

SENATE JOINT RESOLUTION NO. 427

Commemorating the 150th anniversary of Virginia's Underwood Convention of 1867.

Agreed to by the Senate, February 22, 2017
Agreed to by the House of Delegates, February 23, 2017

WHEREAS, with the signing of the Emancipation Proclamation Act by President Abraham Lincoln on January 1, 1863, which signaled the end of the American Civil War, tens of thousands of enslaved African men, women, and children were freed from the degradation of human slavery; and

WHEREAS, during Reconstruction between 1865 and 1877, Congress overrode a presidential veto of a law enacted to divide the South into military districts under the command of an army officer at the rank of brigadier general or above; states that had seceded from the Union, including Virginia, were required to create reconstructed governments, hold state conventions, establish new constitutions, and ratify the Fourteenth Amendment to the United States Constitution as a condition of readmission into the Union; and

WHEREAS, according to the Gilder Lehrman Institute of American History, the Congress passed an act extending the franchise to African American men in the South three years before the ratification of the Fifteenth Amendment to the United States Constitution; and

WHEREAS, U.S. General John Schofield, the administrator of Virginia, Military District One, called for a new state constitutional convention, which met in Richmond at the State Capitol from December 3, 1867, to April 17, 1868, and Judge John Curtiss Underwood, a federal judge and native New Yorker, served as the Convention's president; and

WHEREAS, African American men were given the right to vote for and to be elected delegates to the Convention, and 24 African American men were elected to the 1867-1868 Virginia Constitutional Convention, which created the Virginia Constitution of 1869, the fifth of Virginia's seven state constitutions, known as the Underwood Constitution, named for Judge Underwood; and

WHEREAS, according to Virginia Memory, a historical database of the Library of Virginia, "105,832 freedmen registered to vote in Virginia and 93,145 voted in the election that began on October 22, 1867"; and

WHEREAS, the Underwood Constitution, ratified by popular vote on July 6, 1869, provided for universal suffrage, with the exception of women, established Virginia's first statewide system of public schools, and organized the division of counties into magisterial districts; these new provisions of state government remained in effect until 1902; and

WHEREAS, the Virginia Memory database reveals that, during Reconstruction, "across the South about two thousand African Americans served in local and state government offices, including state legislatures and as members of Congress; nearly 100 African American men served in the General Assembly of Virginia between 1869 and 1890, and hundreds more served in city and county government offices or as postal workers and in other federal jobs"; and

WHEREAS, across the South, legislation known as Black Codes was enacted to circumvent and thwart the newfound freedoms of former slaves; the reaction of Congress to these laws was the enactment of the Reconstruction Amendments to the United States Constitution, specifically the Thirteenth Amendment, which abolished slavery; the Fourteenth Amendment, which protects the rights of citizenship of freed men and women; and the Fifteenth Amendment, which prohibits states from denying citizens the right to vote due to race, color, or previous condition of servitude; and

WHEREAS, after emancipation, these constitutional amendments laid the foundation by which many former enslaved Africans and their descendants were afforded equal rights as citizens under the United States Constitution, including the right to vote and run for elected public office; and

WHEREAS, the Compromise of 1877 officially ended Reconstruction, and Southern state governments enacted a system of laws known as "Jim Crow," which established a rigidly segregated and legally sanctioned social system that separated the races and disenfranchised African Americans, again relegating them to second-class citizenship from 1877 until the mid-1960s; and

WHEREAS, from 1890 to 1968, African Americans were not represented in the Virginia General Assembly, the oldest continuous legislative body in the Western Hemisphere; in 1967, William Ferguson Reid, a Richmond doctor and community leader, became the first African American in the twentieth century elected to the Virginia House of Delegates; and

WHEREAS, although nearly a century would pass before the descendants of formerly enslaved persons would inherit and embrace the reality of the rights embodied in the Thirteenth, Fourteenth, and Fifteenth Amendments, the Reconstruction Amendments helped to transform the United States, according to President Abraham Lincoln, from a country that was "half slave and half free" to one in which the

constitutionally guaranteed "blessings of liberty" would be extended to all the nation's citizens; and

WHEREAS, with the ratification of Virginia's Constitution of 1869, 29 African American delegates and senators were elected in the subsequent elections; the Fourteenth Amendment and the Fifteenth Amendment were ratified by the General Assembly and on January 26, 1870, President Ulysses S. Grant signed the legislation readmitting Virginia's delegation to Congress; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the 150th anniversary of Virginia's Underwood Convention of 1867 be commemorated; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Virginia Congressional Delegation, requesting that they further disseminate copies of this resolution to their respective constituents so that they may be apprised of the sense of the General Assembly of Virginia in this matter.