

# A Guide to the FitzGerald Bemiss Papers, 1952-1988

FitzGerald Bemiss Papers 1952-1988  
1952-1988

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## Descriptive Summary

### Collection Number

Mss1 B4252 a FA2

### Language

English

## **Abstract**

FitzGerald Bemiss's papers cover his career in the Virginia General Assembly, his work on various government commissions, and other related political activities and interests. Commissions on which he served include the Commission on Public Education (a.k.a. the Gray Commission), the Virginia Outdoor Recreation Study Commission, the Virginia Metropolitan Areas Study Commission, and the Governor's Commission on Virginia's Future. His areas of particular interest included educational and environmental issues.

## **Provenance**

Gift of FitzGerald Bemiss, Richmond, Va., September 14, 1988.

## **Size**

Ca. 2,750 items (6 archival boxes).

## **Repository**

Virginia Historical Society

# **Administrative Information**

## **Access**

Collection is open to all researchers.

## **Use Restrictions**

None.

## **Cite as:**

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# **Biographical/Historical Information**

Richmond FitzGerald Bemiss (b. 1922) was a member of the Virginia General Assembly, serving in both the House of Delegates (1955-1959) and the Senate (1960-1967). His papers reflect his career in the Assembly, his work on various government commissions, and other related political activities and interests. Researchers interested in these subjects may also want to look at his book, *The General Assembly: 1955-1967*.

Bemiss entered the House of Delegates at the height of the school desegregation crisis and served in that body through the extra session of 1959. Although often voting with the conservative majority, Bemiss was nonetheless independent of the dominant Byrd organization and often took positions contrary to the Byrd line. As a member of the Gray commission on Public Education, Bemiss supported "local option," was opposed to massive resistance, and approved of Lindsay Almond's "freedom of choice" compromise.

# **Scope and Content Information**

The collection begins with materials pertaining to the 1955 election, organized as described above. Correspondence, addresses, statements and clippings concerning the extra session of 1955 and subsequent referendum on the revision of the state Constitution to allow tuition grants follow. Letters from Governor Thomas B. Stanley and Dabney S. Lancaster document Bemiss's efforts in organizing pro-convention forces.

The 1956 session of the general assembly was noteworthy for the passage of a resolution of "Interposition." This doctrine asserts that individual states have the power to declare a decision of the Supreme Court unconstitutional until the issue is settled through the amendment process. Although eventually voting with the majority in support of the resolution, Bemiss expressed doubts about the action in a letter to Governor Stanley. A letter from Lewis F. Powell, Jr., later an associate justice of the United States Supreme Court, also questions the assembly's action. Both these letters are found in the folder of correspondence and addresses, which is followed by newspaper clippings, mostly from the editorial series by James J. Kilpatrick in the *Richmond News Leader*. Miscellaneous "Interposition" materials include addresses and copies of resolutions from other states.

In 1956 Bemiss was appointed to fill a vacancy on the Commission on Public Education, chaired by State Senator Garland Gray. Materials concerning the Gray Commission consist of correspondence and statements, including a joint statement by Bemiss and fellow delegate J. Randolph Tucker announcing their dissent from the majority report. Correspondence concerning the 1956 extra session is mostly from constituents concerning the proposed school closing bills. 1957 general correspondence and election materials follow. General correspondence includes letters from Harry Flood Byrd, Sr., concerning the settlement of a displaced Hungarian family in Richmond. General correspondence for 1958 and 1959 and a folder of material

concerning the 1958 session of the General Assembly precede material concerning the special session of 1959.

In January 1959 both the U. S. and state supreme courts declared Virginia's school closing laws unconstitutional. The assembly, meeting in extra session, replaced the legislation with the Commission on Education's "freedom of choice" plan, which provided for the possibility of some integration. Bemiss served on the Perrow Commission, and his papers contain commission minutes, reports, and statements from a public hearing on March 6 of that year.

Bemiss ran for the State Senate in 1959. Researchers are again reminded that the campaign materials are arranged as described on the first page of this summary. Campaign correspondence includes letters from Lewis F. Powell, who advised Bemiss and helped draft statements. Two folders containing budget and financial data for the 1960 session follow.

The extra session of 1963 dealt with the poll tax issue and amending the Virginia Constitution before the 1964 presidential selection. Materials include letters from constituents, copies of resolutions and bills, and clippings. Correspondence concerning various bills introduced during the 1964 session is arranged by bill, with an index located in the front of the folder. Folders concerning the extra sessions of 1964 and 1965, both of which dealt with redistricting, include addresses, population statistics, a copy of a federal court decision, and a Harry Byrd, Sr., statement on the voting rights act. Senate materials from 1965-1967 follow, arranged as previously described.

In 1967, FitzGerald Bemiss announced his retirement from the Senate, citing a need to devote more time to his family-run businesses. Materials concerning his announcement not to seek re-election include correspondence, clippings, editorials, and a statement. Memoranda, mainly of Carter O. Lowance, executive secretary to the governor, describes major actions of each Assembly session from 1956 to 1968.

The next section of the collection pertains to various election campaigns, presidential, senatorial, and gubernatorial from 1952 to 1985. Located in box 3, these papers mainly consist of campaign literature and clippings and precinct returns from Richmond newspapers. In some campaigns, however, Bemiss was more actively involved and generated a larger number of records. In the 1966 Senate Democratic primary, Bemiss worked for the incumbent, A. Willis Robertson, in organizing and fund-raising in the third district. Correspondence with Robertson concerns the incumbent's age and health as compared with that of former Senator Carter Glass. Bemiss also served as a budgetary and financial advisor for Fred G. Pollard in the 1969 Democratic gubernatorial primary, Harry F. Byrd in his 1970 campaign for Senate, and Richard D. Obenshain in his 1978 quest for the Republican gubernatorial nomination. The section concludes with a folder of election analyses by Larry Sabato, a folder of Richmond City Democratic Committee memoranda, correspondence, statements and 1965 redistricting information, a folder of Republican party appeals, and a folder of miscellaneous election materials.

The rest of the collection has been arranged in roughly chronological fashion around three subjects that interested Senator Bemiss: government, education, and the environment. These papers reflect Bemiss's service on a number of government commission, civic organizations, and community affairs groups. Many of these relate to general assembly activities that either spanned several sessions or continued after his 1967 retirement.

Records pertaining to government begin with several folders of otherwise only loosely related materials. The first folder in this section concerns the building of a parking lot for the Virginia Museum. This is followed by papers concerning the standardization of annual reports for the various executive departments. In January 1961 Bemiss attended a White House conference on aging and conference information as well as Bemiss's statements opposing medial aid for the elderly through social security, are included in this material.

Addresses concerning the findings of the Commission on State and Local Revenues and Expenditures follow. Appointed by Governor Albert S. Harrison in 1962, the commission's purpose was to study new and additional sources of revenue. Although it was generally understood that this meant preparing the way for a state sales tax by eliminating the legal barriers and developing plans for distributing the proceeds, other actions were also recommended. As chairman of the Local Revenues and Expenditures Committee, Bemiss proposed legislation prohibiting the underassessment and undertaxation of real estate at the expense of public utility facilities, whose burden was then passed on to other localities. A folder marked "public utilities" mostly concerns several bills introduced during the 1966 session seeking to abolish this common practice.

Correspondence with Richmond City Council primarily concerns proposed changes in the city charter providing for staggered four-year terms for the city's state senators. State planning materials concern the establishment of a division to oversee long-range planning.

In 1966 Bemiss was appointed by Governor Mills E. Godwin to the Virginia Metropolitan Area Study Commission. Under the chairmanship of Virginia Polytechnic Institute president, T. Marshall Hahn, the commission examined problems created by Virginia's growing and shifting population. Bemiss's subcommittee on Governmental Structure proposed redrawing county boundaries to reflect twentieth-century demands, and establishing service and planning districts as alternatives to annexation in meeting problems created in multi-jurisdictional area. These ideas were, quite naturally, opposed by many in the

legislature who viewed the proposal as a threat to local autonomy. Commission minutes, correspondence, and reports, as well as subcommittee correspondence begin box 4. Materials concerning the Commission on the Legislative Process, on which Bemiss also served, follow. Papers pertaining to the Commission on Constitutional Revision again reflect Bemiss's interest in multi-locality planning districts. Bemiss planned the inauguration of Governor Linwood Holton in 1970 and this material consists of memoranda, seating charts, invitations, and a program.

The section concerning education begins with a folder of general correspondence, consisting of constituent requests, invitations to speak, and copies of addresses. Seven folders labeled "State Council of Higher Education" follow. Bemiss was a patron of the bill which created the council, whose purpose was to promote and develop a coordinated system of higher education in the state. This material, which includes correspondence, memoranda, and reports, concerns the creation of the council, its early operation, and a VALC report, "education of Scientists, Engineers and Other Specialists." Other subjects include the separation of colleges in the William and Mary System (including Richmond Professional Institute) and inter-library cooperation in sharing technical services and facilities.

Correspondence with the State Board of Education precedes materials related to the Commission on Public Education chaired by William B. Spong (not to be confused with the Gray Commission). Correspondence, statements, and reports document the commission's work, which involved evaluation of school curricula and teacher certification requirements. Materials pertaining to the Bureau of Educational Research concern the establishment of a permanent agency to conduct research in education. Budget materials for 1964 concern cuts in higher education and include statements by Bemiss and University of Virginia President Edgar F. Shannon. A second 1964 folder documents an unsuccessful attempt to restrict enrollment in Virginia state colleges by out-of-state students. Materials pertaining to the Virginia Institute of Scientific Research concern the establishment of an institution for graduate research in Richmond. Papers of two Richmond organizations, the Citizens for Excellent Public Schools and the Ad Hoc Committee on Public Schools, demonstrate their commitment to public education during the school busing controversy in 1971-1972. This section concludes with miscellaneous speeches and clippings on education.

The remainder of the Bemiss papers reflect his interest in conservation and the environment. Included in this section are records concerning several commissions, the Virginia Outdoor Recreation Study Commission (1964-1966), the Governor's Special Commission on Water Resources (1965-1966), and the Governor's Commission on Virginia's Future (1982-1985). Related material concerns water pollution and parks.

Bemiss was chairman of the Virginia Outdoor Recreation Study Commission, which formulated a comprehensive plan to protect and develop Virginia's scenic, natural, and historic resources. The Virginia Outdoors Plan, passed by the 1966 assembly, created a Commission of Outdoor Recreation to acquire and maintain parks, scenic areas, camping grounds, and other sites for public use. The legislation also created the Virginia Historic Landmarks Commission (now the Division of Historic Landmarks). Records of the VORSC consist of correspondence, addresses, reports, press releases and clippings. Landmarks Commission materials primarily concern the acquisition of open space easements at "Old Mansion," Caroline County and at "Wakefield," Westmoreland County, and attempts by the owners of "Tuckahoe," Goochland County to change the route of a proposed highway. Correspondence concerning open space easements is primarily with George C. Freeman, a lawyer who designed the law allowing property owners to grant easements designating areas where future development would be prohibited. The Virginia Outdoors Plan also created the Virginia Outdoors Foundation to encourage private philanthropy towards conservation efforts of the state.

Bemiss also served as chairman of the Governor's Special Committee on Water Resources, a commission created to determine the effects of growth on the state's future water resources. An additional folder concerning water resources consists primarily of articles on drainage basins of various state rivers. Materials concerning water pollution consist of a memo on the subject to Governor Linwood Holton and the governor's acknowledgment.

Information and brochures concerning several state parks begin box 6. The next folder pertains to a trip to the Eastern Shore in 1960 and Bemiss's subsequent article on natural areas for Virginia Wildlife magazine.

The following three folders demonstrate Bemiss's interest in both conservation and metropolitan planning. Materials of the Richmond Regional Planning Commission, the Richmond Regional Park Authority, and the Capital Region Park Authority concern cooperative community efforts in creating open space areas in the Richmond metropolitan area. General correspondence concerning the James River precedes materials pertaining to a study commission report on deepening the James River channel. Articles of incorporation, by-laws, and reports of the Richmond James River Association, of which Bemiss was president, reflect that organization's apprehension over water usage and the river's flow. The next four folders, consisting of correspondence, clippings, newsletters and maps, concern the construction of a downtown expressway and its effects on natural areas along the James River. Although the expressway was built, parts of the historic Kanawha Canal were preserved and restored and James River Park was established.

In 1982, Bemiss was appointed to the Governor's Commission on Virginia's Future, which was chaired by former Senator William B. Spong. The commission's mission was to assess state needs and provide planning

and direction into the twenty-first century. Correspondence, committee assignments, meeting summaries, final reports and clippings precede records pertaining to the Environment and Natural Resources Task Force, which Bemiss chaired. These papers are arranged topically (these topics being sub-headings in the final report). Subjects include: water, land use, waste management, the Chesapeake Bay and fisheries. A final report and related papers of the Government and Planning Task Force follow.

In conjunction with his service on the Future Commission, Bemiss participated in a conference sponsored by the Virginia Institute on Government, in October 1985, on the "Future of the Virginia Environment." The collection contains a copy of the conference's final statement. Miscellaneous correspondence concerning parks and water and addresses pertaining to environmental issues conclude this section.

Miscellaneous speeches and addresses, mostly from dedication, naturalization, and award ceremonies, precede a folder of general miscellany, which includes a 1958 address on fiscal management by Senator Harry F. Byrd.

## Index Terms:

Bemiss, FitzGerald, 1922-

Outdoor recreation -- Law and legislation

Segregation in education

Virginia -- Politics and government

## Organization

As much as possible, the original arrangement of Bemiss's papers has been maintained. His General Assembly papers are organized by session, with the same basic arrangement recurring for each session. Each session's records usually begin with materials pertaining to the biennial elections. These consist of individual folders of campaign correspondence (appeals for and acknowledgments of support, petitions, invitations to speak), addresses (including radio and television spots), campaign materials (such as examples of advertising, sample ballots, literature, platform drafts, budget information, voting lists, and clippings), letters of congratulation (often including letters from Harry F. Byrd, J. Vaughan Gary, and various Virginia governors), and statements of expense. Folders containing general correspondence for that year follow. These typically include miscellaneous letters from constituents, appeals for support and endorsement, applications for appointment, invitations, and letters of appreciation. Researchers should note that papers relating to specific commissions or legislative actions that overlap several sessions are arranged by subject and appear later in the collection.

## Guide

### **Series 1: General Assembly. House of Delegates. 1955-1959**

**Box** 1-2

#### **1955:**

##### **Election campaign.**

###### **Scope and Content**

Correspondence, addresses, campaign material, letters of congratulation, statements of expense.

##### **Extra session.**

##### **Constitutional referendum.**

#### **1956:**

##### **General correspondence.**

##### **Interposition.**

###### **Scope and Content**

Correspondence and addresses; clippings; miscellany.

**Gray Commission; extra session.**

**1957:**

**General correspondence.**

**Election campaign.**

**Scope and Content**

Correspondence, addresses, campaign material, letters of congratulation, statements of expense.

**1958:**

**General correspondence; regular session.**

**1959:**

**General correspondence.**

**Extra session.**

**Scope and Content**

Correspondence; bills (bound); bills, resolutions, amendments; Harrison v. Day

**Commission on Education.**

**Scope and Content**

Minutes, addresses; public hearing; committee report; sub-committee reports; clippings and miscellany.

**Series 2: General Assembly. Senate. 1959-1968**

**Box 2 (cont.)-3**

**1959: Election campaign.**

**Scope and Content**

Correspondence, addresses, campaign material, letters of congratulation, statements of expense.

**1960:**

**General correspondence.**

**Budget.**

**1961-1962: General correspondence.**

**1963:**

**General correspondence.**

**Election campaign.**

**Scope and Content**

Correspondence, addresses, campaign material, letters of congratulation, statements of expense.

**Extra session.**

**1964:**

**General correspondence.**

**Regular session.**

**Extra session.**

**1965:**

**General correspondence.**

**Extra session.**

**Election campaign.**

**Scope and Content**

Correspondence, addresses, campaign material, letters of congratulations, statements of expense.

**1966: General correspondence.**

**1967:**

**General correspondence.**

**Retirement.**

**Memoranda. 1956-1968**

## **Series 3: Elections. 1953-1987**

**Box 3 (cont.)**

**Scope and Content**

Elections for governor, president and senator, 1953-1985 (arranged chronologically); analyses by Larry Sabato, 1985-1987; Richmond City Democratic Committee, 1953-1955, 1963-1967; Republican Party of Virginia, 1980-1986; election miscellany.

## **Series 4: Government. 1958-1970**

**Box 3 (cont.)-4**

**Virginia Museum, 1958**

**State departments, 1959-1961**

**Highway Department, 1962-1965**

**Medical Aid to the Elderly, 1960-1962**

**Commission on State and Local Revenues and Expenditures, 1963-1964**

**Public utilities, 1963-1966**

**Richmond City Council, 1964-1966, 1969-1970**

**State planning, 1965-1966**

**Virginia Metropolitan Area Study Commission, 1966-1967**

**Scope and Content**

Minutes; correspondence; reports; Committee on Governmental Structure

minutes; correspondence; reports; Committee on Governmental Structure.

### **Commission on the Legislative Process, 1965-1966**

### **Commission on Constitutional Revision, 1968-1969**

### **Holton inauguration, 1969-1970**

## **Series 5: Education. 1955-1972**

**Box** 4 (cont.)-5

### **General correspondence, 1958-1971**

### **State Council of Higher Education, 1955-1965**

#### **Scope and Content**

Correspondence, 1955-1958; General Assembly, 1956-1958; VALC report, 1957; memoranda and reports, 1956-1963, 1970; William and Mary, 1961-1962; inter-library cooperation, 1962-1965.

### **State Board of Education, 1958-1968**

### **Commission on Public Education, 1959-1961**

### **Bureau of Educational Research, 1961-1967**

#### **Scope and Content**

budget, 1963-1964; out-of-state college enrollment, 1964; Institute of Scientific Research, 1965-1967.

### **Citizens for Excellent Public Schools, 1971**

### **Ad Hoc Committee on Public Schools, 1971-1972**

### **Miscellaneous speeches, 1959-1970**

### **Clippings.**

## **Series 6: Environment. 1964-1985**

**Box** 5 (cont.)-6

### **Virginia Outdoor Recreation Study Commission, 1964-1966**

#### **Scope and Content**

Correspondence; addresses; reports; press releases; clippings; miscellany.

### **Commission of Outdoor Recreation, 1965-1983**

#### **Scope and Content**

Correspondence, 1981-1983; Historic Landmarks Committee, 1965-1966.

### **Historic Landmarks Commission, 1965-1988**

#### **Scope and Content**

"Old Mansion," 1968-1971; "Wakefield," 1970-1972; open space easements, 1966-1979, 1986-1988.

### **Virginia Outdoors Foundation, 1966-1982**

### **Governor's Special Committee on Water Resources, 1957-1981**

#### **Scope and Content**

Water resources, 1966-1979; water pollution, 1969-1970; state parks, 1957-1974; "Natural Areas

System for Virginia," 1960-1961; Richmond Regional Planning Commission, 1958-1966, 1972; Richmond Regional Park Authority 1960-1967; Capital Region Park Authority, 1968-1970; James river, 1965-1966, 1971; James River Channel, 1962-1964; Richmond James River Association, 1964-1970, 1981; Richmond Open Space Plan, 1964-1972; Local James Action Committee, 1967; Richmond Scenic James Council, 1970-1973; James River and Kanawha Parks, 1970-1973.

### **Governor's Commission on Virginia's Future, 1982-1985**

#### **Scope and Content**

Correspondence; membership; meeting summaries; final reports.

### **Environment and Natural Resources Task Force.**

#### **Scope and Content**

Correspondence; membership; water; land use; waste management; Chesapeake Bay; fisheries; report.

### **Government and Planning Task Force.**

#### **Scope and Content**

Planning districts; responses; comments.

### **Future of the Virginia Environment, 1985**

### **Miscellaneous.**

#### **Scope and Content**

Correspondence, addresses, etc.

## **Series 7: Miscellany.**

**Box** 6 (cont.)

#### **Scope and Content**

Speeches and addresses, 1958-1975; general miscellany.