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SENATE JOINT RESOLUTION NO. 196

Offered January 24, 2000

Memorializing the Governor and the Legislature of the State of Minnesota to return to Virginia the battle flag of the 28th Virginia Infantry Regiment.

Patrons—Trumbo, Edwards, Hawkins, Marye and Newman; Delegates: Bennett, Byron, Cranwell, Deeds, Dudley, Griffith, Hargrove, Putney, Shuler, Thomas and Woodrum

Referred to Committee on Rules

WHEREAS, the Minnesota Historical Society is in possession of the battle flag of the 28th Virginia Infantry Regiment and has been urged since 1961 by various entities, including the Virginia Historical Society, the Salem Museum and Historical Society, the 28th Virginia Infantry Regiment, Company C, Inc., and numerous independent citizens of Virginia, Minnesota, and other states to expedite the flag's return to its rightful home in Virginia; and

WHEREAS, in 1861, the 28th Virginia Infantry Regiment was mustered from the citizens of Bedford, Botetourt, Campbell, Craig, Montgomery, and Roanoke counties, and its battle flag unified hundreds of men from diverse backgrounds and symbolized the regiment's identity, personality, and honor; and

WHEREAS, the battle flag, issued in June of 1863 by the citizens of those Virginia counties to replace the then-current battle-worn flag, was carried with great valor and honor by the 28th Virginia Infantry Regiment in the epic Battle of Gettysburg on July 3, 1863; and

WHEREAS, during the Battle of Gettysburg, the 28th Virginia Infantry Regiment suffered greatly, sustaining 90 percent casualties, including four color-bearers, and suffering the loss of its battle flag in the final grand assault, known today as Pickett's Charge; and

WHEREAS, upon its capture, the battle flag was appropriately turned over to the United States War Department and was issued inventory number 58; and

WHEREAS, in 1905, as an act of reconciliation and a recognition of valor, a joint resolution was passed by both houses of the U.S. Congress ordering the return of all captured and inventoried battle flags to their respective states; and

WHEREAS, the 28th Virginia Infantry Regiment's battle flag had meanwhile inexplicably and unlawfully disappeared from the possession of the U.S. War Department; and

WHEREAS, pursuant and subsequent to the 1905 joint resolution of Congress, the 28th Virginia Infantry Regiment's battle flag was never delivered to the Commonwealth and is currently in possession of the Minnesota Historical Society; and

WHEREAS, the 28th Virginia Infantry Regiment's battle flag is the sole battle flag captured during Pickett's Charge at the Battle of Gettysburg that has not been returned to its respective state or its designated care-giver, pursuant to the 1905 joint resolution; and

WHEREAS, it is only honorable that, however the 28th Virginia Infantry Regiment's battle flag came into the possession of the Minnesota Historical Society, the battle flag be returned forthwith to the Commonwealth of Virginia, whence the regiment's people came; and

WHEREAS, the descendants of the 1st Minnesota Infantry have recently allowed the battle colors of the 28th Virginia Infantry Regiment be displayed in Minnesota, yet they persist in their unwillingness to share this sacred icon with the present-day citizens of the Commonwealth and the descendants of those honorable Virginians who made the ultimate sacrifice so many years ago; and

WHEREAS, the battle flag of the 28th Virginia Infantry Regiment deserves the latest conservation and preservation techniques available for textile artifacts, and Virginia custodians of this historical artifact and sacred icon will provide the care in the appropriate museum that it deserves and to date has not received; and

WHEREAS, subsequent to the War Between the States, the surviving members of the 28th Virginia Infantry Regiment devoted themselves to the reunification of the nation with the same vigor they demonstrated by their commitment to the Commonwealth during the war; and

WHEREAS, since the end of the War Between the States, descendants of the members of the 28th Virginia Infantry Regiment have served the nation honorably, alongside their Minnesota brethren, in every war in which the nation has participated; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the State of Minnesota be hereby respectfully requested and strongly urged to expedite the timely return of the 28th Virginia Infantry Regiment's battle flag to its rightful home in the Commonwealth of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the

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60 Governor of the State of Minnesota, the President of the Minnesota Senate, and the Speaker of the
61 Minnesota House of Representatives so that they may be apprised of the sense of the General Assembly
62 of Virginia.