

109TH CONGRESS  
2D SESSION

# H. R. 5057

To authorize the Marion Park Project and Committee of the Palmetto Conservation Foundation to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2006

Mr. WILSON of South Carolina (for himself, Mr. CLYBURN, Mr. BROWN of South Carolina, Mr. INGLIS of South Carolina, Mr. SPRATT, and Mr. BARRETT of South Carolina) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Marion Park Project and Committee of the Palmetto Conservation Foundation to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. COMMEMORATIVE WORK TO HONOR BRIGA-**  
4                       **DIER GENERAL FRANCIS MARION AND HIS**  
5                       **FAMILY.**

6       (a) FINDINGS.—The Congress finds that:

1           (1) Francis Marion was born in 1732 in St.  
2       John’s Parish, Berkeley County, South Carolina. He  
3       married Mary Esther Videau on April 20th, 1786.  
4       Francis and Mary Esther Marion had no children,  
5       but raised a son of a relative as their own, and gave  
6       the child Francis Marion’s name.

7           (2) Brigadier General Marion commanded the  
8       Williamsburg Militia Revolutionary force in South  
9       Carolina and was instrumental in delaying the ad-  
10      vance of British forces by leading his troops in dis-  
11      rupting supply lines.

12          (3) Brigadier General Marion’s tactics, which  
13      were unheard of in rules of warfare at the time, in-  
14      cluded lightning raids on British convoys, after  
15      which he and his forces would retreat into the  
16      swamps to avoid capture. British Lieutenant Colonel  
17      Tarleton stated that “as for this damned old swamp  
18      fox, the devil himself could not catch him”. Thus,  
19      the legend of the “Swamp Fox” was born.

20          (4) His victory at the Battle of Eutaw Springs  
21      in September of 1781 was officially recognized by  
22      Congress.

23          (5) Brigadier General Marion’s troops are be-  
24      lieved to be the first racially integrated force fight-  
25      ing for the United States, as his band was a mix of

1 Whites, Blacks, both free and slave, and Native  
2 Americans.

3 (6) As a statesman, he represented his parish  
4 in the South Carolina senate as well as his State at  
5 the Constitutional Convention.

6 (7) Although the Congress has authorized the  
7 establishment of commemorative works on Federal  
8 lands in the District of Columbia honoring such cele-  
9 brated Americans as George Washington, Thomas  
10 Jefferson, and Abraham Lincoln, the National Cap-  
11 ital has no comparable memorial to Brigadier Gen-  
12 eral Francis Marion for his bravery and leadership  
13 during the Revolutionary War, without which the  
14 United States would not exist.

15 (8) Brigadier General Marion's legacy must live  
16 on. At present, and since 1878, United States Res-  
17 ervation 18 has been officially referred to as Marion  
18 Park. Located between 4th and 6th Streets, S.E., at  
19 the intersection of E Street and South Carolina Ave-  
20 nue, S.E., in Washington, DC, the park lacks a for-  
21 mal commemoration to this South Carolina hero who  
22 was important to the initiation of the Nation's herit-  
23 age.

24 (9) The time has come to correct this oversight  
25 so that future generations of Americans will know

1 and understand the preeminent historical and last-  
2 ing significance to the Nation of Brigadier General  
3 Marion's contributions. Such a South Carolina hero  
4 deserves to be given the proper recognition.

5 (b) AUTHORITY TO ESTABLISH COMMEMORATIVE  
6 WORK.—The Marion Park Project and Committee of the  
7 Palmetto Conservation Foundation may establish a com-  
8 memorative work on Federal land in the District of Co-  
9 lumbia and its environs to honor Brigadier General  
10 Francis Marion and his service.

11 (c) COMPLIANCE WITH STANDARDS FOR COMMEMO-  
12 RATIVE WORKS.—The commemorative work authorized by  
13 subsection (b) shall be established in accordance with  
14 chapter 89 of title 40, United States Code (commonly  
15 known as the Commemorative Works Act).

16 (d) USE OF FEDERAL FUNDS PROHIBITED.—Fed-  
17 eral funds may not be used to pay any expense of the es-  
18 tablishment of the commemorative work authorized by  
19 subsection (b). The Marion Park Project and Committee  
20 of the Palmetto Conservation Foundation shall be solely  
21 responsible for acceptance of contributions for, and pay-  
22 ment of the expenses of, the establishment of that com-  
23 memorative work.

24 (e) DEPOSIT OF EXCESS FUNDS.—If, upon payment  
25 of all expenses of the establishment of the commemorative

1 work authorized by subsection (b) (including the mainte-  
2 nance and preservation amount provided for in section  
3 8906(b) of title 40, United States Code), or upon expira-  
4 tion of the authority for the commemorative work under  
5 chapter 89 of title 40, United States Code, there remains  
6 a balance of funds received for the establishment of that  
7 commemorative work, the Marion Park Project and Com-  
8 mittee of the Palmetto Conservation Foundation shall  
9 transmit the amount of the balance to the Secretary of  
10 the Treasury for deposit in the account provided for in  
11 section 8906(b)(1) of such title.

12 (f) DEFINITIONS.—For the purposes of this section,  
13 the terms “commemorative work” and “the District of Co-  
14 lumbia and its environs” have the meanings given to such  
15 terms in section 8902(a) of title 40, United States Code.

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