On the night of December 14, 1799, George Washington passed away at his beloved Mount Vernon. Before he died, Washington instructed his secretary, Tobias Lear, to organize his papers, finish his correspondence,
and fulfill his last wishes. Lear agreed to the requests, and Washington whispered his last words, “Tis well.” After several minutes of silence and prayer, Lear gathered himself, left Washington’s chamber, and proceeded to transcribe the news that would shock the young Republic. Within six days word had spread from Charleston, South Carolina, to Boston, Massachusetts. President John Adams shared his thoughts with Congress, noting “It has pleased divine providence to remove from this life, our excellent fellow citizen, George Washington … It remains for an affectionate and grateful people, in whose hearts he can never die, to pay suitable honor to his memory.” Adams called upon Congress to pay tribute to Washington, and in particular the House of Representatives to determine how best to commemorate him. Virginian representative John Marshall led the panel and authored the report recommending the future interment of Washington’s remains inside the Capitol building in Washington D.C. Unanimously passed only nine days after his death, Congress approved the plan, and President Adams wrote Martha Washington, asking for her consent.[1]

Adams’s letter and the Congressional resolutions brought Martha some peace of mind; after all, these men knew George personally. “His best services and most anxious wishes were always devoted to the welfare and happiness of his country,” Martha wrote, and “to know that they were truly appreciated, and gratefully remembered, affords no inconsiderable consolation.” Praising her husband as the reason for her own selflessness, she agreed to endorse the resolution because her “sense of public duty” superseded her feelings. Until the tomb could be completed, Washington’s final wishes were executed in accordance with his will. With family, friends, veterans, and politicians in attendance, he was buried in the family vault at Mount Vernon. In many ways, this story, and the resolution itself, became entombed with Washington’s body. For years, the report remained undisturbed as territorial expansion, political disharmony, war, democratic reform, and economic crises dictated the course of the Republic. Washington’s 100th birthday in 1832 aroused general interest, and officials and organizations debated how to celebrate the anniversary. Kentucky Senator and Whig nationalist, Henry Clay, resurrected the once forgotten resolution. In an instant, the possession of Washington’s body emerged as a national issue that raised questions of national identity in a time of increasing sectionalism.[2]
While the actual decision to move Washington fell on the shoulders of his relatives, Virginians’ resistance to the measure resided in the communal identity of the Old Dominion. The roots of this identity traced back to the seventeenth century, when Governor William Berkeley and his Royalist allies secured political and social power in colonial Virginia by institutionalizing class boundaries in society. Historian Edmund Morgan argued that in the aftermath of Bacon’s Rebellion in 1676, Virginia elites attempted to mollify class animosity by reconstructing Virginian society along racial lines. This process eased the transition from the system of indentured servitude to racial chattel slavery. These social and economic shifts not only forged the beginnings of institutional slavery, but also shaped the relationship between wealthy and poor white Virginians. While this strategy worked temporarily, the disparity of wealth and land ownership continued to grow, culminating in the development of an aristocratic, planter class and, a group of poor, white laborers. These antagonisms were particularly present in the era of the American Revolution, as generals and officers were typically members of the gentry, lower-class individuals were assigned to the infantry, and state imposed drafts targeted those without the means to escape duty. These tensions continued to grow after independence as the Virginia State Constitution of 1776 hardened racial policies and reinforced class differences through disproportionate political suffrage, representation, and taxation.[3]

Washington was a member of the planter class, and he naturally shared the same rights, interests, and fears of Virginia’s elite, but his leadership in the Revolution and the Presidency, along with his push for land in the West for veterans, made him universally admired by white Virginians. His transition into a national symbol was seamless, and his successes became the achievements of all Virginians. After his death, his memory was incredibly malleable, and his legacy became intertwined with contemporary politics, ideologies, and state identity. Despite the growing economic and political inequalities between Virginia planters and lower class whites, the two groups united in 1832 to protect the relics of their state hero from the encroachment by the federal government.[4]

Virginians perceived the proposition to remove his physical remains as a challenge to Virginian identity because Washington was the most iconic figure of Virginian history. He was the ideal Virginian, and the
connection between his collective memory and his state brought political and cultural degrees of legitimacy to Virginian identity. His extraction would not only sever the physical connection between Washington and Virginians, but it would also allow others to claim him as one of their own. Washington’s legacy was in some ways his own creation, but the dissemination of godlike imagery and rhetoric was the work of his contemporaries, desperate to create a distinct American culture. The excavation of his remains for interment in the Capitol represented a transfiguration of Washington from a national symbol to a national relic, a physical transformation with ideological implications in both time and space. Virginia may have made Washington, but Washington, and the proliferation of his character, elevated Virginia and verified the superiority of the Virginian way of life. His bones, and his legacy, needed to be protected, but by 1832 sectionalism plagued the country, and indeed the Commonwealth of Virginia itself. Western and eastern Virginians clashed over democratic reform, slavery, and internal improvements, but agreed that Washington did not belong to the national government. It was a brief moment of white cohesiveness in a state ridden with political animosity and racial violence, and this conflict over Washington’s body transcended into the tariff debate, the doctrine of states’ rights, and the discourse over the direction of the country.[5]

The right to the body of Washington was not a new debate. The British had burned the Capitol in 1814 during the War of 1812, and there were lingering fears that Washington’s remains would not be safe in Washington D.C. In 1816, the General Assembly of the Commonwealth of Virginia applied to Washington’s nephew Bushrod to intern his body in the state capital, Richmond. He was touched by the resolution and that Virginia wished to honor “her beloved son,” but reasoned that “obligations more sacred than anything...command me to retain the mortal remains of my venerated uncle.” These obligations were listed in Washington’s will, which also called for the construction of a new family vault and that his “remains, with those of his deceased relations ...be entombed there.” While the family tomb remained under close watch on private land, this did not stop the public from visiting the site to pay their respects to the General.[6]

Every year, more and more individuals made the pilgrimage to Mount Vernon. The initial means of conveyance were by carriage, horse, or
foot. By 1815, the Potomac Steam Boat Company offered service aboard their ship from Washington D.C. to Potomac Creek, with an available stop at Mount Vernon. The steamboat allowed wealthy individuals, both from the state and outside Virginia, to travel greater distances to pay homage to Washington. The growing number of pilgrims, now in the thousands, sanctified Washington’s tomb. They also wreaked havoc on the estate and its holdings. They often overstayed their welcome, irritated Washington’s relatives, stole items for souvenirs, and damaged the grounds with excessive traffic. Bushrod even threatened to sue the captains of the steamboat for their poor regulation of passengers. Visitors continued to touch or take whatever they could get their hands on, forcing Bushrod to padlock the tomb. As the tomb deteriorated, many pilgrims came to question Bushrod’s commitment to his uncle’s final wishes.[7]

One anonymous pilgrim, writing to his friend in Richmond, recounted his first excursion to Mount Vernon in 1818. Joining fifty gentlemen and women, members of Congress, Revolutionary officers, and a marching band, he traveled by steamboat while listening to a rendition of Washington’s March. “They were deeply affected while around the Tomb and Washington’s March was slowly played,” he recalled, and “After I paid my devotions to the Tomb, my heart was smitten.” The real purpose of the letter, however, was to express disbelief that “his country had not expended one single cent, not furnished even a plain tombstone!!” This pilgrim, convinced that the tomb was completely unacceptable, promised to “tell it to the people of the United States, publish it in the streets of Washington City, tell it to Congress and particularly to their predecessors, how cruelly they had forgotten and neglected the remains of their once beloved Washington.” Many visitors, like this man, were appalled by the condition of Washington’s tomb. Their stories, coupled with the upcoming centennial celebration of his birth and the emerging sectional crisis, revived the 1799 resolution. Congressional support to remove the body, however, was no longer unanimous in 1832.[8]

The United States had changed drastically since the death of George Washington. Economic diversity, technological innovation, and westward expansion fueled the growth of the country, but as America became more socially and politically diverse, so too did the issues facing
Americans. Polarizing ideas, attitudes, and values reinforced local and regional divisions. These sectional tensions, the very same that Washington warned of in his Farewell Address, materialized fully during the Nullification Crisis. Congress’s intention in 1799 was to honor Washington and his service, but the Twenty-Second Congress faced a very different political climate. The resolution symbolized the placement of Washington at the center of the national government, and, if executed, a possible means to unify Congress and the American populace through the nationalization of Washington’s body. Here, the national hero and Father of his Country would rest, beneath the feet of the men elected to defend Washington’s America. Virginians and Southerners argued otherwise, challenging the idea of Washington’s body as a national relic by defiantly resisting the perceived intrusion.[9]

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The proposed removal of Washington’s remains brought unanimous opposition from the Virginia General Assembly, but the events prior to the rejection deserve deeper consideration. From 1829 onward, the state experienced internal political and social shifts. The Virginia Constitutional Convention, Nat Turner’s Rebellion, and the Emancipation debates heightened East-West tensions to an unprecedented level. These episodes, rich in intrastate sectional discourse over political representation, taxation, and slavery, only further polarized poor, western whites and members of the eastern planter class. One Northerner visiting Virginia in 1810 noted, “There is no country, I believe, where property is more unequally distributed than Virginia. We can see here and there a stately palace or mansion house; while all around for miles we behold no other but little smoky huts and log cabins of poor, laborious, ignorant tenants.” This image had changed little by 1829, and this continuous social and political inequality fueled the democratic impulse of western Virginians.[10]

Fifty miles west of Richmond, a group of men met at Thomas Booker’s Tavern in Cumberland County to discuss extending suffrage to all white Virginians. Led by John Trent and John Daniel, they agreed that “The power to reform, alter, or abolish the form of government… belonged to the people, as an unalienable and indefensible right, which cannot be exercised by any class of the community.” These men based the “authority of their opinion” on both the Virginia Bill of Rights, but also
the “declaration of the Father of his Country.” They cited Washington's belief that the people had the right to change their constitution and to restrict these civil liberties would be insulting to “their author, George Washington.” The men reasoned that “the enjoyment of every section of the State, of its proper political power, and just participation by all classes of citizens...can alone give stability to our institutions.” The men signed the declaration, and sent it to easterner Thomas Ritchie, editor of the *Richmond Enquirer*, for print. While these men might have forgotten Washington's stance on the power of the federal government or his role in the Whiskey Rebellion, they remembered the ideals he fought for in the Revolution. This message succinctly captured the growing disconnects between the western and eastern counties, often referred to as “New and Old Virginia,” and it amplified the west's demand for constitutional reform.[11]

The Virginia Convention of 1829-30 met to reevaluate and redefine representation and suffrage, taxation, and the need for international improvements in the state. Western delegates advocated primarily for universal, White-male suffrage for their growing constituency. Westerners were English, Scots, Scot-Irish, Germans, and Welsh; their religions, as diverse as their ethnicities, varied from Anglican and Presbyterian to Lutheran and Methodist. White westerners were also in favor of internal improvements and expanding the credit system. Eastern representatives, their constituents mostly English and Anglican, argued in favor of traditional property qualifications, greater representation based on higher taxation, and were against cultivating industry in the west with federal assistance. One western delegate, Charles Morgan, even manipulated eastern fears of black violence as a justification to give all white men the right to vote. As the debate dragged on, rumors lingered that westerners were contemplating either annexing the northwest border of the state to Maryland, or possibly seceding outright from Virginia.[12]

Representatives reached a compromise that extended suffrage to tax payers and leaseholders, but it also reduced the number of representatives in the assembly. While the white male voting populations were relatively close between the sections, the east had nearly eight times as many slaves (398,728 to 53,465), and as a result more voters because eligibility was determined by either the amount of slaves
or land owned. In addition to these legal technicalities, financial institutions in the east restricted the availability of credit to the west. This made land ownership difficult and extremely tenuous, but it also prevented white westerners from becoming politically active citizens. While the reapportionment gave the west more representation, it was not enough to overcome the majority of the east. The compromise passed 55-40 with 39 nays coming from western representatives. Phillip Doddridge, a western delegate who would later serve as a Congressional representative in 1832 (and vote in favor of moving Washington’s body), publically denounced the plan. Doddridge wrote, “History furnishes us with no instance in which the members of an oligarchy or aristocracy parted with power, unless under the influence of fear or force.” He accused the eastern delegates of political treachery, noting “our adversaries consider its adoption as the execution of a solemn compact to secure their power and our submission—as a political compact for the slavery of us and our children.” The failures of the state Constitution would continue to disrupt Virginian stability leading up to the Civil War, and eventually provided the momentum for New Virginians to create their own state, West Virginia, in 1863.[13]

Beyond political representation, two major issues woven into Virginian identity and politics were slavery and the free black question. The growing slave and free black populations were morally and economically problematic to white society, yet so long as Americans continued to push west, the demand for slave labor remained high. In the 1830s alone, Virginians sent over 118,000 slaves to the markets of Charleston and New Orleans from the Old Dominion.[14] Virginia’s growing slave population was the result of heavy importation prior to 1808. As a result, the black population swelled, leaving whites in eastern Virginia outnumbered. According to the 1830 Census, 357,305 whites, 398,728 slaves, and 39,350 free blacks lived in the east while 318,505 whites, 53,465 slaves, and 6,323 free blacks inhabited in the west.[15] While western white males rivaled their eastern counterparts in numbers, many lacked any substantial forms of property and failed to qualify to vote. It was only a matter of time before westerners realized that slavery was preventing them from voting and infringing upon their political rights. The numbers not only illuminate the east’s unending domination of political power, but they also explain why Old Virginians were constantly suspicious of all blacks,
both slave and free. While east and west disagreed over slavery, both agree that something needed to be done regarding free blacks.[16]

Most Virginian politicians endorsed the solution of colonization in the antebellum era. The Virginian Colonization Society, supported by Thomas Jefferson, James Madison, and later presided over by Bushrod Washington, advocated for the deportation of free blacks from the Commonwealth. Colonization allowed the institution of slavery to thrive and eliminated any future social and economic demands from free blacks. The society believed deportation was the best available solution. In the aftermath of Nat Turner’s Rebellion, one writer named “Old Virginia,” blamed the Colonization Society as “one of the causes of the insurrection.” A defender of the organization argued that it was not a “Yankee scheme” and their intentions were not “to interfere with owners in their property.” In fact, he agreed with “Old Virginia” that “the Legislature should adopt some plan, by which this State may finally be freed from the colored population.” While white males across the state disagreed on a number of issues, they concurred that their vision of the Commonwealth excluded free blacks. But the violence of August 1831 amplified sectional rivalries yet again. This time, slavery became the target, an institution that was essential to the East’s power. Slaves were still a symbol of wealth and power in Old Virginia, and their value, though in relative economic decline, remained a crucial element of the planter class.[17]

Turner’s Rebellion, the bloodiest in American history, terrified white slave-owners and their communities. Evangelical Christians, Northerners, and abolitionists were accused of plotting the revolt, but slaves and free blacks experienced the actual repercussions. In an article titled “Disturbers of the Peace,” one author incriminated black preachers in Prince George County and in the town of Nansemond, connecting their sermons to the same rhetoric Turner had employed in his preaching. Even after their arrest, the author theorized that there were more planned insurrections hidden under the disguise of religious worship, a frequent accusation directed at slaves, free blacks, and white evangelicals who gave blacks the freedom to worship the Gospel. Another columnist, like many Old Virginians, blamed William Lloyd Garrison and “other fanatics of the North.” The status of free blacks, and in turn slaves, could no longer be ignored in Virginia, and as petitions
owed in from across the Blue Ridge Mountains, western delegates pushed hard for colonization, and even harder for gradual emancipation. Eastern representatives countered with a variety of arguments: slavery was justified by the Bible; the West was attempting to politically cripple the East; the recent economic downturn was related to the tariff, not slavery; and perhaps most interesting, these attacks on the rights of property-owners were designed by Yankees, a suspicion that would reappear in the debate over the possession of Washington’s body. Members of the Virginia General Assembly, east and west, concurred that free blacks needed colonization, but they disagreed over internal sectional lines on the abolition of slavery, preserving Virginian slave society and the laborers that helped cultivate the power of the eastern planter class.[18]

The Virginian status quo remained under constant pressure from numerous social entities. Western, white males sought greater democratic rights for themselves and pursued the eradication of the institution of slavery for moral, economic, and political reasons. White Virginians identified free blacks, whose mere presence challenged the idea of a white Commonwealth, as a source of social unrest and possible violence. Slaves used violence in Nat Turner’s Rebellion to destroy their masters, an act that disrupted the social order and physically challenged white, male superiority. While seventeenth-century Virginians thought that using race to restructure Virginian society would eliminate class conflict, defining political participation in terms of property (land or slaves) only alienated poor whites further. This Virginian identity, rooted in the colonial past, had to overcome the politics of class in the antebellum present. Old Virginians needed either a distraction to ease hostilities or something that could unite white Virginians. The attempt to transfer Washington’s body created both, and it produced incredible intrastate cooperation between New and Old Virginians. In the wake of these events, the request for Washington’s remains was interpreted as an assault on their state identity. Against the backdrop of the tariff debates, their resistance became ripe with states’ rights rhetoric. The effort to preserve Washington as a Virginian relic became a crusade to unite all white Virginians, reassert the state’s declining national status, and usurp the authority of the federal government.[19]
There were few Virginians who could match the political record of Littleton Waller Tazewell. In 1801 he was elected to the House of Representatives to fill the vacated seat of John Marshall. He later returned to Virginia to serve in the General Assembly, distinguishing himself as a creative thinker and eloquent orator. Tazewell was elected to the Senate in 1824, quickly rising to the position of President pro tempore. This was as far as Tazewell would ascend; frustrated by national politics and considering retirement, he wrote to fellow Senator John Randolph for his opinion on the matter. Randolph replied, “Since the death of Gen’l Washington Virginia will not have sustained such a blow as your resignation.” Tazewell was also tired of being ridiculed by Virginian elites for his inaction during the sectional crisis. One letter noted, “The people of Virginia think their importance to the Union, their respectability as a people of intelligence ... the glorious part they have heretofore borne in the councils of the nation ... would entitle them to more respect from their representatives.” Editorials questioned his quiet nature on the tariff, and asked why the North was favored to the South, why the federal government was increasing its power, and most importantly, why Virginia’s role in the debate was diminishing. Tazewell was told to “step forth, then...and discharge that part you owe your own standing, as well as the interests of OLD VIRGINIA.” Tazewell’s worth and Virginia’s own prominence in the sectional crisis appeared to be regressing. Fortunately for Virginians, and Tazewell, the upcoming birthday of their most illustrious citizen offered them the opportunity to reclaim center stage to celebrate their heritage and his legacy.[20]

The Congressional committee, led by Henry Clay of Kentucky, recommended that Congress execute the 1799 resolution by seeking the blessing of Washington’s relatives to move the bodies of George and Martha from Mount Vernon to Washington D.C. Before the vote, officials opened the floor for debate. The once passive Tazewell, stood up and berated the proposal with all of his fury. He argued that Washington had requested, by the terms of his will, to be buried at Mount Vernon next to his wife and kin. Violations of his personal wishes and honor were at stake, and Tazewell reminded the senators of Bushrod Washington’s rejection of Virginia’s application. Bushrod’s refusal of Virginia’s request was proof that Washington’s family wanted him at Mount Vernon. Tazewell’s rant climaxed with his chilling questions to the Senate, “Do you think we are willing to part with his ashes? What
right have you to intrude into our domain, and insult the feelings of the whole State?” Fellow Virginian John Tyler agreed, asking the Senate to “Let the Great Dead sleep the sleep of death...Let him not be exhibited in the Capitol as a spectacle to a gaping crowd.” The possible removal of Washington's body and subsequent occupation in a national building threatened Virginia’s rights because Virginians considered his body to be a state relic. While all would agree that he was a national symbol, his body, much like the national government and the country, was contested along sectional lines.[21]

Southern senators echoed similar opinions, asking others to respect the wishes of the will. Senator John Forsyth of Georgia read the will aloud, arguing that Washington specifically designated his burial place and wished that his funeral would be without “pomp or parade.” Washington’s words strengthened the arguments of Virginians and southern factions. Northern senators, in general, tended to disagree. John Holmes of Maine argued in favor of removal, believing that “The ashes beneath them would prevent them (Congress) from wandering the paths of patriotism, or sacrificing public good to private ambition.” Daniel Webster of Massachusetts agreed, noting that “The clause only expressed the wish that his remains should be buried without pomp or parade, but did not prohibit their removal.” Tazewell again rose to speak against Webster’s shrewd reasoning, responding that while Washington did not explicitly prohibit the removal, he deliberately expressed his wish that they be buried in the old vault.[22]

The House passed the resolution on February 14 by a vote of 109-76. The Senate followed suit, approving the application 29-15. Both votes followed a distinctly sectional pattern, but more interesting was the split among Virginian representatives. Congressmen from Western Virginia approved of the measure 3-2, while Eastern Virginians opposed the removal of Washington’s remains 12-3. The disparity of representation demonstrated that Congressional power still resided in eastern Virginia, and the vote itself reveals that there was not a single, unified vision or memory of Washington among Virginians in national positions of power. Western delegates remained conflicted over the issue, while eastern representatives opposed it, linking it to an overextension of federal power and the violation of states’ rights and property. The
resolutions were sent for approval to Washington's male relatives, John Augustine Washington and George Washington Parke Custis.[23]

Senator Tazewell had failed to stop the motion, but Virginians embraced him like he was Washington reborn. A printed letter, signed “Henry,” acknowledged the senator’s speech against the removal and argued that it “richly entitles him to a civic crown.” Henry criticized the proposal and argued that Washington’s remains were not safe in Washington D.C., writing, “The enemy that burned your Capitol could have disturbed his sleeping dust.” Henry personally thanked Tazewell and begged Washington’s relatives to “not allow his remains to be moved for any national or other purpose.” Tazewell’s role in the debate, however, was not without criticism. One Northern humorist turned the occasion into a political satire of the Senator, writing “Mr. Tazewell is a strict constitutionalist, and would object to appropriating a fippy bit to buy goose quills, unless it could be done constitutionally. Hence you find him constitutionally objecting even to the removal of Washington remains!” While Tazewell and the rest of Virginia’s dissenting national representatives were praised, their efforts proved futile in the votes, even with the support of Southern senators and representatives. The burden now fell on the Virginia General Assembly to prevent the removal by reframing the episode as a battle between federal and states’ rights. Their defense of Washington’s bones now rested in their hands.[24]

One of the first to hear the news of the vote was Virginia Governor John Floyd. He wrote frantically to the House of Delegates and the Senate, informing them of the application and encouraging them to unite against such an intrusion. Floyd argued that, “It is the province of Virginia to watch over the remains of George Washington ... to you I appeal ... the descendents of those men whose blood was poured out and mingled with the soil of Virginia in defense of liberty—that cause of which Washington was the soul.” Floyd believed that “the sacred duty of guarding and honoring the remains of her son” belonged solely to Virginia. Another representative, Archibald Bryce, asked the delegates, “shall their sons consent that his remains be removed from the territory of Virginia; that his honored bones shall be placed in the hands of strangers, and their shrine be transferred to another soil?” One observer, indignant of the planned intrusion, called every native Virginian to protest, asking “Why should Virginia be robbed of the sacred desposite
The only way to stop the motion without violence would be to convince Washington’s heirs to decline or convincing Congress to withdraw the action before the anniversary of Washington’s birth on February 22.[25]

Time was of the essence, but some felt the collective opinion of the assembly, while significant, would not even reach Washington D.C. before the anniversary. Thomas Jefferson Randolph commented that resolutions would be useless, as Washington’s remains “would be disinterred before this remonstrance could reach Congress.” Fellow delegate Willoughby Newton countered, “These resolutions are of the utmost importance, as a formal declaration of this Legislature.” The Assembly appointed fourteen members to draw up a response to the Congressional recommendation. The committee, composed of eight easterners and six westerners, emerged during the afternoon session to read their report to the delegates:

The General Assembly of Virginia, view with painful solitude the efforts now making by the congress of the United States, to remove from Mount Vernon, the remains of George Washington. Connected with Virginia in his life, he should not be separated after death: a native of the state, the companion, friend and commander of our fathers when they poured their mingling blood to seal the charter of our liberties, presented to the first grasp of infant affection in every nursery, consecrated under a growing knowledge of his character and deeds in the more ardent sympathies of our youth and our manhood, revered in our memories with the images of our fathers, the tomb that enshrines him is sacred to Virginia. It is more especially sacred as the spot of final repose selected by the dying patriot himself. In the name of the good people of this commonwealth, we solemnly protest against the contemplated removal of his remains from our territory.

Passing this unanimous resolution, the Virginia General Assembly and Senate firmly pronounced their opposition. These declarations and Floyd’s letter were sent to Congress, Vice-President John C. Calhoun, Supreme Court Justice John Marshall, and Washington’s relatives. The Virginia General Assembly, however, did not know that John Augustine had already written Congress, politely declining the application.
Nonetheless, the Assembly’s decision would have consequences for the country, the state, and Virginian identity.[26]

These general declarations, more importantly their unanimous support, illuminate another dynamic of the political turmoil in antebellum Virginia. The Virginian Convention had reapportioned state representation, but shifted districts still gave advantage to the east. Despite the west’s disappointment with the shortcomings of the convention in 1830, delegates from the west adopted the Assembly’s position and voted against moving Washington’s remains. This differed from Virginia’s Congressional representatives, whose voting varied from east to west. While the west differed and opposed the east in a myriad of ways, the unified response in the Virginia General Assembly suggests that something united Virginia’s sections. There are some possible explanations for the west’s rejection of perceived federal interference; it could show their commitment to Virginia in hopes of achieving further democratic reforms for all white Virginians; despite illfeelings to the East, Washington was still a Virginian like them; or simply, they believed Washington should stay in Virginia because it was where he was buried. Political motivations seem rather unlikely, since the east firmly rejected the west as a political and social equal in 1830. The unified stance by both eastern and western representatives suggests there was a cultural resonation between the delegates within the state. This link was Washington, who in the minds of Virginians was first and foremost a Virginian, and secondly an American. Virginians were willing to share his memory, but when it came to the possession of his physical remains, they drew a line at the state borders.[27]

Not all Virginians opposed the nationalization of Washington’s body. In fact, the two men who created and revived the resolutions, John Marshall and Henry Clay, were both native-born Virginians. Marshall, born in northwest Virginia to a modest family, rose to prominence in Virginian society for his sharp political mind and successful legal practice. Marshall later became an ardent Federalist and his fondness of Washington motivated him to write the first major biography of the General. He received an urgent plea from Governor Floyd, hoping that Marshall could convince Congress to withdraw the proposal. Marshall responded, “I myself was the mover of the original resolution … it would now be unbecoming in me to join in any representation known to be in
direct contradiction to my judgment.” While Marshall never forgot that he was a Virginian, his ascension in the national government ultimately shaped his Arch-Federalist politics and judicial rulings. These shifts played a major role on both Marshall’s analyses and the Supreme Court’s interpretation of the relationship between national and state institutions.

Marshall’s counterpart, Henry Clay, was born in eastern Virginia and raised a member of the planter class. While he left Virginia for Kentucky at age twenty, his political mindset gradually shifted with the changing contours of progress in nineteenth-century America. He advocated strongly for the American System, a series of tariffs, internal improvements, and banks designed to tie the nation together and spur economic growth while preserving limited government. He was a Whig nationalist, and his decision to revive the 1799 resolution drew applause from Northerners and nationalists, and ridicule from Southerners.

Clay received a letter from one “Patrick Henry,” a fellow Virginian who suggested that the federal government purchase Mount Vernon instead of removing Washington. This way, “the country would not only be in possession of the remains of the Father of the Republic, but would be enabled to preserve and use the property for some national purpose.” Always the voice of compromise, Clay spent years trying to convince his federal colleagues to buy the estate from John Augustine Washington and his descendants. Sectional strife, economic instability, and fiscal realities always derailed his goal, but the idea remained with him for the rest of his life. Marshall and Clay were from different backgrounds in Virginia, but both became respected lawyers, politicians, and were members of the planter class. They also left the community that raised them to serve in the national government, an absence that produced profound political and cultural effects on both men.

Virginians in the national government were conflicted, but state officials adamantly identified and contested the federal government’s encroachment. These internal dilemmas, however, were not solely confined to politicians. In fact, no one faced more pressure and possible scrutiny than Washington’s family. After the death of Washington’s nephew Bushrod in 1829, his son John Augustine became the primary owner of the estate and tomb. It was solely his decision to make; however, Congress also sent the application to George Washington Parke
Custis, Washington's step-grandson. Custis replied, “I give my most hearty consent to the removal of the remains, after the manner requested, and congratulate the government upon the approaching consummation of a great act of national gratitude.” Regardless of his kin’s opinion, John Augustine rejected the resolution on the basis of his great-uncle’s final wishes. “When I recollect his will, in respect to the disposition of his remains...they now repose in perfect tranquility...I hope Congress will do justice to the motives which seem to me to require that I should not consent to their separation.” John Augustine declined for personal reasons, and without his approval, Congress had no choice but to abandon the 1799 resolution. Any other course of action would have only confirmed the suspicions of both Virginians and Southerners.[31]

Reactions to John Augustine’s decision varied across the country, but Northern presses typically expressed disappointment. “Though we approve much more the spirit in which Mr. Custis met the offer of Congress,” wrote one contributor, “we pass no censure on the different course of Mr. Washington. We respect his scruples, while deprecating the consequences of them.” Some feared that the failed motion might “diminish very much the interest in the celebration (centennial).” Other authors gave a more balanced opinion, reporting that “Some were displeased with the refusal of Mr. W., and others thought he displayed magnanimity. But it ended about right.” John Augustine Washington managed to avoid criticism, but some found fault with Virginia’s intimidating response. One edition of *The Farmer’s Cabinet* proclaimed, “We are not able to imagine what reasonable objection the Legislature of Virginia could have to the proposal.” The North simply did not understand what Washington and his body meant to Virginians, and for those outside the realm of Virginian identity, they were never expected to.[32]

Virginian and southern responses reflected either relief or triumph. The *Richmond Enquirer* reprinted the replies of John Augustine Washington, the Virginia General Assembly and Senate, and Governor Floyd several times, reiterating the success of the resistance. The General Assembly’s journal recorded that “The recent decision of John A. Washington...is approved by every Virginian. It is the duty of Virginia to guard and protect the sacred remains of the father of his country.” Even stranger, some delegates called for a “strong fabric of granite, for the
purpose of protection and security, not of ornament, be erected over his tomb at the expense of the state.” North Carolina Senator William Mangum rejoiced in the rejection, writing “I cannot well describe my feelings on the occasion.” More disturbing was Mangum’s confession that “many gentlemen wrote immediately to the Governor of Virginia wishing him to prevent it, if he had to march his militia and do it by force.” While armed intervention appears to be a rather extreme measure, Governor Floyd had already used such force when calling upon militias to put down the Turner Rebellion, even though the insurgents had already been captured or executed. Floyd, once a more passive executive authority, altered his policies drastically after Turner’s uprising. His friendship with John C. Calhoun also transformed his political mindset, affecting his perceptions of national government and intensifying his commitment to property rights. Once a proponent of gradual emancipation, he vehemently defended slavery as a form of property after 1831. As the Governor and leader of the state of Virginia, Floyd was not afraid to use force against the Commonwealth’s enemies.

Washington’s centennial birthday, celebrated across the country with dances, orations, and parades, came and went without incident. Revolutionary veterans, militia, politicians, fraternal organizations, women, and children participated in the public rituals of devotion in their own ways. In the national capital, former President John Quincy Adams attended a ceremony for Washington, brooding over John Augustine’s refusal. “I wish that this resolution might have been carried into execution, but this wish was connected with an imagination that this federative Union was to last for ages,” Adams wrote. While his prediction was rather haunting, many did not associate the occasion with the collapse of the Union; in fact, the day was wrought with expressions of patriotism and love for Washington, the national symbol. In Virginia, the celebrations were very much like those in other states, but several weeks later, representatives in the House of Delegates took it even further. A bill was introduced for the erection of a monument over Washington’s sarcophagus, in order to “protect the remains of Washington on the soil of Virginia.” An added amendment to the bill called for the construction of a wall around the tomb to prevent intrusion or removal of the hero. Nonetheless delegates disagreed over the original purposes of the monument fund, and that a wall was a waste
of that money; the act was eventually rejected 40-60. While the actual decision was beyond their control, Virginian representatives appeared to succeed in ensuring the relics of Washington stayed within the state. This conflict over his remains was a distraction from the ongoing sectional crisis yet at the same time a manifestation of its polarized rhetoric. Once John Augustine Washington refused, the national government ceased its pursuit of Washington's body, and elevated tensions were redirected back towards the tariff and the limits of federal authority.[34]

While the attempt to nationalize Washington's body failed, some thought his memory could help unite the country in the future. One editor lamented, “Though his ashes may not yet be transferred to a national urn, his glory, are all are the property of the nation, and will be so forever.” The memory of Washington, and to an extent the Founding Generation, became incredibly important to new political ideologies and regional identities in the years prior to the Civil War. While there was a developing national identity after the Revolution that bound people together, by 1832, complex changes in American society and politics inspired local, state, and regional communities to reconstruct the founding of the country and its heroes. The men who had come together to unite the colonies against the Crown were sometimes symbols of unification, and at other times, instruments of division; these disagreements over memory illuminate how deep state and sectional mindsets became, and how they drove political behavior in antebellum America.[35]

The vote to move George Washington's remains and Virginia's damnation of a federal invasion highlight this intersection of national and sectional memory. Their responses to the initiative, at the height of the sectional crisis, demonstrate a Southern state suspicious of the federal government. Looking deeper into their actions, Washington's body effectively united New and Old Virginians within the realm of states' rights. Despite the efforts of the planter class to limit democratic reforms, maintain the institution of slavery, and concentrate political and fiscal power in the east, westerners in the state agreed that Washington's relics belonged to Virginia only. While these two intrastate sections resumed their political struggle after 1832, the legacy and even physical remains of Washington was a way to bridge sectional differences in
Virginian society. This was the power of his memory, uniting different people with opposing ideologies, values, or attitudes at one moment, then dividing the same individuals on other issues the next. The malleability of his character made him universally loved, yet regionally and individually contested.

Virginians perceived the proposed removal as an attempt to challenge the authority of the state of Virginia. White Virginians refused to surrender the bones of Washington because he was one of them. While the memory of Washington as a national symbol was nearly universal, Virginians’ *jus soli* mentality strictly defined his body as a state relic. His centennial came and went, but it is difficult to imagine that this failed attempt to capture Washington’s bones with Congressional power was quickly forgotten. Later that year during a Fourth of July celebration in Richmond, a committee-approved list of toasts first recognized, “The Union—The sacrifice of our freedom, our property and our principles—too great for its preservation.” The second toast went to George Washington; Virginian identity, much like Southern identity, would adopt, live, and later die by these sentiments. [36]

[1] This article owes many thanks to the two anonymous readers’ reports and the editors of Essays. They all gave me fantastic feedback on how to refocus and strengthen my argument. *New York Courier and Enquirer*, 22 August 1831; *Alexandria Times*, 25 December 1799; *The Providence Journal*, 1 January 1800; *Universal Gazette*, 16 January 1800.


[5] Susan Dunn, *Dominion of Memories: Jefferson, Madison, and the Decline of Virginia* (New York: Basic Books, 2007), 28-9; for more on Washington’s transformation into a national symbol and the country’s embrace of his demigod status, see Barry Schwartz, *George Washington: The Making of An American Symbol* (New York: Free Press Books, 1987), 107-48; Paul Longmore, *The Invention of George Washington* (Los Angeles: University of California Los Angeles, 1988), 1-16; Edward Lengel, *Inventing George Washington: America’s Founder in Myth and Memory* (New York: HarperCollins Books, 2011), 14-26. There is debate over how much Washington tried to shape his image and there are several things to consider: his careful critiques of self portraits and sculpture; his time spent during retirement entertaining heads of state, politicians, and diplomats; his instruction to Martha to burn some of his papers along with their own correspondence. Washington may have had no interest in maintaining this Cincinnatus-type image, but he certainly understood the power of it and what it meant to the fledging country. My comment was directed more at the work of his contemporaries who produced massive amounts of broadsides, books, pamphlets, paintings, poems, and sermons after his death to transform him from a man to a demigod.

[7] *Daily National Intelligencer*, 29 May 1815; *American Mercury*, 27 February 1800; Jean Lee, “Historical Memory, Sectional Strife, and the American Mecca,” *Virginia Magazine of History and Biography* 109 (September 2001): 272; Scott Casper, *Sarah Johnson’s Mount Vernon: The Forgotten History of an American Shrine* (New York: Hill and Wang Inc., 2008), 12-3.; While Jean Lee is the first to recognize and discuss the sectional element of this incident, there remains no authoritative account of how Virginians reacted to the proposed removal of Washington’s body. I hope that this article, and my future work, will answer some of these inquires. Jean Lee’s *Experiencing Mount Vernon* also offers a collection of visitor accounts from after the American Revolution up to the Civil War. Lee estimates that “hundreds of people annually traveled to Mount Vernon after the War of Independence…during the nineteenth century the numbers swelled into the thousands.” We do know that Bushrod tried to curtail visitors because of “drinking, dancing, and frolicking,” which would suggest that many of the visitors who traveled by foot were perceived as lower class individuals.


[15] Fifth Census, or, Enumeration of the Inhabitants of the United States, 1830, United States Department of State (Washington D.C.: Printed by D. Green, 1832), 84-9. The 1830 census splits the returns of Virginia into two sections, East and West. This split runs roughly along the Allegheny Mountains, which is the natural border today between Virginia and West Virginia.


[22] Ibid; the argument that Virginians and Southerners wanted to follow the will verbatim is an interesting one, especially considering the “without pomp or parade.” Washington's funeral was not as simple as he
might have desired. This suggests something interesting, but needs to be completely fleshed out.

[23] Ibid; Richmond Enquirer, 16 February 1832; Richmond Enquirer, 1 March 1832; Journal of the House of Representatives of the United States, 1831-1833, 13 February 1832, http://memory.loc.gov/ammem/amlaw/lwcr.html, the vote also falls on party lines, with Jackson Democrats voting no 13-2 and National Republicans voting yes 4-1; Rhode Island American and Gazette, 17 February 1832; Jean Lee, “Historical Memory, Sectional Strife, and the American Mecca,” Virginia Magazine of History and Biography 109 (September 2001): 268-70.

[24] Richmond Enquirer, 18 February 1832; Salem Gazette, 30 March 1832.

[25] Richmond Enquirer, 18 February 1832; Charles Pinnegar, Virginia and State Rights, 1750-1861: The Genesis of a Doctrine (Jefferson, North Carolina: McFarland and Co., 2009), 210-5; Pinnegar’s research highlights Floyd’s support of placing Virginian troops under federal authority, the expansion into the West, and the gradual emancipation of slavery in Virginia; these are Western positions, as Floyd was from western Virginia. His time as Governor, and friendship with John C. Calhoun shifted his politics towards states’ rights, especially after Nat Turner.


[31] *Richmond Enquirer*, 21 February 1832; *New York Mercury*, 22 February 1832; *Farmer’s Cabinet*, 25 February 1832; one interesting detail is that George Washington Parke Custis’ daughter married Robert E. Lee in 1831; it was Lee’s father, Henry, who delivered the funeral eulogy for George Washington in 1799 at Mount Vernon.


The New York Mercury, 22 February 1832; this is the inherent paradox of American nationalism in the antebellum period. Localism was central to expressions of nationalism, but it also moved with fluidity, oscillating between the reinforcement of American nationalism or the sectionalism that undermined it.

Richmond Enquirer, 13 July 1832.