A question of Indian identity in the Plecker Era: The Monacan Indian Nation in the twentieth century

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A Question of Indian Identity in the Plecker Era: The Monacan Indian Nation in the Twentieth Century

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A thesis submitted to the Graduate Faculty of

JAMES MADISON UNIVERSITY

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Dedication

For my mom, Julie. Words cannot express how your love, support, and encouragement have given me the strength to endure through life’s many challenges.
Acknowledgements

First, I would like to thank my thesis director, Dr. Philip Dillard for his patience, guidance, and support through the thesis process. Words cannot express my gratitude and I am eternally thankful for your advice and dedication in seeing my thesis through. I would also like to thank my committee members, Dr. Christopher Versen, Dr. Steve Reich, and Dr. Steve Guerrier for your invaluable advice during the editing process.

I wouldn’t have made it this far without the friendship of Stefanie Strosnider-Hollis, thank you for being a great friend and giving me the inspiration and encouragement to stick with my dreams even when it seemed hopeless.

Lastly, I praise God for the opportunity and strength to wake up every morning to discover the plan He has for me. I would also like to give many thanks to my brother, Jeff, and sister-in-law, Tiffany, as well as family members for their love and support.
Preface

“Let me explain what Mother Earth means to Indians. Even our name has to do with the Earth. The word Monacan comes from the Algonquin Indian language and means ‘Earth People’ or ‘Diggers in the dirt,’” George Branham Whitewolf explained in his interview to Rosemary Clark Whitlock about the history of the Monacan Indian Nation. “Indians live seven generations into the future. This means one must use his time on earth to try to make the world a better place for future generations by taking care of the earth and all the earth nurtures. Then the earth will still be good for generations to come—even for great-grandchildren seven generations removed.”¹ The preservation of future generation’s well-being had much to do with the harmony and peaceful resistance marking the characteristics of twentieth-century Virginia Indians who fought to preserve their identity in which they truly believed had been passed down by their ancestors for many centuries and defined who they were as the Monacan Indian Nation. Despite the scarcity of historical records, their oral histories and archaeological evidence were enough to prove to the public that they were descended from the Monacans of four centuries ago. For the members of the tribe, they had endured centuries of hardships and wanted society to know they did not have any intentions of disappearing into obscurity.

For Walter A. Plecker, these histories that the Monacan Indian Nation, as well as so many other tribes held sacred were nothing more than lies in order to gain access to white society. To Plecker, British and colonial historical documents proved that pure Indians had not existed in Virginia for centuries and the Virginia Indians were a “mongrel” mixture of Indian, white, and freed African American slaves. Plecker would

take advantage of the inaccuracies of the historical record as well as the lack of historical documents proving that the Monacans still existed by 1924. Although Plecker was not allowed to enforce the *Racial Integrity Act of 1924*, he made sure that documents submitted to Virginia’s Bureau of Vital Statistics were correct when it came to racial designations on birth, marriage, and death certificates. If he believed the race designation was incorrect he would lead a voracious attack of words for the persons designating themselves as white.\(^2\)

The current historical literature focuses on oral histories from members of the Virginia tribes and anthropological research from scholars who seek to piece together the history of the tribe from the oral histories and interviews with current tribal members. Helen C. Rountree, an anthropologist from Old Dominion University has studied the eastern Virginia tribes extensively and remains the leading expert on these tribes.\(^3\)

Although Rountree mainly focuses on the Eastern shore tribes, she has also worked in the field among the Monacan Indian Nation and has located primary sources that mention the Virginia Indian tribes during the colonial era in America. Karenne Wood, a Monacan Indian Nation member and former Director of the Virginia Council on Indians has been the foremost scholar on Monacan oral history. Wood’s goal is to continue the legacy of

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the tribe and uncover further documentary and archaeological evidence of Monacan history throughout the centuries. Horace Rice has studied the link between the Buffalo Ridge Cherokee and the Monacan tribe and has concluded that the Monacan people are a part of the Cherokee tribe and not a distinct separate tribe. This poses many problems as the Cherokee tribe is part of the Iroquoian language family and the Monacan tribe derives from the Siouan language family. Rice focuses his research mainly on census records and genealogies but the Monacan tribal members reject the theory that they are part of the Cherokee tribe. Peter Houck looks at the various theories as to who the Monacans are related to. Houck focuses on interviews from tribal members and genealogies to distinguish their unique story. Samuel R. Cook chronicles the Monacan mining community in Wyoming County, West Virginia where some members migrated to. Rosemary Clark Whitlock has published the most recent work on the Monacan Indian Nation with interviews with tribal members on historical memory.4

Tribal-European encounters from the mid-eighteenth to late-eighteenth century are largely non-existent and many believe because there is not a presence of tribal leaders and members because the tribe had been decimated by disease. Archaeological evidence now suggests that they did survive various struggles and remained in the Eastern shore and Piedmont areas largely untouched by English and French settlers. There has also been archaeological research conducted on burial mounds throughout the Piedmont. Many colonial sources, particularly writings from Thomas Jefferson, have given accounts of Indians visiting burial mounds to mourn their dead. There have been other burial

mounds found in Amherst County and farther north along the Rivanna River near Charlottesville.

Although, my research will focus primarily on state and county documents, it is important to include sources from the tribal governments and interviews with tribal leaders. I will be looking at county and state documents from the Library of Virginia. I will also be researching the Helen Rountree Collection of Virginia Indian documents at the Library of Virginia. The collection consists of correspondences between tribes and the British colonial governments as well as laws enacted affecting the Virginia tribes. The National Museum of the American Indian Cultural Resources Center in Suitland, Maryland has the Rountree Papers, which is a collection of research and field work among the Virginia Indian tribes.

Ultimately, I would like my research to present the viewpoints and actions of Walter A. Plecker and the Monacan Indian Nation and the ramification that these actions had. The choices of staying in Virginia during the enactment of the Racial Integrity Act will also be explored and show how their choices impacted historical memory. I also explore how they present their history to audiences today and how they currently have conveyed this to all communities. Because there is a vast amount of information pertaining to the effects of the Racial Integrity Act on Virginia Indian tribes, I will focus my thesis on Rockbridge and Amherst counties, where Plecker’s enforcement of the laws was at the most extreme. Among the reasons for this treatment was the less established documentary history of the tribes in the Piedmont and their tribal documentation was not established as the tribes east of the Fall Line of the James River. Plecker, like many of his contemporaries, did not view oral histories as legitimate forms of evidence pertaining
to racial designations. The Mattaponi and Pamunkey tribes each had their own reservation lands recognized by the colonial and state government as well as treaties signed by both parties since the seventeenth century and Plecker had a considerably harder time enforcing the laws on those tribes. Thus, Plecker instituted a harsher oversight of the Monacan Indian Nation in Amherst and Rockbridge Counties.
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Abstract

During my undergraduate career at the University of North Texas, I began to have a fascination with American Indian tribes whose histories were not well known to the general public. As I studied Virginia history, I became curious about the Monacan Indian Nation and how they have handled the controversy over their existence and identity to the Monacan Indian Nation of the seventeenth century. My Master’s thesis deals with this very question and how their Indian identity has been impacted by the *Racial Integrity Act of 1924* and the actions of Walter A. Plecker. Plecker took particular interest in the Monacan Indian Nation in Amherst and Rockbridge Counties where he waged a bitter conflict based on official documents that labeled members of the Monacan Indian Nation as colored. My research focuses on correspondence from Plecker to Rockbridge County Clerk, A.T. Shields and Plecker’s letter to members of the Monacan Indian Nation as well as newspaper coverage and census records to uncover the methods in which Indian identity was defined and the lengths in which both parties went to have their views of race designations defended. Ultimately, this thesis will present how various historical sources defined Indian identity and how the historical actors interpreted these sources.
Introduction

During an interview in 1987, former Monacan Chief Ronnie Branham was asked to give a wish list for the Monacan Indian Nation. Branham replied, “Of course we would like to have our land back. You asked for dreams. But we know better. They would have to give us half of the state of Virginia back.” The Monacan Nation, as well as the other ten tribes recognized by the Commonwealth of Virginia, has chosen to work within state and federal agencies to remedy issues prevalent within the Virginia Indian tribes. For centuries, the tribes that resided in Virginia with documented histories and relationships with the Virginia Colony and Commonwealth have chosen a path of relatively peaceful negotiations with the colonial and state governments despite laws that sought to alter and question their identity.

In 1924, physician Walter A. Plecker, head of Virginia’s Bureau of Vital Statistics, was in charge of classifying the Indian and African American populations as “colored” in order to implement the passage of the Racial Integrity Act by the Virginia

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General Assembly. Those who were unable to provide authentic documentation proving that they were “white” were classified colored as the implementation of racial segregation restricted Indian and African-American populations from white society. Plecker targeted the Virginia Indian communities by documenting the surnames of Indian families and sending these lists to hospitals, schools, and other public institutions. He believed that “Indian” was an incorrect term and non-reserved Indian people should only be described as colored in order to erase any Indian identity and heritage in Virginia and to bar Indians or African Americans from entering into the pure white society and institutions. Furthering the aim of racial segregation and banning interracial marriage became Plecker’s ultimate goals and the recognition of Virginia Indian tribes became a difficult goal to achieve. Virginia Indians and African American communities were mixed with the larger population of Virginia citizens and the loss of their cultural identity had devastating consequences.

Walter Ashby Plecker was born in 1861 in Augusta County to a wealthy businessman and slave owner. Plecker’s wealthy family endured through the Civil War as his father left Virginia to fight for the Confederacy. While his father was away, Plecker was raised by Delia, a servant in the Plecker home and was close to her into adulthood. Although Delia was a part of the Plecker household, Walter A. Plecker still held onto the long-standing belief that intermarriage between whites and blacks was a “standing disgrace.” Plecker left for the Hoover Military Academy in 1880 and graduated from the University of Maryland Medical School in 1885. After settling in

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Hampton, Virginia in 1892, Plecker used his medical education to decrease the high mortality rate of pregnant women and improve birthing practices. In 1912, Plecker became the head of the newly formed Bureau of Vital Statistics and took on the role of training all midwives on the proper procedures of birthing as well as documentation.\(^9\)

The Bureau of Vital Statistics was charged with documenting all births, marriages, and deaths and was not just a “passive repository of old and new records but an active instrument for the preservation of a rigid color line in Virginia.”\(^10\) Birth certificates were required to have the race of both parents and marriage certificates required the color of the soon to be husband and wife. Plecker believed that the Bureau was “perhaps the greatest force in the state today combating this [Negroid] condition.”\(^11\)

Plecker lived in an era where there was a “nearly universally accepted belief among whites in the inherent inferiority of blacks and other nonwhites was, of course, not new. Many whites looked upon this notion as a fact of life, a given that did not have to be argued.”\(^12\) Plecker would find support with several social scientists of his day and ultimately with the Anglo-Saxon Clubs of America which lobbied legislators to pass race laws based on eugenic principles.\(^13\)

The Monacan Indian Nation has struggled to present a documented history of their tribe and have relied on oral histories to prove that their tribe has existed in Virginia for centuries. Although Plecker recognized the Mattaponi and Pamunkey tribes that resided on reservations established in the seventeenth century by the colony of Virginia,

\(^10\) Sherman 71
\(^11\) Sherman 75
\(^12\) Sherman 71
\(^13\) Sherman 74
Plecker relied heavily on Anglo-American historical documents to prove that the Monacan Indian Nation was once a band of the Cherokee but by the twentieth century had disappeared as a separate tribal entity and thus could not be classified as Indian on Vital Statistic documents.14

Some members within the Virginia Indian tribes in the Piedmont left the state of Virginia after 1924 in hopes of preserving their belief of a Monacan tribal identity in West Virginia, North Carolina, Maryland, and Tennessee. Those who stayed in Virginia were forced to live and adapt their lives in a white society as their tribal identities and ties changed. Some Virginia Indians sought to keep their Indian identity while others insisted that they were white as they either refused to be labeled as colored or feared their children would not gain access to public institutions that would allow for social and economic mobility.15

Plecker left the Bureau of Vital Statistics in 1946 and the Racial Integrity Act slowly became less enforced and the Virginia tribes began the difficult process of discovering their tribal identity and history. Activism within Virginia remained dormant as a few demonstrations during the Wounded Knee standoff took place but none of the tribes sought to demonstrate against the state of Virginia for acts committed during the past four centuries. Instead, the Virginia tribes sought to re-establish ties with the Virginia government in the hopes of achieving recognition of their tribal entities. The formation of the Virginia Council of Indians by the Commonwealth of Virginia in 1983 became the vehicle for state recognition and the driving force to heal the wrongs of the

past and look to future tribal goals and relations with the Commonwealth. Today, the council focuses on a variety of issues that are important to the tribes and remains a vital link between the Virginia Indian community and the Commonwealth.\textsuperscript{16}

The Commonwealth of Virginia has recognized eleven tribes and the Virginia Council on Indians is staffed by leaders of the Virginia tribes. Today, the focus of the Council is to promote Virginia Indian history through the tribal histories that have been passed down to each generation as well as primary sources from the British colonial government in Virginia. They also seek to foment additional research in the field of Virginia Indians to enrich the history of Virginia. Their goal is to show that Virginia Indians are still here and thriving in the state and that they did not vanish into obscurity. The Virginia tribes are currently seeking federal recognition. The Pamunkey Reservation, the Upper Mattaponi tribe, the Mattaponi tribe, Rappahannock tribe, and the Eastern Chickahominy tribe all reside in King William County, directly north and east of Richmond. The Chickahominy tribe resides in Charles City County and the Nansemond tribe is located in the city of Chesapeake. The only established tribe in the Piedmont of Virginia is the Monacan Indian Nation in Amherst County. Throughout the centuries, the Monacan Indian Nation held close ties with tribes in eastern North Carolina and are believed to have had close ties with the Cherokee.\textsuperscript{17}

The struggle for American Indian populations in Virginia to survive into the present-day has shown the perseverance and strength of Virginia’s tribal communities despite innumerable odds. Conflicts, disease, confiscation of tribal lands, and laws


\textsuperscript{17} Sandra Waugaman and Danielle Moretti-Langholtz, \textit{We’re Still Here: Contemporary Virginia Indians Tell Their Stories} (Richmond: Palari Publishing, 2000), 31-32
enacted to strip Virginia tribes of their identity and culture have had a lasting impact on the manners in which tribal communities and towns view different modes of activism. As a result, members of the Virginia Indian communities have a unity that the *Racial Integrity Act of 1924* could not destroy. A member of the Eastern Chickahominy, Marvin Bradby stated, “We’ve felt pressures from society around us. We’ve felt racial prejudice from all races toward us. People have stereotypes of Native Americans…Still, we’ve had a unity that no other group has had.” In order to understand the depth of events after the passage of the *Racial Integrity Act of 1924* a brief history of the eleven state-recognized Virginia Indian tribes is needed as well as a legal history documenting the status of tribes in Virginia from the period of English contact.

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19 As of 2010, three more Virginia Indian tribes have become state-recognized bringing the current total to eleven tribes. Most literature only speaks of eight state-recognized tribes and my work will focus on the eight tribes since sources for the remaining three tribes, the Nottoway; the Nottoway of Virginia; and the Patawomeck are not as available as the original eight tribes. There are several other tribes that are not state-recognized but reside in Virginia and North Carolina. The Meherrin tribe lived in Virginia but now lives and is recognized by the state of North Carolina as well as the Saponi and Occaneechi tribes. It is also important to point out that land boundaries are often changing and fluid within American Indian cultures and should not be compared to private property or individual ownership.

20 A brief and complete legal history will be attempted but the reader must be aware that although there may be periods where American Indian tribes are heavily mentioned in laws and treaties enacted by the colonial and state governments there will be holes within the legal history where tribes are briefly or not mentioned at all. There are a variety of reasons for this. Destruction of sources during conflicts or natural disasters, the voluntary attempt to leave tribes out of legal documents so they could not be represented, or the withdraw of tribes to other regions or into areas not controlled by the colonial or state governments.
Map of Virginia Counties

Source: U.S. Census Bureau

: http://quickfacts.census.gov/qfd/maps/virginia_map.html
Map of Virginia Indian Tribes, 1600

Map of Virginia Indian Tribes Today

By the time of English contact in 1607, Virginia Indian Tribes were living in what anthropologists deemed the Late Woodland Period where Indian communities were no longer migrating to various areas in search of food and shelter but established villages with a “complex economic, social, and political structure.” Their ability to form these villages symbolized their ability to adapt to the needs of the tribe and in turn more leadership was placed on the chief. Gardening became the main food staple for the tribes and the strength of the tribal community allowed for creative traditions to flourish.

The tribal regions in Virginia consisted of the Tidewater Region and the Piedmont. The Powhatan, an Algonquin tribe, lived along the coast and survived through fishing and relying on the confederation of several tribes as allies. The Nottoway and Meherrin tribes lived directly north of the Powhatan and were part of the Iroquoian culture and would not have much contact with English settlers until after 1677 when settlers traversed into tribal lands and as a result the Meherrin would lose their tribal lands and the Nottoway would struggle to preserve their land. The Manahoac, Saponi, Totero, Occaneechi, and Monacan tribes resided in the Virginia Piedmont along with the remnants of a band of the Cherokee Tribe. Only the Monacan tribe would stay in Virginia but the Manahoacs would branch off into other tribes and the Saponi, Totero, and Occaneechi tribes would move into Pennsylvania.

The legal status of Indians in Virginia is as complex as the tribes themselves. W. Stitt Robinson, Jr. wrote about these complexities of legal status in Colonial Virginia:

22 Egloff 31
23 Egloff 58-59
24 Egloff 61-62
The problem was dealt with by individual colonies, and the status of the Indian varied with changing events and conditions affecting relations between the white settler and the aboriginal inhabitant. During the course of the Colonial period Virginia was concerned with at least three distinct groups of natives: first, foreign Indians with whom negotiations were carried on as “independent political communities”; second, tributary tribes who acknowledged themselves to be English subjects; and third, individual Indians either imported into the colony as servants and slaves, or individuals living as freemen in the colony without tribal ties.25

Although the sovereign right of the Indians was never established, their right to entitlement to their own land was upheld.26 The Virginia General Assembly held that the in all cases the “status of the red men as witnesses in the colonial courts, imposed restrictions upon them for holding public office and voting, subjected free Indians to limited militia duty, and defined the conditions under which natives were tithable.”27 The legal status for Virginia Indians and the Indians from other colonies traveling through Virginia did not help the descendants gain a proper history of their tribes and ultimately in most cases for the Monacan Indian Nation hurt their ability to prove their ancestry to Plecker.

By the start of the nineteenth century, threat to Virginia Indian lands was a reality that the tribes had feared for centuries. There were four reservations protected by the Commonwealth but policy was established to end the preservation of tribal lands and to no longer protect their legal status as Indians. The Gingaskin Reservation was the first to be sold and subdivided in 1813 to white settlers. The Nottoway Reservation would sell

26 Robinson Jr. 259
27 Robinson Jr. 259
their lands in 1878 but the Pamunkey and Mattaponi Reservations would be the only tribes to keep their reservation into the present day.\textsuperscript{28}

By the twentieth century, eight Virginia Indian tribes restructured their communities through the arrival of Christian missionaries who would establish churches and schools for the Indian tribes. The Baptist, Methodist, and Episcopal Churches would be the main denominations to help the tribes and preserve Indian identity.\textsuperscript{29} By the 1920s, Walter A. Plecker would soon attempt to destroy any appearance of Indian and African American culture and seek to establish a white society.

The tribe at issue is the Monacan Indian Nation. Their existence as a unique tribe with customs and traditions inherent to their nation alone has been challenged by various tribes and historians alike. Although the historical record provides few sources to provide a thorough history of the tribe, archaeological evidence suggests their existence and endurance as a distinct tribe in the Piedmont region of Virginia. The lack of historical sources made them a perfect target for discrimination during the enactment of the \textit{Racial Integrity Act}.

Histories of Amherst County are vastly different from the oral history traditions of the Monacan Indian Nation. Alfred Percy wrote in his history of Amherst County that “when the dawn of settling of what was to be Amherst County followed swiftly the nightfall of Monacan Indian life—a tragedy in which Virginians had no part.”\textsuperscript{30} As the Iroquois tribes invaded the county they ran out any remnant of the Monacan Indian Nation or were captured by the Iroquois and traveled north to be acclimated into other

\textsuperscript{28} Egloff 67
\textsuperscript{29} Egloff 69
\textsuperscript{30} Alfred Percy, \textit{The Amherst County Story} (Madison Heights: Percy Press, 1961), 1
Iroquois tribes. The remaining members of the Monacan Indian Nation migrated to the Falls of the James River and then joined tribes already settled along the James River. A small band of Monacans settled in present-day Madison Heights and a group of Cherokees would establish themselves in Amherst County after the American Revolution. Percy believes that these two groups were separate bands and never acculturated into a single Indian group.\(^{31}\)

For Sherrie and William McLeRoy, the Monacan Indian Nation was a confederacy composed of several tribes. In their history of Amherst County, they stress that the term Monacan has various definitions from a town near present-day Richmond, a separate Indian tribe, and a confederacy. The Monacan Confederacy had settlements that reached from the Piedmont and Blue Ridge to the James, Rappahannock, and Appomattox Rivers.\(^{32}\) By the time European settlements were established in the county in the eighteenth century, members of the Monacan Confederacy were held captive by Iroquois from New York or taken to Fort Christianna for protection. After they were released from the fort, the Monacans found that their settlements had been ravaged by disease and conflict forcing most of them to other tribes or settlements.\(^{33}\) The McLeRoys believe a few Monacans remained in Amherst County passing off as white or black so they would not face the same fate as the Cherokees who were banished to Indian Territory.\(^{34}\)

\(^{31}\) Percy 1-2.
\(^{33}\) McLeRoy 17
\(^{34}\) McLeRoy 18
Indian history in Rockbridge County is scarce at best as the only documented history is a possible Indian settlement prior to 1738 with a burial mound and encounters with Indian parties passing through mainly Iroquois tribes from New York. The Iroquois were fighting with the Cherokee and Catawba Indians but for Minister John Craig the Indians seemed to pose a threat.\(^{35}\) The Indians “were generally civil, though some persons were murdered by them about that time (1740). They march about in small companies from fifteen to twenty, and must be supplied at any house they call at, or they become their own stewards and cooks, and spare nothing they choose to eat and drink.”\(^{36}\)

In December of 1742 a fight broke out between English settlers and a band of Iroquois near the North River. The official account from Colonel Patton to the Governor of Virginia states that Indians arrived in the village and immediately threatened the English settlers. A man went over to the Indians in an attempt to stop an ensuing conflict but the Indians attacked the settlers with rifles and the settlers retaliated back. Both leaders of the settlers and Indians tried to stop the conflict but there attempts were unsuccessful. Four Indians and ten settlers were killed. The Indians retreated with some of the settlers in pursuit and the conflict quickly ended as it began. The conflict stemmed from the complaint by the Iroquois that the land in the Piedmont of Virginia belonged to them but it was ruled that that settlers had initiated the conflict and Governor Gooch gave a reparation of 100 pounds. By 1744, the Iroquois had given their hold on the land in the Piedmont by means of the Treaty of Lancaster.\(^{37}\) These are the only accounts about

\(^{35}\) Oren F. Morton, A History of Rockbridge County, Virginia (Westminster: Heritage Books, 2007), 63
\(^{36}\) Morton 63
\(^{37}\) Morton 64-65
Indians that are found in historical documents pertaining to Rockbridge County and the Indians that are presented are not designated as members of the Monacan Indian Nation.

According to the Monacan Indian Nation, their history encompasses centuries and includes a great swath of lands from the falls of the James River to the Piedmont region in the Blue Ridge Mountains of Virginia and North Carolina. At the time of English contact in 1607, the Monacans were a large confederation consisting of the Manahoacs, Tutelos, Saponis, and Occaneechis tribes.\textsuperscript{38} Although the Monacan Confederation were enemies to the Powhatan Confederacy and the existing European sources suggests the Monacans were outmatched by the Powhatans but the Monacans remained a formidable force against the Powhatans. John Smith wrote, “Upon the head of the Powhatans are the Monacans, whose chief habitation is at Russawmeake\textsuperscript{39}, unto whome the Mouhemenchughes, Massinnacacks, the Monahassanuggs, and other nations pay tributs.”\textsuperscript{40} Smith continues to elaborate the Monacan ties with the Mannahoacs in the north and describes Powhatan’s enemies as “very barbarous living for most part of wild beasts and fruits.”\textsuperscript{41} Smith also described the manner in which the Monacans and their enemies fought and the occasions in which battle was waged between the two confederations.

The Monacan Confederation had an extensive group of five towns in 1608 along the James River. The chief town, Mowhemcho, later known as Manakin Town established by French Huguenots who would later settle there in the early part of the

\textsuperscript{39} “Rassawake” translates to “at the fork” in the Algonquin language of the Powhatans
\textsuperscript{41} Smith 165
eighteenth century; the settlement of Massinacack, further westward of Mowhemcho; Rassawek, at the fork of the James and Rivanna rivers; Monasukapanough, above the mouth of the Rivanna River; and Monasukapanough on the Rivanna River.\(^{42}\)

In 1670, explorer John Lederer came from Hamburg to explore the Virginia frontier and held a keen interest in the native groups that lived along the Chesapeake and within the Piedmont of Virginia. Lederer just turned twenty years old when he reached the shores of Virginia and studied medicine in Hamburg when he sought to find a passage through the Appalachians Mountains to what may lay on the other side. Lederer’s exploration became the first published account of a journey to the Piedmont of Virginia and its subsequent exploration. During his journey through the western area of Virginia and North Carolina, Lederer encountered a group of Monacans.

Lederer witnessed the traditions and rituals inherent in the Monacan culture, noting that the history was passed down from father to son as were hieroglyph-like symbols used to write down tales from their histories.\(^{43}\) Lederer also witnessed the construction and ritual of a burial mound. “They raise a small pyramid of these stones, consisting of the number slain or transplanted…for the lay them orderly in a circle when they prepare for devotion or sacrifice; and that performed, the circle remains still; for it is sacrilege to disturb or to touch it.”\(^{44}\) Lederer’s accounts and meeting with the Monacans confirms that by 1670, the Monacan Indian Nation had dispersed into the Piedmont regions of Virginia and North Carolina and practiced burial rituals consistent with burial


\(^{44}\) Lederer 12.
mounds in the same region. Archaeological evidence of various burial mounds supports Lederer’s eyewitness account of an actual ceremonial burial ritual of deceased Monacan tribal members.

After the end of Bacon’s Rebellion\textsuperscript{45} and the adoption of the *Treaty of Middle Plantation* in 1677, the Powhatan Confederacy dominated European-Indian relations in Virginia after 1677. Explorers coming to Virginia to seek out new lands became those who would encounter the Monacans in their settlements at the closing of the seventeenth century and into the eighteenth century. Despite the conclusion by many historians, who believed that the Monacans were completely decimated, the encounters by various Europeans venturing into lands west of the falls of the James River proved that the tribe was living in the Piedmont area of Virginia.\textsuperscript{46} Archaeological evidence supports this theory and will be thoroughly discussed later.

By the beginning of the eighteenth century, the Monacans remained settled in the five towns along the James River. Francis Louis Michel, a member of the joint-stock company, George Ritter & Company, traveled the British colonies and chronicled his journey within the great cities and his life within the lands of Virginia and North

\textsuperscript{45}Bacon’s Rebellion was a result of complaints from Virginia planters and frontiersman raiding Iroquoian tribes from Maryland and New York be driven out of Virginia or killed. Virginia’s Royal Governor, William Berkeley responded with a plea of diplomacy with the tribes. Nathaniel Bacon, a wealthy planter and Berkeley’s cousin by marriage, led the uprising with blacks and common planters in hopes of ending Berkeley’s policies that benefitted the wealthiest planters in Virginia and Berkeley’s Indian policy that sought peace with the tribes. Although, Bacon’s Rebellion was unsuccessful, Bacon and his followers burned Jamestown to the ground and Berkeley was recalled back to England for his inability to manage the Virginia colony. The *Treaty of Middle Plantation* was signed between the Virginia royal officials and the Chiefs of the Virginia Indian tribes.

\textsuperscript{46}For an in-depth look at the various arguments about Monacan challenges in the late-eighteenth century, Horace Rice’s *Buffalo Ridge Cherokee: A Remnant of a Great Nation Divided* argues that the Monacan tribe were not a separate autonomous tribe but a branch of the Cherokee tribe located in North Carolina. In *More Passages: a new history of Amherst County, Virginia*, Sherrie McLeroy argues that the emergence of epidemics alone decimated the tribe. Karenne Wood, Director of the Historical Research Office of the Monacan Indian Nation, believes that the obstacles did little to shake the foundations of Monacan identity and presence in the Piedmont region of Virginia.
Carolina. Michel described Virginia lands as an “extensive wilderness that lies between Virginia and this country (Carolina), so that thus far people have not been in the habit of traveling by land from one to the other.” Michel wrote extensively on his experiences in Virginia and the description of the land. As Michel reached Manakin town, the French Huguenots had already established themselves amongst the Monacans as the tribe began slowly retreating into the Piedmont region of Virginia and North Carolina. When Michel reached Manakin Town and described the soil as “black and heavy,” as well as a stone structure that was used for religious services and mulberry and peach trees dotted the landscape.

Michel described the Monacan tribesman at Manakin Town as being nude within the confines of their homes and after a return from hunting game, only clothed to cover the genitalia, moccasins to protect the feet, and colorful feathers behind the ears. He carried a rifle, knife, and powder horn and offered Michel a bountiful selection of food from wild game, fruits, and fish. Michel noted that a refusal to eat food given to him largely offended the Monacan tribesman and became very angry by refusing food offered to the men within Michel’s company. Michel’s encounter with the Monacan showed that the tribe had survived the conflicts with the Powhatan Confederation and established settlements in which trade flourished with European and Indian goods and crops grew in abundance by the time French Huguenots arrived in Manakin Town.

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47 Report of the Journey of Francis Louis Michel from Berne, Switzerland, to Virginia, October 2, 1701-December 1, 1702, ed. William J. Hinke, The Virginia Magazine of History and Biography 24, no. 1 (January 1916): 18
48 Report 29
49 Report 29
50 Report 30
Robert Beverley echoes many of the same descriptions as Michel in, *The History and Present State of Virginia*, Beverley wrote his history in 1705 primarily based on personal narratives from the seventeenth century and with his own firsthand experiences with Virginia tribes in the early part of the eighteenth century. Beverley’s encounters consisted of various aspects of tribal life form gender roles, marriages, settlement patterns, entertainment, rituals, and customs. The same encounters Lederer witnessed held striking similarities to Beverley’s encounters in the early eighteenth century, almost thirty years after Lederer’s journey through the Virginia Piedmont.

Beverley notes that the French Huguenots “were advised to seat on a piece of very rich land, about twenty miles above the falls of the James River, on the south side of the river; which land was formerly the seat of a great and warlike nation of Indians, called the Monacans, none of which are left in those parts.”\(^{51}\) Beverley’s statement proved that the Monacans had survived and already begun the process of moving into the interior to the settlements around Amherst County. Disease, displacement, and warfare may have killed some within the tribe but their retreat into the Piedmont region of Virginia and North Carolina helped preserve their community and established trade networks with various allied tribes such as the Eastern Cherokees. The theory among historians that these factors led to the decimation of various tribes during the colonial era has steadily been disproved and the Monacan tribe remains a distinct example of the perseverance of a marginalized tribal community.

On April 13, 1716, Irish Huguenot, John Fontaine and Governor Alexander Spotswood set out from Williamsburg to visit Fort Christanna, southwest of the Meherrin

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River. At the fort, Englishmen were charged with the task of ‘Christianizing’ 200 Indian men, women, and children from the Saponi tribe and kept friendly relations with the Englishmen. The Saponis at the fort paid tribute in the form of animal skins to Governor Spotswood for English protection against a band of Iroquois Indians who came from the North to attack the English and tribal groups around the fort. Governor Spotswood gave permission to the Saponis to take revenge against the tribes that attacked the fort.

While at the fort, Fontaine and Spotswood were given a lesson in the Siouan language and Fontaine presented these in his diary. Among the words were tabike (powder horn), honis (stockings), opockhe (coat), and machneto dufas (wig). The Saponis translation of European goods suggests that the tribe had extensive contact and trade with European traders throughout Virginia and sought friendly relations for protection against raids by tribes among the Iroquois Confederacy. Fontaine also set out to cross the Blue Ridge Mountains to reach the Shenandoah Valley in September of 1716. Although, Fontaine does not cross any paths with the Monacan tribes, his trek into the Piedmont region marks the era in which Monacans began to see the encroachment into their lands and sought to distance themselves from the European settlers that would later settle in the region.

As settlers immigrated to the area around present day Amherst County, established in 1761, the Monacan tribe came in contact with various Europeans settling in the region. Dr. William Cabell became one of the first settlers in Amherst County around

52 It is believed that Monacans were among the Saponis living near the fort.
54 Fontaine 94-95
1730 when surveying land around Amherst he came across the Monacans while clearing land. The Monacans had followed the trail of Cabell and his surveyors but Cabell was able to convince members of the tribe that they were merely trying to find their way back to where they had started from and avoided a deadly conflict. The Monacans had been in contact with European settlers before and were able to understand the intentions of Cabell and his surveyors. Instead of engaging in open conflict with the surveyors, the Monacans chose a peaceful retreat back into the mountains.

In 1757, near the banks of the Rivanna River were the remnants of an Indian burial mound where a young Thomas Jefferson witnessed a party of Indians mourning over the earthen mound twelve feet high. Jefferson wrote in his Notes on the State of Virginia, “On whatever occasion they may have been made, they are of considerable notoriety among the Indians: for a party passing, about thirty year ago, through the part of the country where this barrow is, went through the woods directly to it, without any instructions or enquiry, and having stayed about it sometime.” Jefferson continued to note their immense sadness as characterized “with expressions which were construed to be those of sorrow, they returned to the high road, which they had left about half a dozen miles to pay this visit, and pursued their journey. There is another barrow, much resembling this in the low grounds of the South branch of the Shenandoah, where it is crossed by the road leading from the Rock-fish gap to Staunton.”

Jefferson states that the land on which the mounds had been found had been cleared of the forests and crops had been planted on top of the mounds which greatly

57 Jefferson 226
reduced the immense height previously noted about the mounds. Yet, the Indians Jefferson witnessed still tended to the rituals of mourning at the mounds. Jefferson also found another mound located near Wood’s Gap consisting of rocks piled together and noted that the region consisted of various mounds throughout the region where Monacans were known to have traversed. By the middle of the eighteenth century, the Indians, by Jefferson’s account, were very much part of the Piedmont landscape and were well enough to travel to various areas to mourn their dead.

After the Indians left the mound, Jefferson in his curiosity excavated the site to find a plethora of various bones indicating the burial of not only adults but also children. Jefferson’s findings marked an important turning point of the history and presence of Monacans in Virginia. The search for archaeological evidence amongst settlers in the Piedmont area in Virginia showed the relative disrespect for human remains as Jefferson remarked in his Notes, “I know of no such thing existing as an Indian monument: for I would not honour with that name arrow points, stone hatchets, stone pipes, and half-shapen images. I think there is no remain as respectable as would be a common ditch for the draining of lands.” Although, Jefferson initially showed respect and sympathy for the Monacans visiting the mound, he ultimately retreated back to the European view of Indians and believed that because the Monacans were not Christian Europeans, their burial practices were little more than means of filling land with waste. With such beliefs among many of the settlers in the Piedmont, the Monacans had little choice other than in order to preserve their tribal community; they sought an anonymous refuge among the mountains and forests of the mountains.

58 Jefferson 226
59 Jefferson 225
The treatment of the Indians in Jefferson’s era mirrors much of the sentiment and disrespect all Virginia Indian tribes suffered since European contact. Their legal status was defined as early as 1622 with the denial by the Virginia Court in London of Virginia Indian’s right to land. Mr. Barkham was granted a parcel of land from Sir George Yeardley who in turn bought the land from Opechancanough. The Virginia Court found it unlawful for any Englishmen or the Virginia Company to purchase or sell land to any Virginia Indian tribe. The action to purchase land from Virginia Indian tribes implied that they had rights to claim the land if conflicts ever arose. Thus, the subsequent denial and forcible move to certain lands rendered Virginia Indians unable to obtain any type of legal status.60

There is no doubt that Virginia Indian tribes have a rich history in the Commonwealth of Virginia but as the tribes remained quietly living their lives separately from white culture or acculturating into that culture, the beginning of the twentieth century would take a drastic turn into extreme racial prejudice that would attempt to destroy the foundations on which tribal ties had existed for centuries. Walter A. Plecker focused much of his energy on Virginia Indians residing in Rockbridge and Amherst counties in order to prove that Virginia Indians were not Indians and most important to him was that they did not belong in the white population.

60 Virginia Court in London, Denial of the Sovereign Rights of the Indians in the Land, 17th July 1622. Virginia Council Records, II.
Chapter One
Identity Lost: Monacans and the Racial Integrity Act

From the time of European contact, Virginia Indian tribes have sought to establish themselves within the larger white society as a sovereign community. Laws established in the seventeenth century erased the individual identities of members within the Virginia Indian tribes and the enactment of the Racial Integrity Act in 1924 became the final action taken against the Virginia Indian tribes to ultimately banish their distinct cultures from Virginia history.

On March 8, 1924, Senate Bill 219 passed in the House and became the Racial Integrity Act of 1924. Governor Elbert Lee Trinkle later signed the Racial Integrity Act into law on March 20, 1924:

> Be it enacted by the General Assembly of Virginia, at the State Registrar of vital statistics may as soon as practicable after the taking effect of this act, prepare a form whereon the racial composition of any individual, as Caucasian, Negro, Mongolian, American Indian, Asiatic Indian, Malay, or any mixture thereof, or any other non-Caucasic strains, and if there be any mixture, then the racial composition of the parents and other ancestors, in so far as ascertainable, so as to show in what generation such mixture occurred, may be certified by such individual, which form shall be known as a registration certificate.\(^{61}\)

The act outlawed intermarriage between “white” and “colored” persons unless one had one-sixteenth or less of Indian or African American blood. Many marriages after the passage of the act could be put on hold possibly for months until a court could decide the race of the male and female filing for a marriage license. This also pertained to birth and death certificates where one was instructed to accurately give the racial designation. On March 22, 1926 the Massenburg Bill barred any persons who were deemed “colored” from entering white public institutions such as hospitals, schools, public transportation,

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and restaurants. For those who were born before June 14th, 1912 a registration certificate was to be made in order to classify those who were living in Commonwealth of Virginia prior to the passage of the Racial Integrity Act of 1924. Those who were born after June 14th, 1912 were to be issued a birth certificate classifying their race and the race of the parents.

As a result, some Virginia Indians in Rockbridge and Amherst counties chose to go to court to fight the ruling of their aforementioned race designations that resulted in the challenge of their right to file for a marriage license. Other Virginia Indians in the Rockbridge and Amherst counties chose to leave the county or state all together to avoid the discrimination that would be committed after the Racial Integrity Act was passed or stayed and attempted to try and classify themselves as “white” as they feared discrimination if they revealed they were any other race.

The Bureau of Vital Statistics documents births, marriages, and deaths within the counties in Virginia. Starting in 1924, clerks within each county were required to document the races of the individuals on these documents as “white” or “colored.” Walter A. Plecker compiled multiple lists of members of Virginia Indian tribes in order to prove that they were not to be labeled on any official documents as “white” nor were any persons Plecker believed to have had any amount of non-Caucasian blood, allowed to intermarry. In a letter to all the registrars in Virginia, Plecker stated, “you will be glad to know that we are making steady progress and that the Director of Vital Statistics of the Census Bureau has recently congratulated us on our success. A few registrars are still careless and some appear not to have read the July bulletin which contains the latest
Walter A. Plecker hints at some discontent of a few registrars but never points out who these specific registrars are.

Walter A. Plecker grew up in Augusta County, Virginia and was born in 1861 to a slave owner and merchant. The region in which Plecker grew up and the origins of his father’s occupation may explain his staunch belief of white racial purity. As an adult, Plecker attended the Hoover Military Academy in Staunton and went to the University of Maryland Medical School. After graduating, Plecker became a doctor in the western part of Virginia, specializing in obstetrics and then lived in Elizabeth City County, or present day Hampton, practicing as the public health officer until he came to the Bureau of Vital Statistics in 1912 and remained as the head registrar of the bureau until 1946. During his term as registrar of the Bureau of Vital Statistics, many referred to the medical doctor as “Herr Plecker” for his staunch advocacy of a single, dominant white race and his determination to muddy the existence of African-American and American Indian populations in Virginia. Plecker was a supporter of eugenics and applied this to his public advocacy campaign of the “New Family” in Virginia. Plecker believed that the Racial Integrity Act was “aimed at correcting a condition which only the more thoughtful people of Virginia know the existence of.” Plecker also had close ties with the Anglo-Saxon Clubs of America, founded by Ernest Sevier Cox and both lobbied the passage of the Racial Integrity Act of 1924. The Anglo-Saxon Clubs of America was a “call for racial integrity that appealed especially to whites in Virginia who were obsessed with

62 Walter A. Plecker in a letter to Registrars, December 9th, 1912 Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
63 The scientific process of improving the genetics of humans and animals.
genealogy and their pristine bloodlines.” The Anglo-Saxon Clubs was heralded by a strong leadership that would influence legislation and stir up racial prejudices to achieve a pure white society.

In Virginia during the time of the passage of the act, a total of 10,000 to 20,000 people were believed to have been an “intermixture of white and colored blood.” Plecker made sure all who recorded births and marriages reported their color accurately. “As color is the most important feature of this form of registration, the local registrar must be sure that there is no trace of colored blood in anyone offering to register as a white person.” Plecker designated a genealogist to trace the family histories of those he believed were lying about their race. The genealogist used birth and death records from 1853 to 1896, marriage records from 1853 to 1943, United States Census reports for 1830, 1850, and 1870, as well as county tax-payer lists by races dating back as far as 1808 and registration as voters. Plecker declared in a letter to all registrars and clerks in Virginia:

There does not exist today a descendant of Virginia ancestors claiming to be Indian who is unmixed with negro blood. Since our more complete investigation of all these records and the statement (mostly signed) of numerous trustworthy old citizens, many now dead, all preserved in our “racial integrity” files, no one has attempted by early recorded evidence to

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66 J. Douglas Smith 66
67 Plecker’s color designations were mulatto, quadroon, octoroon, black, Negro, colored, mixed and issue. By law, a mulatto was the offspring of a white person and an African-American person. A quadroon was the offspring of a mulatto and a white person. An octoroon was the offspring of a quadroon and a white person. The terms black, negro or colored were designated for any offspring of African American descent and a mixed race person. Mixed and issue were the offspring of white and black person with the white characteristics more dominant. Indian was only used for those persons with pure Indian blood or the offspring of a pure Indian and a white person.
disprove this finding. If such evidence exists, our research worker would have found it. 69

Plecker neglects to note that the genealogist hired was to look for evidence of African-American ancestry for those claiming to be white or Indian only and did not take into account that the classification of Indians since European contact was loosely defined and at many times Virginia Indians were labeled as “mixed” or of African-American descent when in fact they were only Indian.

Physician V.W. Davis of Fairfield in Rockbridge County witnessed many “mixed” families emigrate from Amherst to Rockbridge. Davis contacted Plecker about their movement to the county and Plecker immediately contacted Davis with information from Professor Ivan E. McDougle of Sweet Briar College about the families Davis saw. Davis and McDougle were helping Plecker inquire about the race of these families and had been in constant contact with Plecker in order to verify the correct procedures when dealing with the racial category in which one belonged to if it was questionable. Plecker sought to rally all those who would provide an offensive to the complaints brought about by Virginia Indians.

It is going to be a difficult problem to prevent this except by arousing public sentiment among the white people. The clerks have been warned to use every precaution not to issue marriage license for one of these persons to intermarry with a person of known pure white blood. As to whether they can be kept out of the public schools and as to whether you can report them as of mixed descent, will be a problem for the people of each community to settle. 70

69 Walter A. Plecker to Local Registrar, Clerks, Legislatures, December 1943. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
70 Walter A. Plecker to V.W. Davis, May 13, 1924. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
By establishing a marriage based on eugenic principles, Plecker states in his publication, *Eugenics in relation to The New Family and the law on Racial Integrity* that reproductive principles are based upon the beliefs that “like begets like and that qualities and traits of various kinds either good or bad are passed on from parent to child, though we cannot always predict the exact result.” Thus, Plecker boldly states in the publication that intermarriage between two different races is sinful and will only lead to a less productive and immoral society even in the best circumstances.

The mental and moral characteristics of a black man cannot even under the best environments and educational advantages become the same as those of a white man. But even if the Negro’s attainments should be considerable, these could not be transmitted to his offspring since personally acquired qualities are not inheritable. Neither can the descendants of the union of the two races if left to their own resources, be expected to develop or maintain the highest type of civilization. Virginia has therefore acted wisely when through her legislature she has declared that no white person shall intermarry with one containing a trace of any other than white blood.

Plecker wrote in the *New Family* that any persons that had one-sixteenth or less of American Indian blood and did not have any other amount of non-Caucasian blood could marry or be labeled as white on vital record documents. Plecker knew that those within the Virginia Indian population who sought to be labeled as “white” rarely had the records to prove that they were in fact one-sixteenth or less of American Indian blood.

In the *New Family*, Plecker accuses many members of the African-American community of registering as “white” or “Indian.” “If refused classification as white, they claim to be Indian, and as such, have been accepted in the birth reports to avoid listing them as

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72 Plecker 6-7
73 Plecker 31
Virginia Indians were forced to designate themselves as “colored” because Plecker believed that a “pure Indian” no longer existed in Virginia. As a result, members of the Virginia Indian tribes were forced to register as “colored” and to suffer the same prejudice as the African-American population in Virginia.

Plecker was especially harsh to the American Indian community in Rockbridge County, Virginia. In a letter to Mrs. Martha F. Wood, Plecker warned the midwife about the consequences of misreporting the race of a newborn child as an offense that would result in a one year prison term.

Dear Madam:

We notice that you are reporting births of the Irish Creek mixed people as white. We want to know what you mean by that. They have always been claiming to be Indians. When did they change their color and become white?

Plecker concluded the letter with a stern warning to Mrs. Wood that “you and these people are making yourselves liable to trouble.” While reporting race falsely on any vital record document was punishable with one year’s confinement, Plecker rewarded twenty-five cents to the local registrars who would “correctly” identify race according to Plecker’s standards on each registration certificate. This payment could take months to reach the hands of the local registrars because many vital records documents were questioned as to the “correct” race of the applicant and thus the reward may not have

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74 Plecker 15-16
75 Walter A. Plecker to Mrs. Martha F. Wood, November 23rd, 1925, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
76 Walter A. Plecker to Mrs. Martha F. Wood, November 23rd, 1925, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
77 Plecker 30
been given at all. Thus, local registrars became a willing part of Plecker’s plan to create the “New Family.”

Plecker took issue that many Virginia Indians in the counties of Rockbridge and Amherst were claiming to be pure Indians and not colored. According to Plecker in a letter to A.T. Shields, the local registrar in Rockbridge County, the 1830 census (See Figures 1 and 2) designated many of the ancestors of Virginia Indians as being “free negroes.” Among those included in the 1830 census was the Beverley family. Patsy, Amy and Abrm. Beverly resided in Rockbridge County along with sixteen family members. Charles and Samuel Beverly resided in Amherst County with thirteen more members of the family. Some members of the Beverly family chose to stay and fight the passage of the *Racial Integrity Act of 1924* but others moved to surrounding states to escape the prejudice that would ensue. The impact the act had and their subsequent struggle will be discussed in-depth in the following chapters.\(^78\)

\(^{78}\) United States Census of 1830. Rockbridge and Amherst Counties, Virginia.
Walter A. Plecker’s Report on “Free Negroes” in the United States Census of 1830, Rockbridge County, Virginia

Source: Walter A. Plecker to A.T. Shields, April 2nd, 1926. Rockbridge County Clerk’s Correspondence, 1912-1943. Library of Virginia, Richmond, Virginia
Figure 2
Walter A. Plecker’s Report on “Free Negroes” in the United States Census of 1830, Amherst County, Virginia
The Branham and Johns families are also reported on the 1830 census for Amherst County. Today, both families dominate the leadership in the Monacan Indian Nation and their struggle will be chronicled in the following chapters as well. Plecker used the census in an attempt to prove that these families were descended from African-American ancestors and their claims of pure Indian blood were untrue. Since European contact, various terms have been used to classify Virginia Indians, among them were terms used to classify African Americans as well, a rule that Plecker never mentioned when looking at the classifications from the seventeenth, eighteenth, and nineteenth centuries.

Plecker would soon wage a bitter legal and public war with members of Monacan Indian Nation. In a correspondence with Shields on October 25, 1929, Plecker singled out the families that denied their “free issue” ancestry. Plecker explained to Shields that members of the Beverly family were denying their racial classification and insisting they were of pure Indian blood and should therefore be classified as white. Plecker hoped that the public would fall behind his lead in making sure those classified as non-white were designated as such. “I hope it will be possible to create a stronger public sentiment in Rockbridge in reference to the great danger of classifying these people other than as of Negro descent. I regret, however, that our office is not in position to handle every case that may possibly come up.”

Plecker repeatedly notified A.T. Shields that the local authorities knew of the families whom he believed were causing trouble and opposing the classification of their

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79 Since European contact, various terms have been used to classify Virginia Indians, among them were terms used to classify African Americans as well. A note that Plecker never mentioned when looking at the classifications from the seventeenth, eighteenth, and nineteenth centuries.
80 Walter A. Plecker to A.T. Shields, October 25, 1929. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
race. The families of the Beverly, Johns, Hartless, Terry, Tyree, Adcock, Redcross, Clarks, Sorrells, Vent, Rogers, Roberts, and Hicks were all responsible, in Pleckers’ eyes, for the opposition. John Mays, Plecker concedes, was classified as white but illegally married a “free issue” woman.\(^1\)

Plecker’s correspondence with Pal S. Beverly is a perfect example of the contempt and prejudice he had for the Virginia Indian and African American communities. Instead of the usual “Dear sir” Plecker addressed Beverly with “Dear Pal” refusing to show respect to the person whom the letter was addressed to.

Because of your constant agitation of the question that you are a white man and not a member of the “Free Issue” group of Amherst, as you and your ancestors have been rated, we wrote to you recently asking for the names of your father and of his father and your grand-father’s mother. Just as I expected, you declined to give the information, but I did not expect you to come down quite as hard upon your mother as you did when you say that you do not know who your father was. Our records show that in your marriage license of June 27, 1893 you give Adolphus and Leander Beverly as your parents.\(^2\)

Plecker goes on to list that all of Pal Beverly’s male ancestors were “free negroes” and the mother of Frederick and Samuel Beverly was a former slave. Plecker warns Beverly that he should be careful as to rating himself as white as it would assuredly land him a year in the penitentiary as well as any midwives who are documenting newborns as white or pure Indian.

Soon after the Racial Integrity Act was passed, Plecker sent a letter of concern to the clerks of Rockbridge, Amherst, and Augusta counties. He was concerned with the large number of people in Amherst County and other counties in the Piedmont registering

\(^1\) Plecker to Shields, October 25, 1929.
\(^2\) Walter A. Plecker to Pal S. Beverly, October 22, 1929. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
for marriage licenses and claiming to be white or seeking to intermarry with a person of “pure white blood.” The registrar of the town of Alto in Amherst County contacted Plecker and sent the family histories of many of the Virginia Indian families in order to prove they were intermarrying with whites and that all these families were in fact of mixed blood. The registrar in Alto tracked some members of these families into Irish Creek in Rockbridge County and into Greenville in Augusta County.83

Plecker also listed a collection of surnames, by county, of the families he believed were trying to pass off as “Indian” or “white.” Most of the families he targeted on his list were those in the western counties of Rockbridge, Amherst, Augusta, and Bedford. Plecker used this list to inform local registrars throughout the Commonwealth on families who were attempting to register their families as “Indian” or “white” in the hopes of accurately distinguishing “non-white” families from “white” families. Many of the families on the list were designated “Indian” by the 1920 U.S. Census Bureau. Their designations changed by the time the 1930 U.S. Census were taken and most were labeled as “Black” or “Mixed.”

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83 Walter A. Plecker to the clerks of Rockbridge, Amherst, and Augusta Counties, April 28th, 1924. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Surnames, By Counties and Cities, of Mixed Negroid Virginia Families Striving To Pass As “Indian” or White.

Source: Walter A. Plecker, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
The 1920 and 1930 Census of the United States for Amherst and Rockbridge counties provide an insight into the racial designations of members of Virginia Indian tribes. The enumerators hired by the U.S. Federal Census Bureau were responsible for the correct racial designations on the population schedules published for each county. In the Amherst County Census of 1920 and 1930, several families are listed as Indians and the 1930 Census further identifies Indians in Amherst County as Cherokees. The census 1920 and 1930 data for Rockbridge County does not designate any family with the surnames listed as trying to pass off as Indian by Plecker. Virginia Indian families in Rockbridge County are either labeled as white, mixed, or black.

Many of the families designated as Indians in the 1920 Amherst County census lived in the Courthouse Magisterial District. Ivanhoe Jenkins, his wife and their six children were designated as Indians. A family member related to Ivanhoe, Felix Jenkins, and his wife and daughter, also lived near Ivanhoe Jenkins and his family and were also designated as Indians. The Tyree family resided in the Courthouse Magisterial District, Elon Magisterial District, and the Elon District and consisted of over seventeen separate families who were all listed as white in the 1920 Census. Members of the Tyree family disagreed with Plecker’s racial designation as colored and insisted that they were from white ancestry and should be allowed to have their children attend white schools.

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The Adcox, Branham, Duff, Johns, Hicks, Willis, Johns, and Nuckols families were all designated as Indian in the 1920 Census. The Beverley, Clark, and Sorrells families were all designated as black or mixed. Some members of the Beverly family were adamant that they were of Indian ancestry and stayed in Amherst, other members of the family migrated to West Virginia to escape the racial integrity laws. Bernard Beverly spoke of his struggle growing up during the era of the racial integrity laws and remembers moving to West Virginia and how his father changed their surname to Belvin to pass as white. The family also struggled with prejudices in West Virginia as well because of their skin color as many believed they were of African American heritage. Bernard Beverly’s mother insisted that Bernard and his siblings remain silent about their Indian heritage and it wasn’t until Bernard’s sister, Mary, was forty years old that she discovered she was of Monacan ancestry.

In the 1930 Census of Amherst County, many of the families listed as Indians in the 1920 Census are listed once again as Indian but are designated as members of the Cherokee Tribe. In his letters to registrars of Rockbridge and Amherst counties, Plecker believed that families from Rockbridge County were migrating to Amherst County as the Monacan Tribe had a documented history of residing there. The move to Amherst County meant that there was a possibility of retaining their Indian heritage or to pass as white. Although Plecker vehemently targeted families in both counties, his

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assault on Rockbridge County was more severe as there was a lack of evidence of Monacan Indians residing there.

In the 1920 Rockingham County census data, the Sorrels and two Clark families were designated as black; the Clark, Cash, Hartless, Painter, and Tyree families are listed as white but the families that Plecker spent much effort targeting were the families living on Irish Creek Road in the South River District. The 1920 Census shows that all of the families residing in the area of Irish Creek were designated white. The Campbell, Grant, Suthers, Sorrels, Clark, Wood, and Tyree families are all designated white. The only exceptions are Charles Clark’s wife, Sarah and their eight children are labeled as mixed while Charles is designated white. Henry P. Clark is designated as mixed and is the oldest child of Charles and Sarah Clark, he is married to Rose, who is designated on the census as white and their two children are labeled as mixed.

The 1930 Rockingham County Census data all families are labeled as white, including Charles Clark’s wife and eight children who were designated mixed in the 1920 census but are designated white in the 1930 census. The Clark’s son, Henry was also changed from mixed to white as well as his two children from the previous census. The couple added four more children who were also labeled white in the 1930 census. The 1920 and 1930 census data from Rockbridge County shows that many families were unable or unwilling to admit to their Indian ancestry in fear of prejudices that would keep them from attending white public institutions. Many of the families designated as Indians

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in Amherst County faced prejudices that would change their identity drastically as in the case of the Beverly family. The two counties had similar fears as many of the families in both counties were related but Monacan Indians living near Bear Mountain in Amherst County had documentary evidence proving that their tribe had lived there for centuries. Despite the evidence of their existence, the Monacans still faced discrimination from white society and had no choice but to hide their ancestry in order to survive.

From the census data from Amherst and Rockbridge counties, the desire to be labeled Indian or white seemed to be an individual choice by each head of household and not a concerted effort by the community in which each family lived. For those who were labeled Indians, the designation could have led to the possibility of federal funding and protection but this does not seem to be the goal of the Monacan Indians whose goal was to preserve tribal identity and culture despite Plecker’s efforts to erase their identity. The choice to be Indian or white was an attempt to survive the day to day prejudices of Plecker’s dominant, white society. Being Indian or white guaranteed a proper education for children, better healthcare, and the opportunity to advance in society.

As the end of 1924 came to a close, Virginia Indians harbored a newfound determination to fight for their identity as Indian. The end of the year ushered in the opportunity to fight the racial designations implemented on Virginia Indians and use their voices to change the system that labeled their history non-existent. From legislative action and court cases to sheer defiance of a certain classification on a vital record, Virginia Indians were determined to show Plecker they were indeed Indians and they were going to be identified in a manner of their choosing. The beginning of the Civil Rights movement would help Virginia Indians foment a new relationship with the
Commonwealth that would begin the process of reclaiming their identity and healing the deep wounds and mistrust of Plecker’s white society.
Chapter Two
Activism in Virginia: Virginia Indians in Transition

In 1924, Robert Painter and Atha Sorrels applied for a marriage license. The couple was turned down for the license by registrar A.T. Shields because he believed that Sorrels belonged to the “free issue” group in Rockbridge County and therefore could not marry Painter who was white. The debate of the color of Sorrels angered the couple who then decided to hire attorneys and take their case to court. Their case played all through the press and gave Plecker an opportunity to try the case in the press and further insult members of the Virginia Indian community. Painter and Sorrells claimed that the only non-white blood there family had was of Indian descent. The couple hired Fred T. Deaver and C.S. Glasgow to take their case and the case would take a bitter turn when the couple was pitted against Plecker.

Plecker’s defense rested on the history of the three Cherokee Indians from North Carolina who would later intermarry with freed slaves so as a result Sorrels family did have African American ancestry and could not marry Painter. Judge Holt presided over the case and ultimately sided with Sorrels and demanded that Shields issue a marriage license to the couple. The verdict only created more controversy as Plecker used the media to further his attack on families in Rockbridge and Amherst counties even going as far and attacking Judge Holt for his verdict in the case.

Attorneys Deaver and Glasgow traced Sorrels ancestry back to 1793 and found that there was not a single trace of “negro blood” from her ancestry, paternal or maternal. The attorneys also pointed out eight witnesses sided with Sorrels and could attest to ancestry:
It was established by eight witnesses of the petitioner, all of whom had been county officers at some period of their lives, whose ages ranged from 92 years to 60 years, that according to the accepted views of the community in which her ancestors lived, they had a strain of Cherokee Indian in them, but no Negro. 92

Deaver and Glasgow also pointed out the history of racial classifications in Virginia and that “Indian” was never a classification and many Indians were classified as “colored” instead of Indian. “At that time, before the Civil War, there were but three classifications, namely, white, free, and slaves. There was no place to recognize the birth of Indians or those of Indian descent.” 93 It is also important to note that Indian births would not be registered with the Commonwealth as relations would commonly be strained or tribal customs of births would not necessarily be recorded with a birth certificate and those that were would list the newborn as “free” or “slave.”

The Sorrels case played throughout the newspapers and brought many, including Judge Holt, to the conclusion that the case proved that the Racial Integrity Act of 1924 should be deemed insufficient to define someone with “pure Caucasian blood” primarily because there is “no authentic definition of ‘pure Caucasian blood.’” 94 The editor of the Richmond Editorial Times Dispatch points out to an important fact that many believed the statutes did not adequately define a person of Negro or Indian blood and that the broad term of non-Caucasians can be used for a vast number of ethnic persons. The ancestral traces of blood from 130 years ago, such as in the Sorrels case, makes the

93 “Controversy Rages Further In Racial Integrity Law Case.” Richmond Times Dispatch, November 25th, 1924.
amount less than appreciable in accordance with the *Racial Integrity Act* and therefore a marriage license could be granted to Robert Painter and Atha Sorrels.\(^95\)

The Sorrels case was a precursor to the type of activism that was prevalent by Virginia Indians, before and after the creation of the Civil Rights Movement and the American Indian Movement; tribes looked to the legal system to prove their cases of prejudice and discrimination. Virginia Indian tribes took a more peaceful course of action and presented their grievances in legal cases and lobbied the state government to change policies in order to address problems within the Commonwealth on the treatment of Virginia’s Indian tribes.

Virginia Indian tribes showed their resolve with landmark court cases involving the right to marry a person regardless of color and ties with the State Government of Virginia in order to change legislation and racial policies that sought to keep Virginia Indians from being labeled as “white” in state and federal documents thus keeping them from attending “white” institutions. Records show that many Virginia Indians would attempt to document their children as “white” so they could attend public schools and gain all the advantages “white” children had in Virginia.

Plecker sent a letter to the Superintendent of Schools in Lexington, Virginia, R.M. Irby, to discuss the families that had been claiming that their children deserved to be enrolled in the white schools. Plecker implied in his letter that when documents cannot provide a race designation it is acceptable to look at physical appearances in order to make a determination on the race of an individual. “We had correspondence with one of these families at Glasgow, Mascott Hamilton and his wife, Dora Woods, who endeavored to send their children to the Glasgow white school but, they say, were refused. I

understand that their appearance was too decidedly against them.” Plecker found that the Tyree family had been passing as “white” and their children were attending the Fairfield white school but the Hartless family had attempted to register their children in the Buena Vista white school but were refused admittance. Plecker continued to tell Irby that, “in some of these cases, as in this one of the Tyrees, on account of the large amount of illegitimate blood, which they always claim to be white, it is difficult to trace their ancestry to the ultimate source and it is necessary to judge them upon the appearance of individual members of their family.”

The wife of Lewis Tyree waged an ongoing struggle with Plecker and would not accept Mother’s certificates that labeled her children as “free issue” or mulatto. When Plecker responded back he reminded Mrs. Tyree that documents designated her family as “free issue” and that in order to obtain a correct race designation, Mrs. Tyree was instructed to fill out a questionnaire sent to her by Plecker. Miss Colleen Clemmer was also contacted by Plecker about the children of Freeman Rupart Sorrels and a child of Samuel Painter trying to be enrolled into white schools in Rockbridge and Amherst counties and that an inquiry into the race of the families must be questioned.

In December 1943, Walter A. Plecker sent a letter to registrars, clerks, and legislatures about the prevention of racial intermixture. Nineteen years after the passage of the Racial Integrity Act, Virginia Indians were still fighting to be documented as

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96 Walter A. Plecker to Mr. R.M. Irby, October 6th, 1930. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
97 Walter A. Plecker to Mr. R.M. Irby, October 6th, 1930.
98 Walter A. Plecker to Mr. R.M. Irby, October 6th, 1930.
99 Walter A. Plecker to Mrs. Lewis Tyree, October 6th, 1930. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
100 Walter A. Plecker to Miss Colleen Clemmer, October 9th, 1930. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
“white” or “Indian.” Plecker wrote, “we called attention to the greatly increased effort and arrogant demands now being made for classification as whites, or at least for recognition as Indians, as a preliminary step to admission into the white race by marriage, of groups of the descendants of the “free negroes,” so designated before 1865 to distinguish them from slaves.”¹⁰¹

Although Virginia Indians sought to protect their tribal identity, the need to become a viable part of the community and provide for one’s family became a top priority. It is a natural instinct for parents to seek the best opportunities for their children and some Virginia Indians felt that documenting their children as “white” was the only way to ensure these opportunities for them. Virginia Indian families risked being charged with a felony and serving a one year prison sentence for falsely identifying themselves or their family members as “white.”

Plecker made a concerted effort to visit the counties where the Virginia Indian tribes were at their most adamant about how they would be classified. The State Registrar hoped to rally all county and state officials to help carry out the task of proving that Virginia Indians were not white but of “mixed race.” By 1943, Plecker informed local registrars, midwives, and doctors that the term “Indian” was no longer acceptable as a racial designation because those who claim to be Indian had intermixed with African Americans and are no longer considered of “pure Indian blood” except those who had been designated to reside on the Pamunkey and Mattaponi reservations in King William County.¹⁰² In a letter to R.M. Irby, the Superintendent of Schools in Lexington,

¹⁰¹ Walter A. Plecker to Local Registrar, Clerks, Legislatures, December 1943. Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
¹⁰² Walter A. Plecker to Henry Preston Clark, January 25th, 1943, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Virginia, Plecker wrote of his plans to “refuse admittance into the white race” of any Virginia Indian family residing in Rockbridge or Amherst and the surrounding counties.

Dear Sir:

The question of correctly registering the “mixed breeds” of Amherst, Rockbridge and adjoining counties has become a great problem owing to the organized, persistent, and determined efforts which the locally known “free issue” people are making to pass over into the white race. We believe they have succeeded in a number of cases in securing licenses to marry white people, and have been making efforts in a number of cases to enter their children in the white schools. I believe they have been pretty effectively excluded from the Buena Vista schools, but some of them are probably scattered through the white county schools of Rockbridge.

I have been considering the question of visiting the county seats of Amherst and Rockbridge for the purpose of holding a conference with the County officials and interested citizens of each county in reference to the various families who should be classed as “free issue” or negroid people, with the view to correctly registering them by race in our office and of preventing their attending white schools and securing marriage licenses as white or for marriage with white persons. My plan was to visit Amherst one day and perhaps run across to Lexington in time to hold such a conference the next morning.

Would you co-operate in this move and assist in securing the co-operation of the county officials, Clerk, Commonwealth Attorney, Sheriff, Treasurer, Commissioner of the Revenue, Registrars of voting precincts and local registrars of the localities in which these people chiefly reside—Buena Vista, Cornwall, an Vesuvius. I believe that if such an agreement could be entered into as to the families who are to be refused admittance into the white race, the matter could be handled in a far more satisfactory manner.  

After contacting Irby, Plecker sent a letter to A.T. Shields concerned about the “intensity of the racial question” in Amherst and Rockbridge counties and sent the Registrar of Rockbridge County a stern warning on the seriousness of the events taking place in both counties.  

103 Walter A. Plecker in a letter to R.M. Irby, November 19th, 1930, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.  
104 Walter A. Plecker in a letter to A.T. Shields, November 19th, 1930, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Amherst and Rockbridge counties became the two counties with the most militant refusal to be classified as “colored.” Plecker’s frequent correspondence with officials in this area show the degree in which Plecker worried of the actions by those he deemed “colored.” In his correspondence with W.W. Whitmore, Plecker warned Whitmore of the increased actions taken by families in Rockbridge County. “You may not know that, at this time, Rockbridge is the one county in the state which is disregarding the racial integrity law as to the classification of families and individuals by race, and is doing more than the rest of the state combined to speed up ultimate amalgamation of the white and negro population of that county.” The word was spreading across the state of Virginia and possibly to other states that Rockbridge County was not enforcing the racial integrity laws. Plecker later told Whitmore that a worker for the U.S. Census Bureau encountered a man traveling into Rockbridge County with a U.S. Census demanding to know if he had reached the county where the laws on race were disregarded.105

Another cause for frustration for Plecker was the outdated method of reporting marriages, births, and deaths. Although birth and death records were not customary until 1912, reporting marriages were only required to be reported to the Bureau of Vital Statistics sixty days following the end of the year. Plecker was concerned with this slow method of reporting and suggested that reporting should be submitted by clerks within a county on the tenth of the following month of when the marriage, birth, or death took place not the following sixty days of the new year. This reduced the filing and indexing

105 Walter A. Plecker in a letter to W.W. Whitmore, December 9th, 1943, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA
of these documents from twenty months to four months.\textsuperscript{106} As a result, any marriage license that was called into question as a result of race was delayed further by methods of reporting. Plecker wrote to the clerks of Virginia on January 8\textsuperscript{th}, 1936:

\begin{quote}
The Bureau cannot supply the requested information at this time because of the delays inherent in our system of reporting marriages only after the end of the year. Despite the promptness of the majority of the clerks, our predicament is made worse by the slowness of others in making reports. There were forty-five county and five city clerks whose 1934 reports did not arrive until after March 1, 1935, and forty-nine county and seven city clerks whose 1933 reports were similarly late.\textsuperscript{107}
\end{quote}

Plecker’s new method of reporting would come monthly and would provide duplicate copies of marriage licenses as well as placing the responsibility of making sure all clerks had the proper documents to report marriages.\textsuperscript{108} The swift reporting as the documents would come in monthly allowed for the reports to be filed immediately, indexed, and an annual report to be completed so Plecker could tend to the birth records and marriage licenses that were called into question on the designation of race.\textsuperscript{109} Plecker sought the most efficient and systematic method to enforce the proper designation of race on the persons he deemed “colored” in Virginia.

Although Rockbridge County may have been Plecker’s most worrisome county when enforcing the racial integrity laws, Plecker noted that Amherst County seemed to be adopting a more submissive stance. Plecker met with Amherst County officials and reported that all the local officials agreed that the families residing in Amherst County

\textsuperscript{106} Walter A. Plecker in a letter to the Clerks of Virginia Courts, November 1935, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
\textsuperscript{107} Walter A. Plecker in a letter to the Clerks of Virginia, January 8\textsuperscript{th}, 1936, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
\textsuperscript{108} Walter A. Plecker in a letter to the Clerks of Virginia, January 8\textsuperscript{th}, 1936.
\textsuperscript{109} Walter A. Plecker in a letter to the Clerks of Virginia, April 6, 1936, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
were of “free issue” or mulatto race and thus they were immediately labeled as such in all vital record documents. Plecker suggested that he should visit Rockbridge County officials as well and adopt the same methods as he did in Amherst County. Plecker warned that his visit would also bring about proof that all that lived in Irish Creek were “free issue” and this perhaps would lead to a more submissive stance as it had in Amherst County.

Many of the white families in Amherst County supported Plecker. Among them was J.M. Grant who planned on circulating a petition among the “white citizens” of Amherst County in order to bar any “non-white” person from attending any public institution. Grant believed he was the only one in Amherst County by 1931 who had the full knowledge of the races living in the county. Grant wrote to Plecker and notified him that the families in question were descended from slaves. “As to Indian, there is no record of an Indian in Amherst County since it was settled. So where did the Indian come from?”

Grant proceeded telling Plecker that two Indians from the West traveled to Richmond as representatives of their tribe. The names of the two Indians were Black Willis and Red Horse. They eventually ended up in Lynchburg then ended their journey in Big Island accompanied by freed slaves. The two men took the names of Jack Willis and John Red Cross. By the time they reached Big Island, Red Cross was married to an African American woman and had a son named Paul. Paul would later marry Sam Beverly’s daughter and in Grant’s words raised a family of mulattoes. Jack Willis married a mulatto woman and raised a family with the surname of Willis. Grant wrote

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110 J.M. Grant in a letter to Walter A. Plecker, March 4th, 1931, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
that these two men were the last two Indians of Amherst County and the families now are not of “pure Indian blood.”

Sam Beverly was a member of one of the families Plecker targeted living in Rockbridge and Amherst counties. In a letter dated September 26th, 1935, Plecker wrote to Shields that members of the Beverly family, whom were relatives of a slave, Betty Buck, started to use the surname Birch instead of Beverly. Birch was the surname of a white woman who gave birth to a son, Pal Beverly by Adolphus Beverly, the grandson of Betty Buck. Plecker goes on to state that the change was supposedly granted by an order of the court but the Amherst County clerk, W.E. Sandidge told Plecker that no such change was made in Amherst County and may have been made in a Rockbridge court. Pal Beverly registered two of his sons under the surname of Birch in order to enroll his children in a white school. The Beverlies would soon after retreat to West Virginia as to escape the persecution faced under Plecker.

The Beverly family was not the only one to fight to keep their children in white schools, many Virginia Indian communities fought to keep their children into white schools. From the time of birth, many Virginia Indian parents would register their newborn as “white.” This enraged Plecker who would quickly furnish documents about the race of the parents and their family history that labeled Virginia Indians “non-white.”

Mary Sorrels was a midwife and member of the Sorrels family of Rockbridge and Amherst counties. A member of the Monacan Indian Nation, Mary Sorrels, a midwife, birthed many of her own families’ children and others in the county. Plecker became

111 Walter A. Plecker in a letter to A.T. Shields, September 26th, 1935, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
aware of Mary Sorrels’ designations of newborns as “white” or “Indian” and wrote to her with a stern warning about the consequences of her designations.

Dear Madam:

Our volume 1425-14089 is your certificate for the birth of an illegitimate child, Dewey Hubert Hartless, child of Martha Louise Hartless, born March 20th, 1924 at Fairfield. You state this mother is white.

We had occasion to write to you some time ago in reference to giving the correct color on birth certificates. We are warning you of the penalty in connection with making false statements. The Hartless family from Amherst County belongs to the mixed people, Indian, white, and colored, and under the new Racial Integrity law cannot be classed as white unless this is someone entirely separate from the Amherst-Irish Creek connection.

We want further information from you as to whether she is connected with these people, if so, she cannot be classed as white under the new law.

Write us at once. We want to again warn you of the trouble you are liable to get yourself into if you do not give the correct color. It is my duty to see that this law is obeyed and I expect to do it. I am waiting for someone who violates this law to have them in Court. If you want to be the first one, we will give you a chance.112

Plecker never heard from Sorrels again and may have become a private midwife who neglected to register the births of Virginia Indians. Doctor M.T. Vaden of Buena Vista in Rockbridge County was present for the births of newborns from the Hartless family as well. Plecker’s letter to Doctor Vaden is less accusatory than Mary Sorrels letter and hints at the possibility that there may be “white” members of the Hartless family. Plecker writes to Doctor Vaden, “the history of these people is that they are probably a mixture of three Cherokee Indians of North Carolina who were passing back from a visit to Washington. The party developed smallpox, and these are the three survivors, so it is

112 Walter A. Plecker to Mrs. Mary Sorrels, August 15th, 1924, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
said. They mated with white women, their children afterwards mating with negroes.”

Thus, Plecker concludes, the Hartless family is a triple mixture of Indian, white and African-American but with dominate white features and some marks of “negro parentage.” Plecker does not signify what constitutes these characteristic features of white and African-American people in the Hartless family but gives Dr. Vaden the benefit of the doubt and told Dr. Vaden that his confidence that members of the Hartless were indeed white would suffice and a white birth card would be issued.

Plecker was also in contact with Doctor Robert Glasgow of Lexington in Rockbridge County. Plecker’s correspondence with Dr. Glasgow dealt with another member of the Hartless family, Viola Hartless, a midwife who delivered many newborns to various families in Amherst and Rockbridge counties. The child whose race was questioned was an illegitimate child, Fannie Beverly born in Amherst County. As with Dr. Vaden, Plecker warned Dr. Glasgow about the ties of intermarriage between three Cherokee Indians, white women, and African Americans thereafter. Plecker implied that the Beverlies and the Hartlesses are descended from the Cherokee Indians of North Carolina, a claim that both families adamantly deny as they belonged to the Monacan Indian Nation in Amherst County. Plecker seemed less inclined to threaten the doctors of Rockbridge and Amherst County but had harsh words for the midwives and continued to question the designation of the race of newborns.

Thomas Hawthorn Crist was born in Amherst, Virginia on January 22, 1922 to parents, John Crist and Annie Hartless. When the birth certificate reached the Bureau of

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113 Walter A. Plecker to Dr. M.T. Vaden, August 15th, 1924, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
114 Walter A. Plecker to Dr. Robert Glasgow, August 14th, 1924, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Vital Statistics John Crist was labeled white and Annie Hartless label was omitted from the birth certificate. Plecker wrote to Hartless, whom he believed purposely refused to give her color on the John Crist’s birth certificate, giving her the history of her family and the evidence from records dating back to 1855 that Hartless was descended from a mixed family and therefore could not designate her newborn son as white.\textsuperscript{115} By 1930, Annie Hartless still contested the designation of her children as “colored.” After writing a letter to Plecker, he responded after the Racial Integrity Law was amended to include a stricter definition of who was considered “white” or “colored.” Before the amendment passed, one could attend a white school if they had one-sixteenth or less of what Plecker called “negro blood.” The amendment did not allow anyone with any trace amount of “negro blood” to attend white institutions or to marry a white person. Not only did Plecker state that the Hartless children could no longer attend white schools but in his letter to Hartless he implied that her marriage to John Crist was null and void.\textsuperscript{116}

Lawrence B. Sperka, a U.S. Army Sergeant at the Virginia Military Institution married Ida Hartless in 1930 and a week after the ceremony Hartless gave birth to a child in Lexington, Virginia. Plecker wrote to Sergeant Sperka requesting information on the race of his new wife and warned the Sergeant that if in fact his wife was from the “mixed” Hartless family that his marriage is no longer legal and his newborn child would be designated as “colored” and will ultimately be unable to attend the white institutions in Virginia.\textsuperscript{117} When registrar, A.T. Shields contacted Plecker about the marriage license,
he told Plecker that a marriage license could not be found nor were there any records indicating that Sperka and Hartless applied for a marriage license in Rockbridge County. Shields believed that Sperka and Hartless traveled to another county or even a surrounding state. Shields also told Plecker that he could not locate Hartless and that there are several people named Hartless that appear to be white living in the county and not in the Irish Creek community where Plecker believed the “mixed” families were living. “I am pointing out to you the difficulty under which our office is laboring in properly classifying these people unless we have the full cooperation of the county officials and citizens of Rockbridge County in keeping the Irish Creek free issue people in their place. That place, as you well know, is not in the white race.”

After contacting Sergeant Sperka about his marriage and newborn child, Plecker contacted A.T. Shields about actions he began to see many “mixed” families taking in order to marry and register their children in white schools, many families moved to other counties or states. “It has become quite the custom for these people to leave their county, or even State, to marry. They are going to one county or city and securing a license, then going to another to have the ceremony performed. They are carefully avoiding Amherst County, however because they cannot get by with it there. Plecker found that the Branham and Johns families were traveling to Lynchburg in Bedford County to marry and would be classed as white then return to live in Amherst County. Officials in Bedford County contacted Plecker and sought to recall those who were married in

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118 Walter A. Plecker to A.T. Shields, September 25th, 1930. , Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
119 Walter A. Plecker to A.T. Shields, October 17th, 1930, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Lynchburg in order to void any marriage licenses issued in the town. Plecker contacted
Shields to warn him of the danger they were facing with “mixed” families traveling to
other counties and states to obtain marriage licenses and feared that Rockbridge County
would begin to see the same.

In response to William T. Adcock, another member of the Monacan tribe in
Amherst County, Walter Plecker showed at great length his desire to use intimidation as a
means to keep members of the Virginia Indian community from registering as “white.”

Dear William:

I received your letter of October 30th, 1929 in which you say that “We have decided to lose the last drop of blood we have in us before we will be classed as colored.”

In order to know upon what grounds you considered yourself white, I wrote to you twice asking you to tell us who was your mother and who was her mother. You did not reply to either letter as we certainly expected you to do if you are attempting to maintain that they are white. I did not however ask you that because we did not know but simply to see what you would say.

The old birth records which we have, made by the Commissioners of the Revenue as they visited the homes of the people to assess them for taxes gives your family history clearly. The Commissioners of the Revenue knew every family perfectly well, just what they were, and where they came from.

These records show that your father Elisha Willis was a colored man. The old tax records also give him as colored. Your mother Margaret Adcock was the daughter of Belinda (sometimes called Malinda) Branham, recorded as a mulatto, and William Adcock. Belinda your mother was a daughter of Creasy Branham.

We have in our office a copy of Woodson’s list of “free negroes” of the 1830 U.S. Census, which gives Creasy Branham of Amherst County as a free negro.

Responsible people of Amherst County, now living, make the same statement. She was generally known as “a little brown skinned negro who lived to be nearly one hundred years old.”

In 1899 you took out a license to marry Mary (or Polly) Branham. This license gives both of you as colored.

The record of the birth of your wife Polly Branham, December 25th, 1875 gives her as colored and the daughter of Marshall and Arnetta Branham.
With the evidence as given above I am compelled under the 1924 Act to list you and your children and all other descendants of Creasy Branham or Elisha Willis or their blood relatives as colored.

I want to warn you that the Racial Integrity Law of 1924 makes it a penitentiary offense for any one with a trace of negro to marry a white person or to register in the Bureau of Vital Statistics as white. All midwives or heads of families who attempt to register “free issues” or colored births or deaths as white, are liable to be indicted on a felony charge.

Yours very truly,
W.A. Plecker, M.D.
State Registrar

The Beverly and Adcock families in Amherst County were headstrong in demanding that the local Vital Statistics office register their families as white and that they have been marrying into white families for generations. Plecker and officials from the Bureau of Vital Statistics went to extensive efforts to document the family histories of both families and as a result Plecker sent copies of these family histories to the local registrars in Amherst County instructing the local clerks to attach these histories to the requests from both families when applying for a marriage license or birth of a child. Plecker warned the registrars that he believed that “it is necessary to handle this situation with firmness. It would be an overwhelming disaster for Amherst County if from eight to ten hundred of these mixed breeds as a body enter the white race."

Plecker also received inside information from anonymous informants who refused to be identified but would give information pertaining to Virginia Indians registering their children as “white.” Plecker contacted R.M. Irby, Superintendent of Schools in

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120 Walter A. Plecker in a letter to William T. Adcock of Amherst, Virginia, January 7th, 1930, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.

121 Walter A. Plecker to Local Registrars of Amherst County, January 8th, 1930, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Lexington, about Ben Floyd who was sending his children to the white school in Cornwall. Plecker told Irby that “frequently anonymous communications of this sort contain facts of value which it is well to investigate, even though the writer is afraid to attach his name.”

After the passage of the Racial Integrity Law, Virginia Indians showed their defiance by refusing to be labeled “colored” or demanding that they could be labeled as “white” in order to have the same treatment and advantages for their families as white families had in Virginia’s public institutions. Until the repeal of the racial integrity laws in 1967, Virginia Indians chose to change the ways in which they were labeled through legal action and sheer determination in refusing to be labeled as something they were not. As the American Indian Movement spread across the United States, Virginia Indians were largely absent from the militancy of AIM. Despite the unimaginable pain and suffering the racial integrity laws caused for Virginia Indian families, by the time the standoff at Wounded Knee occurred on the Pine Ridge reservation in South Dakota, the events gave Indians in the United States a newfound voice to correct the atrocities committed against Indian tribes. The events shaped Virginia Indians in a very different way from the 1970s to today. The immense pain faced by Virginia Indians culminated in a close relationship with the Commonwealth to aid in the process of healing and finally recognition of Indian heritage in Virginia.

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122 Walter A. Plecker to R.M. Irby, November 19th, 1930, Rockbridge County Clerk’s Correspondence [Walter A. Plecker to A.T. Shields, 1912-1943], Library of Virginia, Richmond, VA.
Chapter Three
Regaining Identity through Recognition: Virginia Indians Today

Although the repeal of Virginia’s racial integrity laws in 1967 brought a newfound hope for the recognition of Virginia Indians, it would not be until the 1980s that Virginia Indians would see recognition as a reality and the possibility of presenting their true identities to the Commonwealth without fear of prejudice or segregation. In 1982, the General Assembly of Virginia convened to form a commission discussing their relationship with Virginia Indian tribes in the Commonwealth. When the General Assembly met in 1983 they established the Commission on Indians, now Virginia Council on Indians, on July 1st, 1983 and finished a report to the Governor and General Assembly in December of 1983. The Commission’s goal was “to gather information, make studies, and conduct research into the Indian tribes of the Commonwealth. The Commission also is to suggest ways to assist Virginia’s Indian population in reaching its full economic and social potential.”

Despite making headways for state recognition, it would not be until 1989 that the Monacan tribe in Amherst County gained their state recognition. Although the Commission on Indians sought recognition for all Virginia Indian tribes, the members only consisted of representatives from the Chickahominy Tribe, United Rappahannock Tribe, Eastern Chickahominy Tribe, and the Upper Mattaponi Tribe. The other five members of the Commission were not Virginia Indians. In the 1983 Report, the Commission sought to establish the “appropriate model” in which to base the Commission on. The members contacted other states who have enacted commissions for

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123 Report of the Commission on Indians To The Governor and the General Assembly of Virginia, December, 1983, 2
124 Report 3
American Indian tribes to gain the knowledge on how to format programs for the Virginia tribes. The major goal of the Commission was to provide educational and employment opportunities for the tribes and provide public awareness for communities in establishing historical ties with Virginia Indian tribes. “We believe that a primary task of the Commission should be to increase Indian awareness of and participation in the economic and business councils of the State and its localities.”

One of the final goals introduced in the Report was the initiation of more research in Virginia Indian history and what Virginia Indians hope to achieve today. The Commission hoped to achieve these goals by 1985 and set a precedent for future proceedings. For the tribes, centuries of marginalization from white society left their contributions and achievements unknown to most and this goal placed the importance of their history and identity as Virginia Indians to allow tribal communities to identify themselves as Virginia Indians.

In 1982, the United Indians of America initiated a project led by David Wilkins and Kathy McKee and published a statement of the Indian Information Project under the Joint Subcommittee on the Historic Dealings and Relationships between the Commonwealth of Virginia and Virginia Indian Tribes. The group was formulated by Virginia Indian Tribes to establish a historical record on the legislative relationship between the Commonwealth and the tribes. In his testimony to the Joint Subcommittee, David Wilkins pointed out that the “Commonwealth of Virginia has consistently acknowledged the separate and distinct existence of the non-reservated tribes of this

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125 Report 4
Acknowledgement of the separate legal and political rights of these tribes."  

Wilkins also spoke in great length about the historical perspective of Virginia Indians and how they saw their history and identity through the centuries. Although laws may have been repealed centuries ago, their impact is still felt today.

History, as we all know is an ongoing process. And while some claim that colonial laws and events are merely past occurrences to be read in our local libraries, there is a very real sense in which we can state that these actions are never completely erased. Nathan R. Margold, the Solicitor General of the United States during the 1940’s has stated: “Laws long repealed have served to create legal rights which endure and which can be understood only by reference to the repealed legislation. Thus, one finds that he cannot rest with a collection of laws “still in force” but most constantly recur to legislation that has been repealed, amended, or superseded.” (Cohen, 1972: P. XXXVIII).

Wilkins could not be more right as the Racial Integrity Law of 1924 is a prime example of laws that were once repealed coming back to influence the legislation of today. The definition of Indian was never explained and the designation of Indian was never used. Instead, Virginia Indian tribes were labeled as “colored” or “black” further muddying cultural distinctions in Virginia. These labels enforced on Indians had a devastating impact on Virginia Indian tribes during the twentieth century as Walter A. Plecker used records that labeled Indians in this manner to prevent them from attending white institutions and destroying the sacred identity Virginia Indians preserved for centuries.

Wilkins testimony provides an important insight as to how Virginia Indian tribes view their own history. Wilkins was careful to point out important events from the

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127 Wilkins 2
colonial period that still pertain to today and impact the relationship between the tribes and the Commonwealth. First, at the time of English contact, Virginia Tribes were a dominant group but lost this dominance due to English settlement. Second, there were many meeting designed to define the status of the relationship between Virginia Indians and Virginia. “Of importance to us is the Treaty of 1677 which still govern’s serves as the legal instrument governing the political relationship between the Mattaponi and Pamunkey tribes. The tribes here today were not direct signatories of this treaty; however, their rights were also acknowledged.”

Beginning with Alexander Spotswood, the goal was to educate and assimilate Virginia Indian tribes into Colonial Virginia society and to also legally take away the rights of Indians and African Americans who were grouped into the category of “non-whites” and subsequently marginalized by white society if they did not assimilate.

Because of this marginalization, Wilkins points out that because the records for Virginia Indian tribes until the 1840s are scarce, that does not mean that the tribes were decimated and reeling from their relationship with the Virginia Colony. “It must be made clear that simply because a people are not recorded in the literature, this in no way implies that they have ceased to function as a distinct people, retaining a community identity and exercising internal governmental functions inherent in any group of people.” Instead of facing destruction of their cultural communities, the Virginia Indian tribes chose to retreat, voluntarily or forcibly, into the periphery of Virginia settlements in order to survive.

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128 Wilkins 3
129 Wilkins 4
130 Wilkins 4
Although, Wilkins was clear to point out that all Virginia Tribes were entitled to recognition, the Monacan Tribe was largely absent from the proceedings. It wouldn’t be until the late 1980s that the other six tribes would eventually gain recognition. Attorney Kathy McKee presented her testimony after David Wilkins and provided the legal framework and historical process of recognition:

Generally speaking, there is no set formula for recognition of Indian tribes be it federal or state recognition. Recognition is more accurately described as the culmination of a process. That process is one of sifting through historical, social science and legal research in order to determine a pattern in relationship between Indian and other communities. The historical and social science materials provide the insights on the geographic area in which Indians have lived and how they have structure their communities. The Church records and public records enable us to trace family descendants of Indian people from the time they assumed English surnames to recent times. However, the pattern would not be complete without a review of legal documents. Through examining treaties, assembly laws, judicial opinions and state attorney general opinions we are able to determine whether a distinct legal relationship has existed between a jurisdiction and its Indian tribes and communities. That is really at the crux of the issue of recognition: verifying the existence of relationships between a state and its Indian citizens that acknowledges that transactions with Indians are to a set of rules and laws differing in purpose and substance from those that apply to the general population.131

McKee was able to analyze the relationship between Virginia Indians and the Colony of Virginia (now the Commonwealth of Virginia) and found that the relationship between the two has remained the same in some aspects. The policy during the seventeenth century was to “normalize” contact with Virginia Indian Tribes which consisted of banning trading ties with the tribes, banning the sale of weapons, and formulating plans to call armies in times of conflict with the tribes. During the middle part of the seventeenth century, these policies changed slightly and took a more peaceful turn when

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legislation was enacted to decrease the need for conflicts and take a more paternal stance with the tribes where interpreters would be used for peaceful transactions. Rights for the tribes were few and trade would only be permitted with a license from the colony.\textsuperscript{132}

During the beginning of the eighteenth century in Virginia, the General Assembly enacted stricter definitions of the relationship with tribes and the paternalism inherent in the policies became geared toward business relations as well. As the eighteenth century drew to a close, the nineteenth century became a time where a policy of guardianship is enacted with a distinct definition. McKee points out during her testimony that Virginia Indians are fighting for their right to be considered free citizens of the Commonwealth and in turn, the General Assembly in some court cases have issued designations labeling Virginia Indians as free citizens. During the beginning of the twentieth century, a census was established with the racial category of “Indian” and laws established the existence of Indians in Virginia.\textsuperscript{133} It seems that the Commonwealth, during the Racial Integrity Acts, did little to enforce the legislation that had existed for four centuries. Perhaps many of the officials in the Commonwealth assumed that there were few written records of the existence of Virginia Indians and their role with the Virginia colony and later the Commonwealth to keep Plecker from carrying out the racial integrity laws.

By December, 1982, the Commission on Indians concluded their findings in a report, published in 1983, to the Governor and General Assembly of Virginia:

The Indian tribes that were native to the area that became the Commonwealth of Virginia are entitled to be recognized officially by the General Assembly of Virginia. Members of such tribes and other persons of Indian heritage residing in the Commonwealth

\textsuperscript{132} McKee 2
\textsuperscript{133} McKee 2-3
should be assisted by the Commonwealth in securing available governmental benefits reserved for Indians.\textsuperscript{134}

The report advised the Commonwealth to recognize the Chickahominy, the Eastern Division Chickahominy, Mattaponi, Upper Mattaponi, Rappahannock, and Pamunkey. The report also acknowledged the existence of other tribes in the Commonwealth.

“Resolved further, that the General Assembly of Virginia by virtue of the United States census and other evidence acknowledge the fact that members of other Indian tribes reside within the Commonwealth.\textsuperscript{135} By 1985, the Nansemond tribe would be added to the list of state recognized tribes and the Monacan would be recognized in 1989.

State recognition was only the beginning for Virginia Indian tribes in healing the wounds of four centuries of mistreatment. The Racial Integrity Act of 1924 only deepened those wounds but by the 1980s the tribes were slowly gaining their identity back by formulating goals for all the tribes to achieve through a peaceful process. Jobs, education, and preservation of tribal identity were the goals of the 1980s as well as today.

The Mattaponi-Pamunkey-Monacan Consortium lobbies for federal money on behalf of the Virginia Indian tribes. Founded in the late 1980s, the group helps Virginia Indians with nurturing the skills of each individual member in order to gain employment. G. Warren Cook of the Mattaponi Tribe was head of the consortium in 1987 and put Virginia Indians in perspective to other tribes in America. “Virginia Indians are unique, compared to western tribes and northern tribes. We don’t have the drug and alcohol abuse they have; we don’t have the poverty they have. If we dealt only with the economically disadvantaged, we would have to close down tomorrow. Our requirements

\textsuperscript{134} Report of the Joint Subcommittee Studying Relationships Between the Commonwealth and Native Indian Tribes to the Governor and the General Assembly of Virginia. Richmond 1983

\textsuperscript{135} Report of the Joint Subcommittee Studying Relationships 15.
for eligibility are different from those in the rest of the country.” The chiefs of Virginia Indian tribes make sure to teach the younger generation about the importance of staying away from the dangers in which other tribes throughout America have fallen into. Leonard Adkins of the Chickahominy tribe described the problems in which they hope to remedy:

Our main concerns now are to ensure that our young people gain the values of a higher education. That they realize the dangers of drugs and stay away from them. And that they go to church. I think religion plays a part in developing character and morals for the rest of one’s life. We feel these are values our kids ought to aspire to.”

Religion and education seem to have been key in healing the wounds of the racial integrity laws and regaining tribal identity.

Although religion and education were focused on Christianity, missionaries who established the churches seemed open to the idea of preserving tribal identity and culture which in turn fomented security and strength. In 1906, the Episcopal Church established a mission on Bear Mountain where the Monacan Indian Nation had struggled to live. The church also established a school, tribal center, and a baseball field. Former Chief Ronnie Branham and other Monacans credit John Haraughty, leader of the mission since 1968, for his help in maintaining tribal identity and has embraced the culture of the Monacans and also brought them into the modern age with advanced medical care, updated housing, and careers.

One of the most interesting aspects of the history of Virginia Indian tribes is their capacity to endure despite the continuous attempts to write their contributions from history books. Marvin Bradby of the Eastern Chickahominy believes that tribal communities sticking together have helped Virginia Indians survive to the present. “We’ve found security within our group. Any time you see an Indian family somewhere, it is likely you’ll find more than one. We seem to live in groups. We tend to cling together. We find support from one another that we don’t find in the outside world.”\(^{139}\) Despite being warring factions in the seventeenth century, the Virginia Indian Tribes find a common unity today that brings them closer together.

By the mid-1990s, Virginia Indian tribes began the process of seeking federal recognition. A topic that has brought a fierce debate over the use of federal funds but Virginia Indians are adamant that federal recognition doesn’t mean the establishment of casinos but funds for scholarships for education. Some members of Virginia Indian tribes also believe that the possibility of regaining reservation lands back could be achieved through federal recognition. Gary Bond, chairman of the United Indians of Virginia says “there is also a chance that federal recognition might help landless Virginia tribes buy old reservation land that was sold or stolen over the years.”\(^{140}\) The desire to gain back reservation or tribal lands may be difficult and animosities may arise between current landowners and the tribes themselves, an issue that the Commonwealth is reluctant to deal with.

For decades, the development of funds to foster the study of Virginia Indians has been scarce even during the height of the racial integrity laws where many in


\(^{140}\) “Indian Tribes Take Steps for Federal Recognition.” *Richmond Times-Dispatch*. June 1,1995. B6
academia were calling for more funds for historical research and archaeological fieldwork. Dr. H.J. Eckenrode, lead historian for the Virginia Conservation Commission in 1940 sought funds from the General Assembly but was unsuccessful in acquiring funds event though many archeological digs turned up evidence of Indian occupancy.\textsuperscript{141}

The struggle of Virginia Indians also played out in newspapers statewide from the Atha Sorrels case in 1924 to their struggle for identity in the 1970s to recognition in the present day. Virginia Indians found a welcome ally to bring their message to the Commonwealth and to prove that they still existed. In the Danville newspaper, \textit{The Bee}, Associated Press writer, George W. Wilbur, wrote about his astonishment on how Virginia Indians had escaped society’s evils despite their treatment over four centuries. “Drug abuse, violent protests, sexual permissiveness, the generation gap, adamant pacifism, and the school busing furor have caused scarcely a ripple among the reservation Indians of Virginia’s eastern plain.”\textsuperscript{142} Curtis Custalow believes they have escaped these evils by adhering to the traditions of a close family where everyone should be accountable for their actions. Wilbur also pointed out that as of 1971 Virginia Indians did not receive any sort of funds from governmental agencies.\textsuperscript{143}

Virginia Indian tribes also found an ally in the \textit{Richmond Times-Dispatch} which had chronicled stories about Virginia Indians for decades. During the formation of the Virginia Council on Indians, the Times-Dispatch took a keen interest on their efforts to

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\item \textsuperscript{141} George Prince Arnold. “History of State’s Indians Neglected for Lack of Funds.” \textit{Richmond Times Dispatch}. November 11\textsuperscript{th}, 1940.
\item \textsuperscript{142} George W. Wilbur, “Virginia Indians Appear To Have Safely Navigated Around Social Upheavals.” \textit{The Danville Bee}. August 27\textsuperscript{th}, 1971. P. 2A
\item \textsuperscript{143} Wilbur. 2A
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reclaim tribal identity and present their history to the public.\textsuperscript{144} Many lawmakers called not only for state recognition of all Virginia Indian tribes but also federal recognition. One of the most recent efforts was on March 19\textsuperscript{th}, 2009 when Governor Timothy Kaine testified in front of Congress to urge them in granting federal recognition for Virginia tribes. The \textit{Richmond Times-Dispatch} reported that “the governor said that the cooperation of Virginia's tribes with European settlers -- combined with a state policy that destroyed evidence of their heritage between 1924 and 1964 -- have kept Virginia's tribes from being federally recognized like the 562 others already acknowledged by the U.S. government.”\textsuperscript{145}

The personal pain for many Virginia Indians whom Plecker targeted still exists today. Peter Hardin, \textit{Richmond Times-Dispatch} correspondent interviewed a mother from the Monacan Indian Nation who gave birth to a son during the height of the enactment of the \textit{Racial Integrity Act}. When the mother was given her son’s birth certificate she noticed that under the heading of race, her son was listed as black. The mother refused to accept the race on the birth certificate as anything but Indian but the hospital would not allow her to be released until she accepted the race on the certificate. The mother only spoke to Hardin anonymously since she still feared repercussions of prejudice from society as it took her decades to have the race on her son’s birth certificate changed. Even twenty years after the enactment of the racial integrity laws, Plecker still

\textsuperscript{144} Although some tribal representatives are willing to discuss events that took place during the passage of the Racial Integrity Acts, many members that were directly affected by the acts are unable to discuss their experiences as they are too painful to relive. In an email from Dana Beachman of the Virginia Council on Indians, I attempted to contact members of the tribes for interviews but was told by Ms. Beachman that most will not speak of their experiences and the tribal members that are able to discuss experiences have already done so through newspapers and published books.

kept a list of surnames whom he believed were passing of as white or Indian. Hardin also interviewed William P. Miles of the Pamunkey Tribe who believes that Plecker was just like Adolf Hitler. “He came very close to committing statistical genocide on Native Americans in Virginia.” Diane Shields, a member of the Monacan Indian Nation also interviewed believes that Plecker’s actions resulted in some unexpected actions. “It kind of backfired with Plecker. He pushed the Indian people closer and gave us an identity.”

Karene Wood and Diane Shields are the heads of the Office of Historical Research for the Monacan Indian Nation and have published a history of the tribe and they provide a part of the missing history of the Monacan Indian Nation. Wood and Shields write about the Monacan Confederacy and that several tribes joined the confederacy for protection. During the nineteenth century, the Monacans were composed of four families, the Branham, Evans, Johns, and Penn families living on Johns Creek in Amherst County. By 1807, the families settled on Johns Creek and were living apart from the surrounding settlements until the nineteenth century when Episcopal missionaries arrived and built a mission on Bear Mountain in 1907.

The effort in piecing together the history of the Monacan Indian Nation has helped the healing process brought on by the Racial Integrity Act. Besides retracing

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147 Hardin 3
148 Hardin 4
150 Wood 20
151 Wood 23
Monacan history, the ability to look to future generations and continuing public outreach has helped establish the history of the Monacan Indian Nation and preserve their identity.
Conclusion

Today, the Monacan Indian Nation, like the other ten recognized tribes, is trying to look to the future and heal from the wounds inflicted by the Plecker Era. Plecker was able to enforce the *Racial Integrity Laws* on the members of the Monacan Indian Nation in Rockbridge and Amherst counties due to the scarcity of historical documents that chronicled the history of the Monacan Indian Nation. The two reservated tribes, the Mattaponi and Pamunkey, had distinct records and treaties that presented their relationship with the colony of Virginia and later Commonwealth. Although Plecker deemed that Indians no longer existed in Virginia, he had a very hard time enforcing the racial integrity laws on these two tribes because of official British and Commonwealth records. Plecker refused to accept Monacan oral histories that showed that those who were descended from the ancient tribe were still alive in Amherst and Rockbridge counties.

The Monacan Indian Nation has been successful in attempting to remedy the race designation on all birth, marriage, and death certificates and their next step is achieving federal recognition. The Monacan Indian Nation, as well as several other Virginia Indian tribes, is currently seeking federal recognition. Although the process to obtain federal recognition is long and arduous, members of the Monacan Indian Nation have remained steadfast in proving that they are Virginia Indians.
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