Ann Arbor Regent Ann Arbor, MI - September 22nd, 2015

The Ritz-Carlton Cleveland, OH - September 23rd, 2015

The Brown Palace Hotel Denver, CO - September 23rd, 2015

The Four Seasons Hotel Austin, TX - September 24th, 2015

For more information, contact Mya Phyu mphyu@computerpackages.com
or visit our website at www.computerpackages.com



Montgomery County Confederate Statue

Glass, Christopher

to:

county.council@montgomerycountymd.gov

09/07/2015 02:58 PM

Cc:

"HistoricDistrict@rockvillemd.gov"

Hide Details

From: "Glass, Christopher" <GlassC@Pragmatics.com>

To: "county.council@montgomerycountymd.gov"

<county.council@montgomerycountymd.gov>

Cc: "HistoricDistrict@rockvillemd.gov" <HistoricDistrict@rockvillemd.gov>

Mr. Leggett,

My sincere apologies. It was not my intent to send you the article on US Army bases that had been forwarded to me. My note was long enough. E-mail inabilities and user error on my part. :)

Thank you again for your time,

V/r
Chris

From: Glass, Christopher

Sent: Monday, September 7, 2015 1:57 PM

To: county.council@montgomerycountymd.gov

Cc: HistoricDistrict@rockvillemd.gov

Subject: Montgomery County Confederate Statue

Good morning Executive Leggett,

Thank you for the opportunity to submit my opinion regarding this historic statue. Having grown up in Montgomery County, graduating from Wheaton High School and completing my undergraduate History and Political Science degrees at Frostburg State University before embarking on my 36 year military career, I grew up with a conscience knowledge and understanding of the historical significance of this monument. My senior thesis at Frostburg centered on the Civil War history its presence provoked; *"Union and Confederate involvement in Montgomery County 1861-65"*. Among my earliest memories I can actually remember when this monument (Captain Elijah White is the figure ceremonially representing all military comrades the statue honors) once stood on a small round-about park on then

Exhibit 6

Route 28 directly in front of the Old Courthouse. It has been moved multiple times since then. It should not be allowed to be vandalized or vanquished from our history.

My Great Grandfather fought Confederate forces at the Battle of the Monocacy, Frederick Maryland in June 1864 as an 18 year old private in the 3rd Maryland Infantry Regiment, Co. I, United States Army. My Grandfather (WWI), Father (WWII), Brother (Vietnam), Myself (Persian Gulf) and now my son (GWOT) have all served / serving in the United States Military. I could present to you a family list of military service back to the Revolution, but I believe the short one establishes credibility and sustains my opinion.

Confederate military history is OUR shared heritage and integral part of all United States military history. Every statue and grave is honored United States military history. Every desecration of our American military symbols is an assault on all United States military traditions, customs and honor. British, French, Dutch, Irish, Spanish, Confederate, African, and American Indian customs, tactics, strategy, traditions, heroes and honored dead make up what is honorably the United States Military of today. To abuse one historical heritage of our force ... is an abuse on all. E. Pluribus Unum!

Displayed in my den next to my Tuskegee Airmen memorial medallion is the Civil War Campaign medal that my Great Grandfather was awarded in the early 1900's (just after the Spanish-American War when our government first started to mint and award campaign medals). It carries the inscription: "With Malice Toward None, With Charity For All" the words of Abraham Lincoln, hanging from a Blue/Grey ribbon. It was not a victory, but a reconciliation medal invoking peace and national unity for both north and south. The current 29th Infantry Division - Maryland National Guard "Blue -Grey Division " insignia maintains this history and reconciliation spirit to this day!

The recent political relativist attacks on this an American war dead memorial, seek to destroy this spirit. As United States honored military history it should be preserved and cherished in place.

Very respectfully,
Chris Glass

Captain, United States Navy (ret.)
United States Naval War College Foundation
United States Merchant Marine Academy, Maryland Field Representative.



Confederate Staue

Susan Soderberg

to:

sbashiri

09/03/2015 06:59 PM

Hide Details

From: Susan Soderberg <soderberg@md.net>

To: sbashiri@rockvillemd.gov

1 Attachment



Soderberg ltr Confederate statue.docx

To the Rockville Historic District Commission,
Please do not allow the Confederate statue to be moved. It is a part of the history of the Red Brick Courthouse and it's historical interpretation.
What was built in Rockville should stay in Rockville. Please see the attached letter.

Susan Soderberg

September 3, 2015

To: Montgomery County County, Montgomery County Executive Ike Leggett
and the Rockville Historic District Commission

Re: Confederate Statue

As a Montgomery County resident of 42 years, I request that the Confederate Monument be left where it is, with the installation of interpretive signage for teaching and metal fencing for protection. To move the Confederate Statue would be doing exactly what the murderer in Atlanta expressed: encouraging a race war. Removal of the statue contributes to the stereotyping and demonizing of the people who fought for the South in the Civil War. Dishonoring the South and southerners in this way fosters an atmosphere of hatred and fear that can fuel more violence. Instead, let us unite in respecting the past and learning the lessons that it can teach. The statue should remain where it is as a reminder of what hatred can do, "Lest we forget."

Here are five good reasons to not move the monument:

1. **It does no harm.** While offensive to some, the statue does not do sufficient harm to warrant action by a legislative body. A principle known as the "harm principle" has served as a guideline for legislation in democratic societies for more than a century. According to the *harm principle*, the prevention of harm, not the prevention of offense, is the appropriate role of legislation. The statue has stood on the courthouse grounds for more than 100 years. It is an artifact of history, telling the story of the place and time of the past when it was erected.
2. **It would cost \$50,000 to move the statue.** In a time when the County is cutting back its budget, wouldn't the taxpayer's money be better spent elsewhere? Putting up an interpretive sign next to the statue would only cost about \$2,000. Putting up another monument representing the Union side of the War could be done by subscription and cost the government nothing (see the picture of the Monocacy Battlefield monument attached).
3. **It honors Montgomery County Veterans.** The 183 men from Montgomery County who fought in the Confederate army (versus 190 Union soldiers) were pardoned by President Johnson in December of 1865, exonerated by the U.S. Supreme Court, took the oath of allegiance to the United States and returned home to be full voting citizens again. A number of them were elected to serve in the local and state government. They are recognized as United States veterans: as we were once a divided country, we are now united again. We should not dishonor them because they fought on the losing side (as did our soldiers in Vietnam), or because we now hold different political views than they did 150 years ago.
4. **It accurately represents the Montgomery County's wartime sentiments.** Maryland may not have seceded from the Union, but it was a Southern state. The citizens of the state were divided in their loyalties, mainly along geographic lines. Unlike the northern part of the state, Montgomery County was very Southern in its sentiments during the Civil War. Montgomery County was under Martial Law beginning on April 27, 1861. This meant that the Bill of Rights of the Constitution was suspended and people could be arrested and incarcerated without trial. Most of the men crossing the Potomac River to join the Confederate army did so at this time. In this connection, I invite you to watch the Emmy-award winning documentary "Life in a War Zone; Montgomery County in the Civil War," which can be found

at: www.heritagemontgomery.org. Following are some facts that also support Montgomery County's Southern leanings during the War:

- Montgomery County, unlike most of Maryland, sent about the same number of men to fight for the north as for the south, except, most of the soldiers fighting for the north were conscripted and they signed up for 1 year to 18 months. Those who went South signed up for the duration of war.
- Lincoln won only 2% of the votes in Montgomery County in 1860, and only 10% of the vote in 1864, while the state went for Lincoln.
- Montgomery County State Senator Washington Duvall was arrested with a number of other Southern-leaning representatives in September, 1861, to prevent them from voting for secession.
- When Gen. Jubal Early led his Confederate forces on a march to attack Washington, D.C. in July 1864, he demanded a \$20,000 ransom from Hagerstown, a \$5,000 ransom from Middletown, a \$200,000 ransom from Frederick, but nothing from Rockville.

The underlying cause of the Civil War was slavery, but this did not mean that every Confederate soldier was a slave owner or even endorsed slavery. They fought for many different reasons and those reasons may have changed during the course of the war. Montgomery County Confederate soldiers did not have the choice of leaving the army, even if their sentiments changed. They could not go home. Like most Civil war monuments, Union and Confederate, this is a representation of a common soldier, not a leader or a general. This particular statue is unlike any other in that it was created by an artist specifically for Montgomery County and depicts a cavalryman, as most Montgomery County Confederates were in a cavalry unit. The funds for the monument were raised from the general public by the veterans themselves and the United Daughters of the Confederacy from 1910-1913.

The Confederate statue serves as a reminder of the deep divisions within our society in the 1860s. "Lest we forget" is an expression found on both Union and Confederate monuments in Maryland. These inscriptions warn of the potential for violence and full-scale war that can erupt over racial and class issues. While much remains to be addressed today, some progress in reducing racism has occurred following the purging fire of the Civil War. Let us not forget this lesson.

5. The monument was erected in 1913 to reconcile the formerly divided community and emphasize their shared American values. At the end of the dedication ceremony the Star Spangled Banner was sung and the United States flag raised over the monument. According to the speeches given at the dedication ceremony, the inscription "The Thin Gray Line" on the monument refers to "The Maryland Line" of the Revolutionary War, not to the fact that there were fewer Confederate than Union soldiers. Many of the men who left Maryland to fight for the South did it because they felt that they were being oppressed by the government the same as King George had oppressed the colonists, and they were fighting for their personal liberty (see James McPherson, What they Fought For). That is why the Maryland state song refers to Lincoln as a "tyrant" and calls to "Remember Carroll's sacred trust, Remember Howard's warlike thrust," along with many more references to past heroes and tyranny. It may not be as vivid to us today, but the Revolutionary War was still bright in the minds of the people of 1860 and 1913. Are we to countermand today these efforts at reconciliation by splitting our nation again?

Sincerely,

Susan Cooke Soderberg
19313 Liberty Mill Rd.
Germantown, MD 20874
Soderberg@md.net

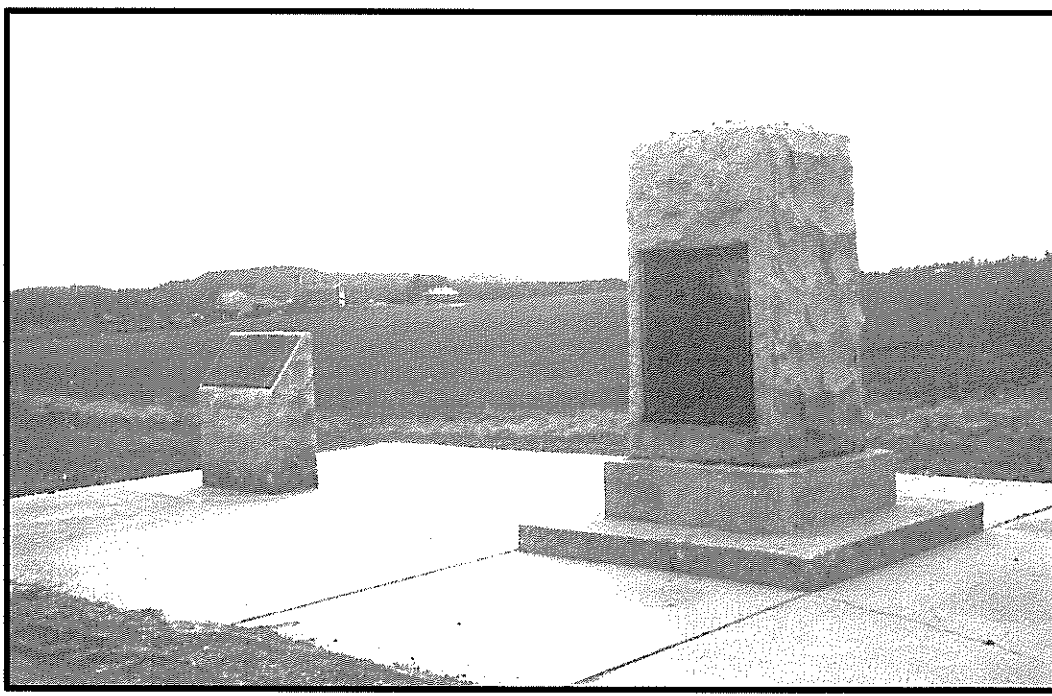
The Proper Way to Deal With Contentious Monuments From the Past

On the 50th anniversary of the Battle of Monocacy the United Daughters of the Confederacy erected a monument honoring the Confederate soldiers who died in that battle, "A Confederate Victory." On the 100th anniversary of the Battle the Maryland Civil War Centennial Commission, in order to reinterpret the Battle from another side, erected a monument to the left of the U.D.C. monument on which is the following inscription:

The Battle of Monocacy
[state seal]
The battle that saved Washington

Here along the Monocacy River on
July 9, 1864, was fought the battle between
Union forces under General Lew Wallace
and Confederate forces under
General Jubal Early

The battle, although a temporary victory
for the Confederates, delayed the march
on Washington one day, thereby enabling
General Grant to send veteran reinforcements
from Petersburg, Virginia, to the defenses
of Washington in time to forestall the
attack by Confederates and thus save
the capital from capture.



I have read many of the comments of others about this issue from the public and from Montgomery County officials and staff which contain misconceptions and misinformation. The historian and teacher in me cannot let these go without correction. Please see below:

Myths

1. The Confederate statue in Rockville is equivalent to a Confederate flag.
2. The statue represents Maryland in the Civil War.
3. An equal number of Montgomery County citizens supported the Union as supported the Confederacy.
4. The monument represents slavery.
5. Moving the monument would not change its interpretation.
6. The only places to move the monument to, if it is moved, are the ones on the Parks Department list.

Facts

1. The Confederate statue is a material artifact of a specific time. It tells a complex story of the time and the society in which it was erected. This story, like that of any artifact, may not be evident from the appearance of the object itself, but revealed by research into the dedication ceremony, the speakers and what they said, the songs and poems, who was there, what was there, and where the money came from. It may be symbolic, but what it was a symbol of, what it really meant to the people of the time, may be a mystery. A flag, on the other hand, is by definition a symbol, a mass-produced piece of cloth which represents something else; and what it represents can change over time because it is not stuck in time.
2. The statue is of a cavalry private and is a portrait of Spencer C. Jones, former mayor of Rockville, and a member of the Confederate cavalry. Funds for the monument were raised by the Confederate veterans and United Daughters of the Confederacy from Montgomery County. It is unique to Montgomery County and represents the veterans of that county only, not of the state of Maryland.
3. As an indication of the sentiments of Montgomery County citizens one need only look at the elections. Lincoln won only 2% of the votes in Montgomery County in 1860, and only 10% of the vote in 1864, while the state went for Lincoln. While the County was under Martial Law, many citizens were arrested for aiding the enemy by smuggling and spying. During the War federal troops marched through the County on several occasions and troops were encamped on some farms for long periods of time. Farmers could ask the government for compensation from the government for crops, fences, livestock lost. But the government would only compensate loyal farmers. One can get a good idea of the number of loyal farmers by seeing who was compensated, as opposed to those farmers who did not seek compensation or were denied. Only a handful were compensated.
4. While some may view the Civil War as a war of abolitionists against slave holders, this is very simplified and far from the truth. Although the underlying cause of the Civil War was slavery, this was a political issue, and not the reason why most of the soldiers fought, North or South. To learn more about why the soldiers fought see James McPherson, What they Fought For. President Lincoln changed the war from a fight about states' rights to a fight to free the slaves with the Emancipation Proclamation, but in the beginning, the war erupted over economic issues and libertarian values, among which was property

ownership, among which property was slaves. Many southerners were against slavery, some owning slaves themselves. Many northerners were what we would call today, white supremacists. Slave owners could only justify their owning another person by saying that the African people were an inferior race, needing guidance and to be looked after. Most northerners agreed with this. For instance, Postmaster General for Lincoln Montgomery Blair, in a speech calling for a re-enfranchising of the Confederates after the War, described African Americans as "their nature is tropical. They are the creatures of despotism, as all men who are sprung from that climate are." And he goes on to say that they are incapable of governing themselves.

The Civil War was not simple, and to describe it in simplistic terms only erases the lessons we can learn from that war that will help us learn to overcome the racism of the past and live together in peace. We must confront our demons, but we must correctly identify them first.

5. When you move a historic structure out of its original place you are taking it out of context and therefore can interpret the object any way you wish, eliminating its historical significance. It is comparable to removing a coin from an archeological dig without marking its placement in relation to other objects or its subterranean level in the soil. The 1967 move of the statue was from the front to the side of the courthouse, so did not entirely move it out of its original context.

6. If the County, without holding a public hearing and against the wishes of a majority of its citizens and the "Harm Principle," moves the Confederate statue it will be in violation of its own rules. Besides, there is really no place to move it: The Parks Department does not want it. It would be unfair to move it to a private property. It would be an abrogation of history to move it to a historic property which represents the Union side in the Civil War such as the Beall-Dawson House or the Jesup Blair House. What was built in Rockville should stay in Rockville.

My Credentials

Susan Cooke Soderberg is an independent historian and writer. She has a Masters degree in American Studies from George Washington University (American Studies includes sociology, anthropology, cultural history and history), and a BA in Art History from the College of William and Mary.

She retired after ten years with the Maryland-National Capital Park and Planning Commission as an education and outreach planner for Park historic sites and Historic Preservation. With the help of park trails staff she created the Underground Railroad Experience Trail on Park land in Sandy Spring and trained and managed guides for the trail; created exhibits in a cabin occupied by enslaved people and trained docents to interpret it. She created an interpretive sign for the "Chaplin Arrest" Underground Railroad site, and was part of the team for acquiring the Josiah Henson site. She applied for and received recognition for two Underground Railroad sites and one program from the National Network to Freedom. Her work also included planning programs, research, writing articles and press releases, public speaking, creating exhibits, managing a grant program, and working with other organizations.

As an independent scholar she has written several books and articles, lectured on Maryland History at Montgomery College and for various groups and classes, served on the Montgomery County Historic Preservation Commission, and was a researcher and consultant for the Emmy-award winning film, "Life in a War Zone: Montgomery County in the Civil War." In 2013 she was part of a small group that lobbied for the passage by the state of a bill to officially recognize November 1 as "Maryland Emancipation Day." She shared the keynote speaker podium with Eileen McGuckian last January at the annual Montgomery County History Conference where they spoke on Slavery and Emancipation in Montgomery County.

Currently, she does free-lance historical research and writing and is working on a biography of Josiah Henson, who was the model for Uncle Tom in the famous book. She is a speaker on the Montgomery County Historical Society "Speakers Bureau," an advisor for the King Farm Dairy Museum, is the President of the Germantown Historical Society, and serves as a **Commissioner on the Maryland Military Monuments Commission**.

Her book, Lest We Forget: A Guide to Civil War Monuments in Maryland is quoted in Charles W. Mitchell's Maryland Voices of the Civil War (Pp. 472-473) among others, and is used as a reference by the Maryland Military Monuments Commission.

Selected books and articles:

"George Atzerodt: The Reluctant Assassin," *The Montgomery County Story*, Vol. 58 #1 (Summer 20015).

"African Americans in Montgomery County in the Civil War," *The Montgomery County Story*, Vol. 54 #1 (summer 2011).

A Guide to Civil War Sites in Maryland, White Mane Pub., Nov. 1998.

The Met: A History of the Metropolitan Branch of the B & O Railroad, 1998.

Who Was Who of the Civil War Correspondents, 1996.

"Maryland's Civil War Monuments," *The Historian*, Vol. 58 #3 (Spr,1996).

Lest We Forget: A Guide to Civil War Monuments in Maryland, White Mane Pub, 1995.

"The Confederate Monument and its Symbolism," *The Montgomery County Story*, Vol. 36 #3 (Aug., 1993).



Where to move the MCMCS ...

Hugh Clayton

to:

historicdistrict, Clayton, Hugh Gmail

09/02/2015 08:31 PM

Hide Details

From: Hugh Clayton <2404987958.hc@gmail.com>

To: historicdistrict@rockvillemd.gov, "Clayton, Hugh Gmail"
<2404987958.hc@gmail.com>

History: This message has been replied to.

After the Bryce Williams shootings in Moneta, Virginia about a week or so ago, any talk of moving the Montgomery County Maryland Confederate Statue should no longer be considered.

Leaving it where it is with new signage would be the only sensible / logical thing to do.



Confederate Statue
Carol DuVall
to:
HistoricDistrict
09/02/2015 08:57 PM
Hide Details
From: Carol DuVall <carol.j.duvall@gmail.com>

To: HistoricDistrict@rockvillemd.gov

History: This message has been replied to.

Below is the letter I wrote to the President of the County Council regarding the removal of the Confederate Statue in Rockville. Peerless Rockville has notified me of your meeting with Mr. Leggett on September 17th and, although they did not advise that you were requesting input, perhaps my thoughts will be considered.

My vote – Beall-Dawson House in Rockville

The Confederate Statue has stood proudly for over 100 years in Rockville, Maryland, where it was dedicated to those men of Montgomery County who served in the Confederacy. Although I am of the firm conviction that the statue is currently in its proper location, I find that I must defer to the current powers of Montgomery County since the decision to move the statue was made prior to, and in spite of, popular public opinion.

I am a fifth generation member of a proud Rockville family. A family who sacrificed men on both sides of the conflict known as the "Civil War." As were many Maryland families, mine was split during this conflict. We did not own slaves, but fought for what we, individually, believed to be right and just.

It is very distressing to hear that some see this Confederate memorial as a symbol of hatred. There has never been evidence that this statue stood for hatred or evil, it has proudly stood in remembrance of our Rockville heritage.

When all of the letters have been read, I sincerely hope that the statue will not be moved to a location out of Rockville. The Beall-Dawson house would be an acceptable location if the "center of government" in Montgomery County is deemed offensive.

Thank you for your consideration.

Carol DuVall



Statue of Confederate Soldier
Brenda
to:
HistoricDistrict
09/02/2015 09:32 PM
Hide Details
From: Brenda <bktabor@aol.com>

To: HistoricDistrict@rockvillemd.gov

History: This message has been replied to.

Ladies and Gentlemen:

I am a 39-year county resident, currently living at 5 Barrington Fare, Rockville, MD 20850. I have reviewed the proposals for relocation of the statue of the Confederate Soldier, currently located in Rockville, and consider the following proposal the most appropriate site.

Jesup Blair Local Park	24.2	Silver Spring	M-NCPPC	Site has 5 existing Civil War interpretive signs. Site was location of both Union and Confederate movements and Blair family has ties to the Civil War and President Lincoln's Cabinet.	15 designated spaces and an adjacent college parking garage.	Adjacent to Montgomery College campus. Historic Jesup Blair House on site is vacant at this time and may be an appropriate location for a historical museum, but it requires additional funding for rehabilitation.
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Thank you for considering my opinion.

Yours truly,

Brenda Kean Tabor



Rockville statue

JoAnne Barron to: HistoricDistrict@rockvillemd.gov

09/02/2015 11:09 PM

From: JoAnne Barron <jbarron11@verizon.net>

To: "HistoricDistrict@rockvillemd.gov" <HistoricDistrict@rockvillemd.gov>

History: This message has been replied to.

None of the five sites named are to my liking. What is wrong with the
Rockville Cemetery?
JoAnne Barron

Sent from my iPad



Statue
nancybill5
to:
HistoricDistrict
08/31/2015 09:30 AM
Hide Details
From: nancybill5@aol.com

To: HistoricDistrict@rockvillemd.gov

Perhaps trying to erase history isn't such a great idea.

Doing that requires a very good explanation for people like me who believe in seeing the entire "picture" of historic events.

Makes one wonder about all other parts of history have been eliminated for one reason or another..

Thank you for this opportunity to express my opinion.

Nancy Keefe
Peerless admirer and member from the past

August 24, 2015
18000 Bentley Road
Sandy Spring, MD 20860

Historic District Commission
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

Dear Sir/Madam:

With respect to the future of the Confederate Statue in Rockville, please ask this question: why was this statue erected in 1913? What was going on then? I believe this Relevant to our discussion because it helps to explain why, in 2015, we continue to battle racism in this country.

An answer is provided by Steven I. Weiss in an article published in *The Atlantic* magazine in 2013 [<http://www.theatlantic.com/politics/archive/2013/07/government-spending-confederate-graves/277931/>]. In that article, he says:

“The desire for more Confederate memorialization at the turn of the century came not only from a sense of respect for history, heritage, or states' rights, but amid a torrent of racism and racial suppression. Celebrations of Jefferson Davis' 100th birthday in 1908 were held without restraint. The novel, *The Clansman: An Historical Romance of the Ku Klux Klan*, became a runaway hit when it was published in 1905; a theatrical adaptation successfully toured the South and was even staged in Washington, D.C. (Most of us have heard of the story of that novel and play because of the screen adaptation, D.W. Griffith's *The Birth of a Nation*). And Confederate heritage groups like the UDC [*the United Daughters of the Confederacy*] began erecting monuments and memorials that recalled a righteous cause.”...

“That monument [*the Confederate memorial in Arlington National Cemetery*], funded by the UDC, was dedicated in 1914 with a speech from President Woodrow Wilson—the first Southerner elected president since 1848, and whose election marked the peak of Northern conciliation with the South. Wilson's presidency was remarkable for his racism: He moved to resegregate the federal civil service and screened *Birth of a Nation* in the White House. And Wilson spoke at the dedication of the Confederate Monument, held on Jefferson Davis's birthday.”

I believe the true significance of the 1913 statue is the subtext of identification and support for the continuation of racist policies throughout the nation fifty years after the Civil War. Once the Confederate states were accepted back into the Union by 1877, each

one enacted state laws to successfully disenfranchise African-Americans. “Jim Crow” laws provided for a segregated society that made second class citizens out of African-Americans. And these efforts were supported at the federal level, as witnessed by actions taken by President Wilson after his election in 1912. In 1915, the Ku Klux Klan, which had been dormant, was revived. Lynchings were rampant well into the 20th century; our federal government never passed a bill against lynching due to opposition from southern states.

Ms. Michaelson’s memo dated 7/27/15 includes the following comment: “The Confederate Soldier Statue is a local example of a custom designed “common soldier” monument, proudly erected in the City of Rockville by the citizens of this County more than 100 years ago.” I question, in a city and county that was divided during the Civil War, whether the citizenry in 1913 weren’t also divided and not *so proud*, of this statue.

To me, it is clear that this statue was raised as a reminder that lives had been lost fighting to retain slavery and the fight was not over! And even today, this battle continues to play out, as states enact new voter registration laws that effectively cut off minorities from their right to vote.

The Rockville statue represents history for sure: the determination in the early 20th century to maintain the racist policies fought for with a Civil War. I don’t believe, in the 21st century, that we have to honor that story any more.

Please remember that this statue has already been moved once, from a highly public location in the middle of Montgomery Avenue to its current location on the grounds of the Red Brick Courthouse.

My recommendation is that the statue be removed to a museum setting. In such a setting, there will be plenty of space to discuss the Civil War and ongoing decades of oppression and repression made legal in the USA. I suggest the collections of either Peerless Rockville or the Montgomery County Historical Society would be appropriate.

Yours truly,

Robin D. Ziek*

*Former Historic Preservation Planner with Montgomery County (1995-2002), and with the City of Rockville (2002-2014)



Remarks on the historic statue in downtown Rockville

Me

to:

HistoricDistrict

08/19/2015 07:28 PM

Cc:

"ROBERT BREWER", Info

Hide Details

From: "Me" <Woody@FrederickMD.com>

To: <HistoricDistrict@rockvillemd.gov>

Cc: "ROBERT BREWER" <brewer000@verizon.net>, <Info@PeerlessRockville.org>

City of Rockville Historic District Commission,

I understand that Montgomery County has applied to the City of Rockville HDC for a Certificate of Approval to remove a historic monument from the grounds of the Red Brick Courthouse and I would like to submit some remarks on that subject.

The Sons of Union Veterans of the Civil War (SUVCW) is a fraternal organization dedicated to preserving the history and legacy of veteran heroes who fought and worked to save the Union in the American Civil War. Organized in 1881 and chartered by Congress in 1954, SUVCW is the legal heir and successor to the Grand Army of the Republic.

Please find below a link to our website with the official position of the Sons of Union Veterans of the Civil War (SUVCW) concerning historical flags, monuments or markers as adapted by the supreme governing body of the National SUVCW organization.

<http://suvchw.org/flagres.htm>

In part it states:

we, the members of the Sons of Union Veterans of the Civil War, oppose the removal of any Confederate monuments or markers to those gallant soldiers in the former Confederate States, and strongly oppose the removal of ANY reminders of this nation's bloodiest war on the grounds of it being "politically correct;"

Respectfully yours,

Karl "Woody" Woodcock
Woody@FrederickMD.com



Please don't move the statue
Paloma Bolasny
to:
HistoricDistrict
08/18/2015 08:49 PM
Hide Details
From: Paloma Bolasny <pbolasny@gmail.com>

To: HistoricDistrict@rockvillemd.gov

Dear Rockville Historic District Commission,

I urge you to deny Montgomery County's Certificate of Approval to remove the Confederate Statue from the grounds of the Red Brick Courthouse. Please do not give in to the current political theatre by censoring history. Peerless Rockville, Rockville's leading voice for historic preservation and heritage tourism, recommends adding interpretive signage by the statue, thereby providing a context for why the statue stands where it does, in a progressive and educated county. Good and proper history can only be taught by sharing all stories and engaging in difficult conversations. Please let Peerless Rockville or other educational and civic institutions help the community to understand the statue, not forget it.

I strongly hope you turn an irrational request into a positive learning opportunity for all- the country will be watching.

thank you,

Paloma Bolasny

Adopt, don't shop!
www.lostdogandcatrescue.org



1295 Bartonshire Way

Rockville, MD 20854
August 10, 2015

Historic District Commission
c/o CPDS
111 Maryland Ave.
Rockville, MD 20850

Dear Members of the Commission:

I am writing about the Confederate statue on the grounds of the Red Brick Courthouse. Because it is a symbol of treason against the United States of America, it should not be on official public property. However, I do not think it should be destroyed or put into a warehouse. In itself, it is an artifact that shows that in the early 20th century, Montgomery County bought into the myth of the Lost Cause. It should be placed somewhere that will allow for a plaque which explains more about the Civil War and Montgomery County's role in it. A tribute to Union soldiers would be appropriate. I realize that moving it will be difficult and that finding a proper place to move it will be problematic. The grounds of the Beall-Dawson House might work, as long as there is proper explanatory information.

Sincerely,

Emily Correll
301-279-7528
egcorrell@verizon.net



Rockville Confederate Monument

Susan Soderberg to: sbashiri
Cc: Peerless, Eileen McGuckian, Matt Logan

08/04/2015 01:19 PM

From: Susan Soderberg <soderberg@md.net>
To: sbashiri@rockvillemd.gov
Cc: Peerless <director@peerlessrockville.org>, Eileen McGuckian <phileen3@verizon.net>, Matt Logan <mlogan@montgomeryhistory.org>

History: This message has been forwarded.

2 attachments



Confederate statue group BIO.doc MC Story Conf Mon Rockville.PDF

Dear Rockville Historic Preservation Commissioners,

The Confederate monument in Rockville belongs to all of Montgomery County and your action will affect all of the residents. Because of the Annapolis court decision precedent you have the power to stop this irrational action to move the monument in its tracks, and to use this as a teaching moment.

I was a member of the group appointed to advise the County Council on this matter and I know why people want to move the monument. The rationale was that if you get rid of the subject of the argument then the argument will stop. The interloper in the group, sociologist James Loewen, even suggested destroying the monument, which would be an act of vandalism. The argument would, of course, not stop. The division and polarization of the community would increase -- I say increase, but I do not think that there was polarization before the monument was brought up. There were only two letters to the County Council about this before it got into the newspapers. The politicians have made this into a public controversy in order to distract the public from their poor performance over their past tenure as shown in the disastrous upcoming budget, the higher crime rate, the further division between the rich and poor in this County, the increase in homeless people, and the poor performance of our public schools.

If we really believe that "Black Lives Matter," which I do, then we would better our educational system and make it accessible to all; we would do everything in our power to make sure that everyone has a liveable wage; we would ban guns except in the hands of the military (the 2nd Amendment in the Bill of Rights does state, "A well regulated Militia being necessary to the security of a free state, the right of the people to bear arms shall not be infringed."); we would take care of our sick and elderly; we would stop the militarization of our police force and return them again to be the guardians of the people; we would bring the enlightenment of art and culture to all; we would protect the artifacts from our past that help us to interpret the past and to not make the same mistakes over and over.

Maryland may not have seceded from the Union, but Montgomery County was exceedingly Confederate during the Civil War. I invite you to watch the Emmy-award winning documentary "Life in a War Zone; Montgomery County in the Civil War," which can be found at: www.heritagemontgomery.org. The following facts might help you to understand:

- Montgomery County, which is represented by the monument (not Maryland), sent about the same number of men to fight for the north as for the south (c190), except, most of the soldiers fighting for the north were conscripted. The first conscription was July, 1863 and they signed up for 1 year to 18 months. Those who went South signed up for the duration of the war.
- Lincoln won only 2% of the votes in Montgomery County in 1860, and only 10% of the vote in 1864 when Confederate sympathizers were not allowed to vote, and the state went for Lincoln.
- The only reason that the Montgomery County delegate to the Maryland General assembly, Howard Griffith, was not arrested with the other Southern-leaning representatives in April, 1861, was that he was warned and did not attend. Montgomery County State Senator Washington Duvall was arrested.
- Montgomery County elected representatives to the 1864 Constitutional Convention, but they returned home after seeing where the vote was going.
- Montgomery County voted against the new 1864 Constitution which freed the slaves in Maryland. Montgomery County voted against the 14th and 15th amendments to the U.S. Constitution (as did Maryland).

The Confederate Monument is a relic of the past that reminds us of this heritage. It was not erected yesterday. It is not worshiped today. It is only an artifact that tells us what it used to be like in Montgomery County, and show us just how far we have come.

Reasons for not moving the monument:

1. The monument is an artifact of the past and a primary resource for the interpretation of the past. It tells the story of the history of Rockville and Montgomery County and of all of the inhabitants, black and white, free and enslaved, Union and Confederate. If it were moved, the historical context would be lost and with it part of the story, which is on-going.
2. The inscription on the monument refers to "The Maryland Line" of the Revolutionary War, not that there were fewer Confederate than Union soldiers. Many of the men who left Maryland to fight for the South did it because they felt that they were being oppressed by the government the same as King George oppressed the colonists, and they were fighting for their liberty (see James McPherson, *What they Fought For*). That is why the Maryland state song refers to Lincoln as a "Tyrant" and calls to "Remember Carroll's sacred trust, Remember Howard's warlike thrust," along with many more references to past heroes and tyranny. It may not be important to us today, but the Revolutionary War was still bright in the minds of the people of 1860 and 1913.
3. The statue is an individual and unique work of art relating specifically to Rockville and Montgomery County. Harming it would be an act of vandalism.

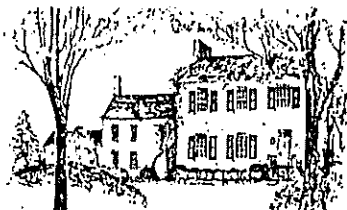
I have attached my bio and the history of the monument that I wrote in 1993 if you would like more information.

Susan Cooke Soderberg, historian

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THE CONFEDERATE MONUMENT AND ITS SYMBOLISM

by Susan C. Soderberg

"We [Americans] suffer primarily not from our vices or our weaknesses, but from our illusions. We are haunted, not by reality, but by those images we have put in place of reality."
-- Daniel Boorstein

A monument tells a story of the past, not written in words but in symbols and implied connotations. Because of this, its intended message is often misinterpreted in later years when the political atmosphere and cultural values of society have changed drastically. More than any other monument in Montgomery County, the Rockville monument depicting a Confederate soldier has been the subject of controversy and conflicting interpretations. Yet it was not intended to reinforce division among the people nor to be a symbol of the lost cause of the Confederacy and the ante-bellum ideology of the South. Erected nearly fifty years after the Civil War, the monument was meant as a tribute to the symbolic soldier it represented,

In order to be able to better understand the meaning of this, or any, monument, we must put aside all our modern opinions, values and political views and try to see the monument through the eyes of those who built the monument in another time. Of primary importance are the facts about the monument - when and where the monument was erected, who erected it, where the money came from to build it, the physical appearance of the monument and its inscriptions - as well as the political, economic and social atmosphere at the time and place that the monument was built.

The story of the Rockville Confederate monument begins in 1906 at Monocacy Cemetery in Beallsville, where friends had gathered to mourn the death of a veteran of the war. After the memorial service, Richard Poole Hayes suggested that a monument be built in the cemetery to honor the men of Montgomery County who fought for the Confederacy. Hayes had been a private

in Company B of the 35th Virginia Cavalry, serving from September 1862 until the end of the war.¹

No action was taken on Hayes' suggestion until the E. V. White Chapter of the United Daughters of the Confederacy (U.D.C.) was formed in 1911. This group spearheaded a movement, which was joined by the Ridgely Brown Chapter of the United Daughters of the Confederacy and the Ridgely Brown Camp of United Confederate Veterans (U.C.V.), to erect a monument, not at the cemetery as was first suggested, but at the county seat of Rockville. Mr. Hayes led the fund-raising effort on behalf of the United Confederate Veterans, along with George R. Rice (1st Maryland Cavalry), Spencer C. Jones (Co. A, 1st Maryland Cavalry), Elgar Tschiffely (Co. A., 1st Maryland Cavalry) and Frank Kilgore (Co. D, 35th Virginia Cavalry). After \$3600 was raised by the three organizations through charity events and public subscription, Michael J. Falvey of Washington was hired to construct the monument. The monument, according to the E. V. White Chapter, U.D.C., was "to honor our soldiers in this county who left home and firesides to cast their lot with the Southland, and to be an inspiration to the youth of our land to hold principle, honor, and a firm trust in God above all else."²

Michael J. Falvey (1859-1921) founded the Falvey Granite Company in Washington, D. C., in 1886, after having worked as a stonemason on the Washington Monument. The company, located near Rock Creek Cemetery, specialized in cemetery monuments and usually an artist would make a small model in plaster which would then be transferred to stone by a stonemason. In the case of a bronze statue such as the Rockville monument, however, the artist would have made the model full-size in order to cast it into bronze at the foundry. Although the Falvey Company is still in existence, records before 1927 are no longer in existence. The present owner, Merle L. Cox, Jr., thinks that the Rockville statue may have been made by Fred E. York, a well-known monument artist who is known to have worked for the company in the 1920s and 1930s.³ The daughter of Spencer C. Jones, one of the monuments fund-raisers, married a Thomas Falvey but the exact relationship between Michael and Thomas Falvey and its influence, if any, on the choice of Michael Falvey's company to construct the monument are not known.

The monument is a life-size bronze of a young cavalry private, with arms folded, looking into the distance. It stands on an eight-foot granite pedestal. The inscription on the face of the pedestal reads: "To our heroes of Montgomery County, Maryland, that we may through life not forget the Thin Gray Line, 1861 (CSA insignia with laurel wreath) 1865."

The most popular form for the Civil War monuments, Union and Confederate, was the solitary private soldier statue. One of the reasons for this popularity was that it demonstrated the ideal of classical beauty through the soldier's relaxed stance and intent expression. It was also a symbol of the individual rights of man, of equality, of democracy over tyranny, in contrast to previous secular sculpture in Europe since Medieval times which had been dedicated to famous individuals or great victories. Not since the time of the Greeks, with their democratic ideals, had monuments been built to the common soldier.

Although the stance of the soldier is similar to the stance of catalogue-ordered private-soldier statues which proliferated in the country



Rockville Confederate Monument

at the time, the cavalry boots and sword and the individualized facial features make the Rockville statue unique. Because it is unique, someone had to have posed for the statue. Some have suggested that this model was Spencer C. Jones, since he had an obvious family connection with the Falveys, but there is no evidence to substantiate this claim.

The monument was placed in front of the county courthouse, facing south, and was unveiled on June 3, 1913. June 3 was Confederate Memorial Day in many areas of the south as it marked the birth of Jefferson Davis. The local newspaper coverage of the ceremony stated that the location was "almost within a stone's throw of the place where our Revolutionary fathers gathered to express their repudiation of the assumed right of Great Britain to levy taxation on our people without representation.... More than three thousand souls assembled to do homage to those who, dominated by a like courage and patriotic spirit, voluntarily enlisted in the cause of the South." Many veterans from Baltimore attended the ceremony, some greeting each other for the first time since the war. The speakers stood on the porch of the courthouse while 50 to 75 veterans lined the sidewalk in front, facing the audience.

The ceremony opened with the Damascus Cornet Band playing "Maryland, My Maryland." The master of ceremonies was supposed to have been the Honorable Spencer C. Jones but illness prevented him from attending and Judge Edward C. Peter presided in his absence. Judge Peter "briefly outlined the important part taken by the citizens of Montgomery County in the Civil War, led by Colonel Elijah V. White from the western section, and by Colonel Ridgely Brown and Colonel Gustavus Dorsey from the eastern section of the county." Also mentioned were Captain Thomas Griffith and Captain Frank Bond. Judge Peter emphasized the courageous character of their service as well as that of the men who served under them. There was an invocation by Reverend James Taylor, a Presbyterian minister from Washington, D. C., and then a hymn was sung, "Nearer, My God, To Thee."

The featured speaker was the Honorable J. Thomas Heflin from Alabama. He spoke of the gallantry of the Confederate soldiers and the hardships they endured and their devotion to a cause which was never lost, only overpowered. He made a point to defend the soldiers as not being traitors, and ended with a tribute to the "fortitude and majestic loyalty" of the women of the South. As recorded in the newspaper, "one of the most pathetic scenes of the day occurred when the veterans present responded in tears to the sentiments of the speaker."

Three little girls and two little boys, all children of members of the fund-raising organizations, pulled the cord to unveil the statue and they "released the Confederate and Maryland flags which concealed the statue and unfurled also the American flag to the gentle breezes." There was the firing of a salute, the playing of "Dixie" and then a brief speech by congressman Frank Clark of Florida. The ceremony concluded with a benediction by Reverend Louis Watson and the playing of "Taps" followed by the "Star Spangled Banner."⁴

This dedication ceremony for the Rockville Confederate monument is a good example of the second stage, or reconciliation stage, of memorialization after the Civil War. As the years passed after the war and the people

who had actually experienced it were replaced by a second generation, the Civil War commemoration ceremonies and monuments moved out of the cemeteries and into the town squares. Funereal aspects of the ceremonies such as flowers, choirs singing hymns and the reading of sentimental poetry were replaced by bands playing patriotic music and more emphasis on oratory. The speakers were now congressmen and judges rather than ministers. The opening and closing prayers were retained, as well as an occasional hymn, but they paid tribute more to the veterans who had recently passed away than to those who had died in the war. The flowers of remembrance were replaced by the laurel wreath, a Greek symbol of honor. In the Confederate monument in Baltimore, titled "Gloria Cictis" (glory to the vanquished), the angel of glory holds a laurel wreath over the form of a dying Confederate youth.

Other symbols used in the ceremony included the song "Maryland, My Maryland, the United States flag and the state flag. "Maryland, My Maryland," which was sung and played at all the Confederate ceremonies after the war, was written by James Ryder Randall, a Marylander living in Louisiana at the time of the Baltimore riot in April 1861. To understand the song, we need to know something about events at the time of the riot. When the war began, most Marylanders had wanted both to uphold states' rights and to hold the Union together. Many had strong feelings of kinship with Virginia, just across the Potomac, where they had family or business ties. Early in 1861 a meeting was held in Baltimore at which the delegates resolved to resist any effort to make Maryland "a highway for federal troops, sent to make war upon our sister States of the South" and urging Governor Hicks to call the legislature into session to discuss seceding. Although Hicks sympathized with the South, he counted himself a strong Union man, doubted the wisdom of secession and adopted a wait-and-see policy. The stage was set for violence, and a riot broke out April 19 when citizens attacked a regiment of Massachusetts volunteers who arrived in Baltimore on the way to Washington.

Randall wrote "Maryland, My Maryland" as a call to the citizens of the state to arm for the fight. "The despot's heel is on thy shore ... Come! for thy dalliance does thee wrong, Maryland! ... Virginia should not call in vain." The song became very popular during the war with both Maryland Confederate soldiers and the southern sympathizers at home. When Lee's army crossed Montgomery County, Maryland, on the way to Antietam in September 1862, regimental bands played "Maryland, My Maryland" to cheering crowds of local citizens.⁵ The song was unique in that it was the only original of the patriotic war songs to survive after the war.⁶ After the war, the song was sung at so many popular events that it was finally adopted as the official state song by the Maryland General Assembly in 1939.⁷ Even by 1913, the year our county's Confederate monument was unveiled, the song had become more a traditional part of a ceremony than an act of rebellion and most people, then as now, only knew the first two or three of the thirteen verses.

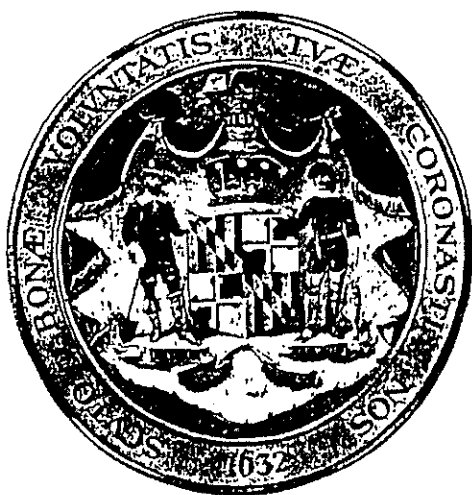
In addition to "Maryland, My Maryland," the singing of "The Star Spangled Banner" became more frequent in the later Confederate ceremonies, indicating by its presence an increase in nationalist feelings, as opposed to states' rights. The American "Stars and Stripes" was also used more and more as the stages of the Confederate ceremony progressed, until in the last ceremonies it seems to have become a requirement.

"The Star Spangled Banner," written by Francis Scott Key during the War of 1812, became immediately popular when it was published in a Baltimore newspaper and individual copies of it sold in the streets. It was not, however, a military song, could not be marched to, and was difficult to sing, so it waned in popularity. Its rise to fame after the Civil War accompanied the increasing non-military use of the flag, since the song is a tribute to the flag. It was not often played or sung at dedication ceremonies, Union or Confederate, until after 1900.

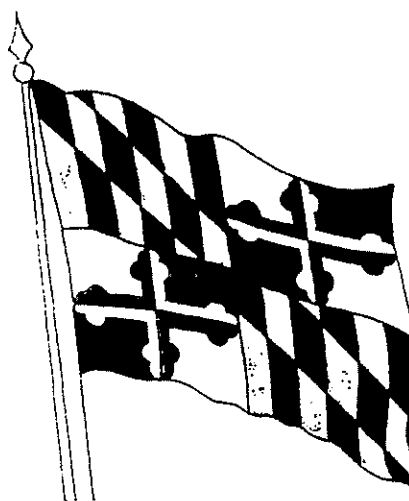
The United States flag, designed in 1777, was primarily used by the Navy, since ships had to have a way of identifying each other's nationality from a distance. In the Revolutionary War, the War of 1812 and the Civil War, the Army carried regimental flags which gave each regiment its own special identity and had reference to their home area, symbolizing hearth and home to the men. During the Civil War, the poem "Barbara Fritchie" by John Greenleaf Whittier sparked a popular response to the public display of the American flag and its significance, but it was not until the 1890s that the American flag began to be flown over buildings that were not military and to be used in non-military ceremonies.

This transformation was mainly due to the efforts of the Women's Relief Corps of the Grand Army of the Republic, founded in 1884, and the Daughters of the American Revolution, founded in 1890. These organizations zealously pursued what they felt was their patriotic duty to promote the teaching of patriotism and good citizenship in the schools and the veneration of the flag as the symbol of our united country. As a result, the government began making special rules about the use of the flag, legislating tradition. The new universal use of the American flag represented the change from local allegiances to a national allegiance.

Maryland had no official flag during the Civil War. It did, however, have an official state seal, adopted in 1854, which bears the heraldic coat-of-arms of the Calvert and Crossland families on a shield flanked by figures



Maryland State Seal (reverse)



Maryland State Flag

of a farmer and a fisherman. Calvert was the family name of the Lords Baltimore who founded Maryland and Crossland, the family of the mother of the first Lord Baltimore. The shield is divided into four quadrants; two showing the black and yellow checker pattern of the Calvert family and two showing the cross bottony (French botonee) in red and white of the Crossland family. The black and yellow checker pattern had been used before the Civil War, especially by the city of Baltimore, on flags representing Maryland.

Because of this traditional use of the black and gold checker pattern, southern-sympathizing Marylanders during the war adopted the other quadrant of the shield on the state seal, the red and white cross. Especially in Baltimore, red and white became known as "secession colors" and were worn on articles of clothing to indicate allegiance to the southern cause. General Dix, commanding the city of Baltimore in the summer of 1861, forbade the displaying of these red and white symbols of resistance. Many Maryland Confederate soldiers wore a small cross bottony pin of brass or tin on their uniforms to signify that they were from Maryland.

The current official Maryland flag, adopted in 1904, is a combination of the black and yellow checker pattern of the Calvert family, the symbol of the Union Marylanders, and the white cross on a red field of the Crossland family, the symbol of the Confederate Marylanders. The combination had been used on the state seal in 1854 and when it was used on the Maryland flag, it stood for reconciliation. The Maryland flag's first recorded public display was at the parade celebrating the city of Baltimore's 150th birthday in October 1880.⁸

In addition to understanding the symbolism of the songs and flags used at the dedication of the Confederate monument in 1913, we need some understanding of the political atmosphere in Montgomery County at the time, which reflected that in the state. Both were linked to events which took place years before, during and at the end of the Civil War.

During the Civil War, Maryland was under military rule and the political power held by the Radical Union party headed by Augustus Bradford, elected governor in 1861. The new state constitution, passed in 1864, had not only freed the slaves, making Maryland the first state to do so voluntarily, but had imposed an "ironclad" oath of allegiance to be taken by anyone voting or running for office.⁹ This oath effectively disenfranchised southern sympathizers and those who had fought for the South.

As soon as the war was over, things began to change in Maryland politics, and the Conservative Union party, with Thomas Swann as governor, took over power. The Registration Act of the General Assembly passed in March 1865 provided that registrars, appointed by the governor, were to list all white males 21 years of age and older and to exclude from voting all persons who did not take the oath. With the freeing of the slaves and the end of the war the primary question for many Marylanders became the re-enfranchising of the rebels.

Many former Unionists now went over to the Democratic party in order to fight the Registration Law, the most famous being Montgomery Blair of Montgomery County, previously a staunch Unionist. Blair was elected president of the Anti-Registration Convention held in January 1866.

Capitalizing on the fear of "Negro rule," he called for a union of the people of Maryland "for the honor, glory and prosperity of our good old Commonwealth" to fight the takeover of the government by the Republicans. "They will hold power over us and other Southern states by present appliances until the blacks are inducted to be managed by the Freedman's Bureau, and absolutely controlling the whole of the states in which slavery has existed, and so the Union."¹⁰

The Registration Law could not be changed without drafting a new constitution and the voting on this would be ruled by the Registration Law. Governor Swann found a way around this, however. Since the registrars who administered the oaths to prospective voters were appointed by the governor, he simply replaced all the registrars with men from lists provided by the southern sympathizers.¹¹

Although the oath was still technically in effect, it was not administered by the registrars. As a result, the old rebels and southern sympathizers were allowed to vote in the next election. The Democrats took over political power in 1867, devised a new State Constitution which did away with the hated oath, and reapportioned the state in order to give more delegates to southern counties where the vote would probably be Democratic and take power away from Baltimore and the northern counties. Past support of the Southern cause became part of the credentials for those seeking appointed posts.¹²

Political leadership in Montgomery in the 1880s and 1890s belonged to Montgomery Blair, William Veirs Bouie and George Peter. At the turn of the century Peter's son, Edward C. Peter, came to the forefront, along with Edward Wootton, Spencer C. Jones, and Blair's nephew, Blair Lee, all Democrats.¹³ Both Wootton and Jones had fought for the Confederacy and after the war Jones practiced law in Rockville and was elected state's attorney, state senator, and mayor of Rockville for two terms. Of Montgomery County's Confederate veterans, three were elected as county commissioners, five as state delegates, two as state senators and three as state's attorney.¹⁴ However, despite where their sympathies had been during the war, in the years that followed "for a variety of reasons, political leaders were compromise-minded; they had a mixed economy dependent to a large degree on their relations with the north."¹⁵

Montgomery County, with a tremendous population growth, moved with the rest of the state toward industrialization and commercialization. It was of utmost importance that a unity of the formerly divided people be achieved, for without this unity economic progress would be stymied by internal conflict. The primary concerns of Democratic political leaders in the county were progress and the promotion of nationalism, which meant they did not dwell on the differences of the past or promote ante-bellum ideologies as these would have been adverse to their purposes.

The major political and economic changes, coming on the heels of the division of loyalties during the war, had a great effect on Maryland society. Former communities and social networks were disintegrating and new ones being created. Associations became a way of centering their communities and all kinds of associations, both social and political, came into being in the latter part of the 19th century. The Confederate

associations which built Confederate monuments and held Confederate ceremonies were very much a part of this new social configuration, and many of these organizations had much political power, having as members wealthy businessmen, politicians and well-to-do women.

The United Confederate Veterans national organization was formed in 1889 and the Sons of Confederate Veterans, an offshoot of the United Confederate Veterans, was formed a few years later. The United Daughters of the Confederacy grew out of the Ladies Auxiliaries of the United Confederate Veterans organizations. A number of ladies from these groups decided to form their own independent national group, which they did in 1894 in Nashville, Tennessee. Not only widows, sisters and descendants of veterans, but any woman who sympathized with the southern cause could join the United Daughters of the Confederacy. They sponsored Memorial Day ceremonies, raised funds for monuments, maintained museums and relic rooms, provided educational materials for schools, and sponsored the Children of the Confederacy organization in 1896. They even offered scholarships for needy sons and daughters of Confederate veterans. These kinds of activities had a special appeal to reform-minded women.¹⁶

The Ridgely Brown Camp of the United Confederate Veterans was formed in January 1892, one of its founding members being Spencer C. Jones, and the Ridgely Brown Chapter of the United Daughters of the Confederacy was formed from its ladies' auxiliary. These and the United Daughters of the Confederacy all had as members some very powerful people in Montgomery County.

There were about 180 Confederate veterans in Montgomery County at the end of the war, their number substantially depleted by the time the Rockville monument was built. There were, of course, known Union veterans in the county but there are no records of any Grand Army of the Republic (G.A.R.) Camp in Montgomery County, possibly because the G.A.R. excluded the working class and black veterans who made up most of the county's Union group,¹⁷ and unfortunately no Union monuments were erected in the county.

In Confederate ceremonies, the veterans themselves were an important symbol. They were always placed at the head of the parades and given places of honor at ceremonies, usually facing the audience. They often wore their old uniforms, along with all the badges and ribbons, and were looked on as living symbols of the Confederacy and the lost cause. As they died and fewer and fewer of them were available for the ceremonies, the presence of what few old survivors remained drew even more emotion from the crowd. The fact that many of these veterans were also veterans of the Spanish-American War, where northerners and southerners fought side by side, tended to change the public's view toward these veterans as symbols only of the Confederate cause. With the Spanish-American War, southerners had a victory and a unity to look back on instead of just a defeat.

The "Thin Gray Line" in the monument's inscription, a nickname for the Maryland men in the Confederate army, was a reference to both their sparseness and to their Revolutionary War heritage. Maryland volunteers during the Revolutionary War, the Maryland line under the leadership of John Eager Howard, distinguished themselves in the Battle of Long Island and became renowned as the "Old Line," hence one nickname for Maryland,

"The Old Line State."¹⁸ In coverage of the ceremony by The Sentinel, this identification of the Confederates with the heroes of the Revolution is emphasized.

Although vestiges of the Confederacy and the "lost cause" can be seen in the monument and the ceremonies at its unveiling, what these symbols meant to the second generation who raised the money for the statue and attended the ceremony was very different from what they meant to the people who had participated in the war. The second generation had no remembrance of a lost cause, but had heard many a story of the war and were influenced by the romantic aura of the myth of the south, the myth of the southern belle and the dashing cavalryman and the happy slave.

On the other hand, many years went by between the end of the Civil War and the unveiling of the Confederate monument and the increased population, economic progress and plans of the political leaders placed an emphasis on a new nationalism and a unity of the people of the county. This nationalism and unity are exemplified in the references in the ceremonial speeches to the courage and loyalty of the Marylanders who fought for the South (rather than defending their cause), the comparisons to the Revolutionary War heroes, the praise of honor over glory, and the inclusion of the symbols of the Maryland flag, the American flag and the national anthem in the ceremony. Especially significant is the effect of the raising up of the American flag as the Confederate and Maryland flags are lowered.

The image some people have of the Confederate monument at Rockville does not conform with the reality. It was no monument to Southern beliefs but rather a tribute to the soldiers. Seen in its historical context and with knowledge of the interpretation of its symbolism, the Confederate statue in Rockville is revealed as a monument, not to war and animosity, but to peace and re-unification.

Susan C. Soderberg is a free-lance writer and part-time instructor at Montgomery College, Germantown. She has a Masters degree in American Studies from George Washington University and a Bachelors degree in Art History from the College of William and Mary. A native of Virginia, she grew up in Williamsburg, where she worked as a "colonial milliner" while in college, but has lived in Germantown for the past 20 years and has three teen-aged children. For eight years she wrote a weekly column on local history for the Gazette Newspapers, is the author of "A History of Germantown Maryland," and her new book "Lest We Forget: A Historic Guide to Civil War Monuments in Maryland" will be out next spring.

NOTES

1. John E. Divine, 35th Virginia Cavalry (Lynchburg, Virginia, H. E. Howard Co., 1985)
2. "Excerpts from the Record Book of Mrs. Mary Poole Hayes, Historian, E. V. White Chapter, U.D.C., beginning 1912" and Charles Jacobs, "Monument

to Montgomery County's Thin Gray Line" (30 March 1982), both in Montgomery County Historical Society Civil War file.

3. 1912 Washington, D.C. City Directory. Advertisements in Washington Cemetery books. Interview with Merle L. Cox, Jr. of Falvey Granite Company.

4. The Sentinel, 6 June 1913. Excerpts from the Record book of the E. V. White Chapter. "The Program of Ceremonies of the Unveiling of the Monument." Confederate Veteran 22:233 (May 1914). The Evening Star, Washington, D.C., 3 June 1913.

5. Eldon Hiebert and Richard K. MacMaster, A Grateful Remembrance: The Story of Montgomery County (1976), p. 172.

6. James Stone, "War Music and War Psychology in the Civil War," Journal of Abnormal and Social Psychology 36:543-60, for description of psychology of war songs.

7. Elmer Martin Jackson, Jr., Maryland Symbols (Annapolis: Capital-Gazette Press, Inc., 1964). Baltimore Sun, October 11, 1880, p. 1, for description of gathering after the Sesquicentennial parade in Baltimore and example of song being sung at popular occasion.

8. Seen in Frank B. Mayer's frontpiece illustration for An Account of the Municipal Celebration of the 150th Anniversary of the Settlement of Baltimore: October 11-19, 1880, edited by Edward Spencer (Baltimore: City of Baltimore, 1881).

9. Charles L. Wagandt, "Redemption or Reaction? Maryland in the Post-Civil War Years" in Radicalism, Racism, and Party Realignment: The Border States During Reconstruction, Richard O. Curry, ed. (Baltimore: Johns Hopkins University Press 1969), p. 163.

10. Montgomery Blair, speech made at the Anti-Registration Convention, Baltimore, January 24, 1866, pp. 5-10.

11. Wagandt, op.cit., pp. 166, 180. Richard R. Duncan, "The Era of the Civil War" in Maryland: A History, edited by Richard Walsh and William Lloyd Fox (Maryland Historical Society 1983), pp. 345-385. For an insider's view on these political wheelings and dealings, see Frank Richardson Kent, The Story of Maryland Politics: 1864-1910 (Baltimore: Thomas & Evans Printing Co. 1911), pp. 5-14.

12. Eric Foner, Reconstruction: America's Unfinished Revolution (Harper and Row 1988), pp. 271-280, for discussion of black suffrage and Southern disenfranchisement.

13. Hiebert and MacMaster, op.cit., p. 199.

14. Marian and Charles Jacobs, "Montgomery County Confederate Veterans," unpublished.

15. Hiebert and MacMaster, op.cit., p. 186.

16. Gaines M. Foster, Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South (New York: Oxford University Press 1987), pp. 93-126, 172-178. Mary B. Poppenheim, et al. The History of the United Daughters of the Confederacy (Richmond: Garrett and Massie, Inc. 1938).

17. Michael Siedenbans, "Their Deeds are Written on the Temple of Fame: Veterans Organizations in Baltimore 1866-1914" (dissertation, Johns Hopkins University 1988). Veterans list in Montgomery County Historical Society Civil War file.

18. Robert Brugger, Maryland, A Middle Temperament: 1634-1980 (Johns Hopkins University Press 1988).

Exhibit 6

was still bright in the minds of the people of 1860 and 1913.

3. The statue is an individual and unique work of art relating specifically to Rockville and Montgomery County. Harming it would be an act of vandalism.

I have attached my bio and the history of the monument that I wrote in 1993 if you would like more information.

Susan Cooke Soderberg, historian

Susan Cooke Soderberg is an independent historian and writer. She has a Masters degree in American Studies from George Washington University (American Studies includes sociology, anthropology, cultural history and history), and a BA in Art History from the College of William and Mary.

She retired after ten years with the Maryland-National Capital Park and Planning Commission as an education and outreach planner for Park historic sites and Historic Preservation. With the help of park trails staff she created the Underground Railroad Experience Trail on Park land in Sandy Spring and trained and managed guides for the trail; created exhibits in a cabin occupied by enslaved people and trained docents to interpret it. She created an interpretive sign for the "Chaplin Arrest" Underground Railroad site, and was part of the team for acquiring the Josiah Henson site. She applied for and received recognition for two Underground Railroad sites and one program from the National Network to Freedom. Her work also included planning programs, research, writing articles and press releases, public speaking, creating exhibits, managing a grant program, and working with other organizations.

As an independent scholar she has written several books and articles, lectured on Maryland History at Montgomery College and for various groups and classes, served on the Montgomery County Historic Preservation Commission, and was a researcher and consultant for the Emmy-award winning film, "Life in a War Zone: Montgomery County in the Civil War." In 2013 she was part of a small group that lobbied for the passage by the state of a bill to officially recognize November 1 as "Maryland Emancipation Day." She shared the keynote speaker podium with Eileen McGuckian last January at the annual Montgomery County History Conference where they spoke on Slavery and Emancipation in Montgomery County.

Currently, she does free-lance historical research and writing and is working on a biography of Josiah Henson, who was the model for Uncle Tom in the famous book. She is a speaker on the Montgomery County Historical Society "Speakers Bureau," an advisor for the King Farm Dairy Mooseum, is the President of the Germantown Historical Society, and serves as a Commissioner on the Maryland Military Monuments Commission.

Selected books and articles:

A Guide to Civil War Sites in Maryland, White Mane Pub., Nov. 1998.

The Met: A History of the Metropolitan Branch of the B & O Railroad, 1998.

Who Was Who of the Civil War Correspondents, 1996.

"The 19th Century General Store in Montgomery County," *The Montgomery County Story*, Vol.39 #1 (Feb., 1996).

"Maryland's Civil War Monuments," *The Historian*, Vol. 58 #3 (Spr,1996).

Lest We Forget: A Guide to Civil War Monuments in Maryland, White Mane Pub, 1995.

"The Confederate Monument and its Symbolism," *The Montgomery County Story*, Vol. 36 #3 (Aug., 1993).



Civil War Statue
Adela.Castillo to: HistoricDistrict

08/05/2015 01:46 PM

History: This message has been replied to.

To whom it may concern,

I don't know if this is the correct commission or Society that is considering removing the status but as a citizen of this state it looks like your city is trying to erase part of history. Please forward this to the correct committee.

I am sending this email regarding the civil war monument you are all considering removing from it's current location. I think that you can't remove a historic item and try to remove part of your states history without becoming hypocritical. Everyone knows that Maryland was a southern sympathizer during the civil war but didn't leave the union because if they did they would have the union show up in their back yard because Maryland was so close to Washington DC.

You need to let the people decide but with truthful information and not cover it up. You insult some of your citizen by telling them oh so what that your family members fought in the civil war but they happen to fight for the wrong side that thought it was ok to have slavery we have to be politically correct but it's not about politics but about the history which is fact. The truth is what it is and we can't white wash it and make it look pretty when it wasn't but we need to remember history so it's not repeated again and by hiding it or putting it somewhere less noticeable you cover up history.

Why should a small group of you be allowed to change history without letting the families of those involved or those who care about the truth of history be kept out.

Sincerely,

E. Castillo
Maryland citizen



A jack in the box. A confederate in a box. Oh, silly Montgomery county. !!

Lynn Wagman to: HistoricDistrict@rockvillemd.gov

08/05/2015 02:41 PM

From: Lynn Wagman <leisure123@yahoo.com>

To: "HistoricDistrict@rockvillemd.gov" <HistoricDistrict@rockvillemd.gov>

Sent from my iPhone



Rockville, MD Statue
Patricia Higgins to: jwasilak

08/04/2015 01:32 PM

Hello, good day!

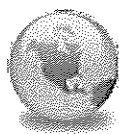
I hope this message finds you well! I'm writing the Rockville, MD Historic District Commission in reference to the Confederate Bronze statue!

I'm sure that you are thinking 'here we go again'! Though I write in such favor of that statue and for so many good Historical reasons that I couldn't possibly even list them.

The people that are vandalizing it..that's such a shame. Those people should not be the ones that get to say what everyone else can or can not have/enjoy just because they don't like it. Cameras might help in order to catch them!

Thank you so much for your consideration, and I really do hope that this statue saved. It would mean so much to so many, and future generations as well. For education, learning..for what History is all about.

Have a very nice day,
Patricia Higgins



Re: Confederate Statue Red Brick Courthouse

john cox

to:

SBashiri@rockvillemd.gov, Peerlessrockville Info

07/26/2015 01:12 PM

Cc:

"HistoricDistrict@rockvillemd.gov", OAG

Hide Details

From: john cox <jhcgabc@yahoo.com>

To: "SBashiri@rockvillemd.gov" <SBashiri@rockvillemd.gov>, Peerlessrockville Info
<info@peerlessrockville.org>

Cc: "HistoricDistrict@rockvillemd.gov" <HistoricDistrict@rockvillemd.gov>, OAG
<oag@oag.state.md.us>

Please respond to john cox <jhcgabc@yahoo.com>

Removing the Confederate statue is just plain censorship.

For the record the removal MUST be brought before the City of Rockville Historic District Commission. period.

John H. Cox

On Friday, July 24, 2015 4:17 PM, "SBashiri@rockvillemd.gov" <SBashiri@rockvillemd.gov> wrote:

Mr. Cox,

For the Red Courthouse at 29 Courthouse Square, Montgomery County is listed at the Maryland State Department of Assessments and Taxation as the sole owner of the building. They lease out space in the building to private businesses and it is not currently used as a courthouse. The Maryland Historic Trust has an easement on the grounds and they have determined that they do not need to give permission for the removal of the statue.

Sheila Bashiri

Preservation Planner

Department of Community Planning & Development Services

City of Rockville

111 Maryland Ave.

Rockville, MD 20850

240-314-8236 (Direct)

240-314-8200 (Office)
sbashiri@rockvillemd.gov

From: john cox <jhcgabc@yahoo.com>
To: "HistoricDistrict@rockvillemd.gov" <HistoricDistrict@rockvillemd.gov>
Cc: OAG <oag@oag.state.md.us>
Date: 07/24/2015 03:11 PM
Subject: Confederate Statue Red Brick Courthouse

To Whom It May Concern:

It appears neither the Office of County Executive nor Montgomery County has authority of the Red Brick Courthouse nor the Statue affixed on the Grounds of the building. Since the Red Brick Courthouse is a working courthouse it may be under the ownership of the State of Maryland, not the County. This would include the grounds surrounding the building.

Accordingly, if that is true, then it seems the Confederate Statue also would belong to the state. The counties in Maryland fund the courts, but the buildings may be owned by the state.

If this is unclear it would appear that some sort of Injunction to keep the Statue where it is until a legal opinion concerning the Statue is obtained.

I hope the Maryland Office of The Attorney General may weigh in on this matter.

Thanks for your time,
John H. Cox
Silver Spring, MD



Confederate Statue Red Brick Courthouse

john cox

to:

HistoricDistrict@rockvillemd.gov

07/24/2015 03:11 PM

Cc:

OAG

Hide Details

From: john cox <jhcgabc@yahoo.com>

To: "HistoricDistrict@rockvillemd.gov" <HistoricDistrict@rockvillemd.gov>

Cc: OAG <oag@oag.state.md.us>

Please respond to john cox <jhcgabc@yahoo.com>

History: This message has been replied to.

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Silver Spring, MD