

Amendment 3 to Resolution 290

Proposed by: Pete Leshner

Introduced by:

Date: August 11, 2020

Proposed Amendments: The amendments proposed to the Resolution are as follows:

KEY

Boldface.....Heading or defined term

Underlining.....Added to Resolution by amendment

~~Strikethrough~~.....Deleted from Resolution by amendment

* * *Existing Resolution unaffected

A RESOLUTION ~~PROHIBITING STATUES DEPICTING PERSONS, SIGNS, OR SYMBOLS ASSOCIATED WITH MILITARY ACTION ON TALBOT COUNTY PROPERTY AND PROVIDING FOR THE REMOVAL OF THE “TALBOT BOYS” STATUE WHILE RETAINING THE BASE OF THE MONUMENT MONUMENT FROM THE TALBOT COUNTY COURTHOUSE GROUNDS~~

~~WHEREAS, the death of George Floyd, an unarmed African American man, on May 25, 2020 at the hands of the Minneapolis Police Department, has prompted important conversations across the country about racism and has galvanized support for concrete steps at all levels of government to promote police reform and greater cross-cultural sensitivity; and,~~

WHEREAS, the “Talbot Boys” monument on the Talbot County Courthouse grounds was installed between 1914-16 and commemorates those soldiers from Talbot County who served in the Confederacy; and,

WHEREAS, the “Talbot Boys” monument consists of a statue depicting a young soldier carrying the Confederate flag atop a granite base containing the names of Confederate soldiers from Talbot County who fought in the Civil War; and,

WHEREAS, the Maryland Historical Trust, which completed an architectural survey of the “Talbot Boys” monument, last updated in 2004, describes the monument as follows:

The young soldier stands chin up, hat tipped back, holding a Confederate flag at his left side with both hands, his right arm across his chest. The flag unfurls behind his back and around to his right. The figure stands on a wagon wheel and wears a [Confederate State of America] belt buckle. The base of the statue carries the identification:

MANUFACTURED BY
W.H. MULLINS CO.
SALEM, OHIO

The dark gray granite pedestal is rectangular in plan, aligned with its transverse forward. It is rock faced on four sides, and stands on a rock faced plinth. The east (front) side of the pedestal carries a smooth, unpolished recessed panel with the raised inscription:

TO THE TALBOT BOYS
1861-1865
C.S.A.

The longitudinal sides of the pedestal carry highly polished recessed panels with inscribed lists of names. The south side lists forty-two names in two columns; the north side lists twenty-six names. On the south side of the smooth hipped cap of the rusticated plinth there is a bronze plaque with the inscription:

CITIZENS AFTER WAR
(six names)

A similar plaque is found on the north side of the plinth with five names.

WHEREAS, the Maryland Historical Trust found that the monument is significant for its commemoration of those soldiers from Talbot County who served in the Confederacy and that it is also representative of the stock or mass-produced war monument popular from the time of the Civil War until the Great Depression; and,

WHEREAS, people are entitled to draw their own conclusions based on the historical record about what caused the Civil War and what motivated a particular person to fight on either side of the conflict; however, among the disparate points of view are those who, with cause, perceive monuments to the Confederacy, such as the "Talbot Boys" monument, as potent symbols of African American oppression, racism, and bigotry; and,

WHEREAS, whether this view of the "Talbot Boys" monument is shared by few or many, we, as a community, have a duty to fulfill this country's promise of equal justice for all by prohibiting such symbolism on public property and, in particular, the Talbot County Courthouse, the very place we expect to find equal treatment under the law and justice that is blind to the color of one's skin; and,

WHEREAS, the tourism and hospitality industries are vital to the economy of Talbot County, and the presence of a Confederate monument may be seen as unwelcoming or hostile to some visitors and contrary to the economic well-being of certain businesses in the County; and,

WHEREAS, ~~prohibiting~~ symbols associated with oppression, racism, and bigotry should be removed from public property ~~can be achieved in a way that still preserves the historical record~~; and,

WHEREAS, ~~the aspect of~~ the “Talbot Boys” monument is particularly troubling in terms of racist symbolism because it ~~that is most troubling in terms of racist symbolism is the statue itself, which~~ can be viewed to project an unwarranted air of innocence to the Confederate cause, defiance in the face of progress towards equal rights, and perpetual guardianship of unjust values on the threshold of the Talbot County Courthouse; and,

WHEREAS, upon consideration of the foregoing, the County Council finds that in order to remove inappropriate symbolism from the Courthouse grounds the entire “Talbot Boys” monument must be removed, ~~while preserving the historical record, the statue depicting the Talbot Boy himself must be removed while retaining the base of the monument~~; and,

~~WHEREAS, the emphasis of monuments dedicated to military action should be on the individuals who served as soldiers, not depictions of persons, signs, or symbols glorifying the conflict. One of the most powerful monuments to military action in the United States is the Memorial Wall at the Vietnam Veterans Memorial in Washington, D.C. (the “Wall”). The Wall consists of two long black granite walls listing the names of over 58,000 servicemen and women who gave their lives in service in the Vietnam Conflict. The power of the Wall derives from its solemnity and simplicity, allowing the names alone to speak for themselves; and,~~

~~WHEREAS, in connection with removal of the “Talbot Boys” statue, the County Council desires to adopt a policy prohibiting statues on County property depicting persons, signs, or symbols associated with military action in order to ensure that emphasis is placed on the names of those who served and their stories;~~

NOW, THEREFORE, BE IT RESOLVED by the County Council of Talbot County, Maryland that:

1. Recitals. The above recitals are hereby incorporated as if fully set forth herein.

~~2. Prohibition on Certain Statues~~

~~(a) No new statues depicting persons, signs, or symbols associated with military action shall be permitted on County owned property.~~

~~(b) Existing statues depicting persons, signs, or symbols associated with military action shall be removed from County owned property.~~

~~(c) The emphasis of new monuments associated with military action located on County owned property shall be on the names of those American servicemen and women who served in the conflict.~~

~~(d) For the avoidance of doubt, the prohibition on statues depicting persons, signs, or symbols associated with military action does not apply to the statue of Frederick Douglass, who is remembered for his contributions to civil society.~~

2. **Removal of "Talbot Boys" Statue Monument.** The entire "Talbot Boys" monument shall be removed from the Talbot County Courthouse grounds as soon as reasonably possible, altered as follows:

~~(a) The statue of the "Talbot Boy" shall be separated from the base of monument and removed from the Talbot County Courthouse grounds.~~

~~(b) The base of the "Talbot Boys" monument shall remain unaltered, except that any damage to the top of the monument where the Talbot Boy statue has rested shall be repaired so as to create a level and kempt appearance.~~

~~(c) The County Council may require that an interpretive plaque or panel be added to the monument or adjacent to the monument to provide relevant historical context.~~

3. **Draping of Statue Monument Pending Removal.** Effective immediately upon adoption of this Resolution, the "Talbot Boys" statue monument shall be draped or covered so that the statue monument is out of public view pending removal of the statue monument from the Courthouse grounds.

4. **Establishment of Fund for Private Donations.** The County Finance Office is hereby directed to create a restricted fund to receive any private contributions that may be received to offset a portion of the County's cost of removing the monument from the Courthouse grounds, and the County is hereby authorized to accept such private donations for said purpose.

~~4. **Temporary Storage and Disposition.**~~

~~(a) Notwithstanding the prohibition on statues depicting person, signs, or symbols associated with military action being located on County owned property, the County may store the Talbot Boys statue on County owned property or, by agreement, on private property, following its removal from the Talbot County Courthouse grounds and pending disposition of the statue, provided the statue is kept in a location out of public view and otherwise inaccessible to the public.~~

~~(b) To the extent that Local Government Article § 10-312 applies to the removal of the Talbot Boys statue, as provided herein, the County Council finds that the statue is no longer needed for public use and may be disposed of in any manner the County Council deems appropriate, including, without limitation, by gift or donation for no monetary consideration.~~

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its date of passage.

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Purpose of Amendment: The purpose of this amendment is to eliminate the policy prohibiting certain signs and symbols on the Talbot County Courthouse grounds; to provide for the removal of the entire “Talbot Boys” monument, not just the statue; and, to establish an account to receive private donations for funding removal of the monument.

Amendment Not Substantive: The foregoing amendment is non-substantive under the standard set forth in *Ajamian v. Montgomery County*, 99 Md. App. 665, 684-685 (1994).